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WIPO CONFERENCE

Nineteenth (15th Ordinary) Session
Geneva, September 24 to October 3, 2001

PERMANENT COMMITTEE ON COOPERATION FOR DEVELOPMENT
RELATED TO INTELLECTUAL PROPERTY

Document prepared by the Secretariat

1. The second session of the Permanent Committee on Cooperation for Development Related to Intellectual Property (“the PCIPD”) was convened by the Director General from February 5 to 8, 2001, in Geneva. The PCIPD adopted the report (document PCIPD/2/9), which is attached as the Annex.

2. *The WIPO Conference is invited to take note and comment on the information contained in the Annex.*

[Annex follows]

REPORT
(WIPO document PCIPD/2/9)

1. Convened by the Director General, the second session of the WIPO Permanent Committee on Cooperation for Development Related to Intellectual Property (“the Committee”) met at the International Conference Center in Geneva from February 5 to 8, 2001.
2. The following member States of WIPO were represented at the meeting: Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belarus, Brazil, Bulgaria, Cambodia, Cape Verde, Central African Republic, China, Colombia, Congo, Costa Rica, Côte d’Ivoire, Cuba, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kenya, Lao People’s Democratic Republic, Latvia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malaysia, Mauritius, Mexico, Morocco, Nicaragua, Niger, Nigeria, Pakistan, Panama, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Uruguay, Venezuela, Yemen, Zambia (84).
3. Djibouti was represented at the meeting in an observer State capacity.
4. The following intergovernmental and international non-governmental organizations were represented in an observer capacity: African Regional Industrial Property Organization (ARIPO), Confederation of Indian Industries (CII), European Commission (EC), European Patent Office (EPO), [International Federation of Inventors’ Associations \(IFIA\)](#), [International Federation of Musicians \(FIM\)](#), [International Federation of Reproduction Rights Organizations \(IFRRO\)](#), International Labor Office (ILO), [International Organization for Standardization \(ISO\)](#), [International Poetry for Peace Association \(IPPA\)](#), [International Publishers Association \(IPA\)](#), League of Arab States (LAS), Organization of African Unity (OAU), United Nations (UN), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Trade Organization (WTO) (16).

Agenda Item 1: Opening of the Session

5. The Meeting was opened by the Deputy Director General of WIPO, Mr. Roberto Castelo, on behalf of the Director General.

Agenda Item 2: Election of Officers

6. The Committee appointed Mr. [Germán Alberto Voss \(Argentina\)](#) as Chairperson and Mrs. [Irina Egorova \(Belarus\)](#) and Mr. [Henry Olsson \(Sweden\)](#) as Vice-Chairpersons. Mrs. Carlotta Graffigna (Director-Advisor) and Mr. James Quashie-Idun, Director, Cooperation for Development (Intellectual Property Law) Department, WIPO, acted as Secretary.

Agenda Item 3: Adoption of the draft Agenda

7. The provisional Agenda contained in document PCIPD/2/1 Rev. was adopted.

Agenda Item 4: Cooperation for Development Activities in Africa, the Arab States, Asia and the Pacific and Latin America and the Caribbean: Highlights for the Period Since the Last Session of the Permanent Committee

8. The topic was introduced by Mr. Geoffrey Onyeama, Director, Cooperation for Development Bureau for Africa, Mr. Sheriff Saadallah, Director, Cooperation for Development Bureau for Arab Countries, Mr. Narendra Sabharwal, Director, Cooperation for Development Bureau for Asia and the Pacific, Mr. Ernesto Rubio, Director, Cooperation for Development Bureau for Latin America and the Caribbean and Mr. James Quashie-Idun, who made presentations regarding the activities carried out.

9. The Delegation of Spain expressed satisfaction with the excellent cooperation between WIPO and its country in the Latin American and Caribbean region. It pointed to the active cooperation carried on by Spain in the industrial property field, both at the bilateral level and in collaboration with WIPO and also other international organizations such as the EPO and the Office for Harmonization in the Internal Market (OHIM). On behalf of the Ibero-American Community it presented the program of Ibero-American Cooperation in International Search (CIBIT), a novel cooperation program that would provide substantial benefits and considerable added value for all the States and offices involved. The Ibero-American Summit of Heads of State and Government, held in Havana in November 1999, had included in its Final Declaration its approval of a cooperation initiative in the field of international patent search with the support of the Ibero-American Cooperation Secretariat, an international body with which WIPO has signed a cooperation agreement in November 2000. It explained that the cooperation program came within the framework of the Patent Cooperation Treaty (PCT). It recalled that the Spanish Office had since 1993 been a Spanish-language International Searching Authority under the PCT, and mentioned an agreement signed on February 4, 1999, between the EPO, the Swedish Patent and Registration Office and the Spanish Patent and Trademark Office which institutionalized the system of cooperation between the three Offices as Searching Authorities for 60 per cent of all international searches. It mentioned that the agreement was based on a sharing of competence according to linguistic criteria, with the Spanish Office taking responsibility for any international search requested by Ibero-American applicants at one of the Offices mentioned. On that basis a program of cooperation had been devised which consisted in engaging patent examiners from Ibero-American offices in the Spanish Patent and Trademark Office for a period of one year, renewable for another year, for the conduct of international patent searches after the provision of the necessary training. That in turn would allow such an examiner to become a trainer himself at his national office, thereby tightening further the links between all Ibero-American industrial property institutions and promoting the accession of Ibero-American countries to the PCT. It pointed to the fact that the defense and promotion of Spanish as a language of technology and as a key language in the PCT procedure was another priority aim of the CIBIT program. The Delegation said that the program was open to all countries of the region, but that it would start gradually on March 1, 2001, with a first examiner from the Mexican Institute of Industrial Property (IMPI). The results of that first experiment would be evaluated by the Ibero-American Cooperation Secretariat and submitted to the next Ibero-American Summit of Heads of State and Government, which was to be held in Peru at the end of the current year. It added that work was already proceeding with the

inclusion of new countries in the program, memoranda of understanding having been signed with the Argentine National Institute of Industrial Property (INPI) and with the Directorate General of Industry and Commerce of Colombia, the aim being that the Ibero-American industrial property community should make use of the Spanish Patent and Trademark Office for the benefit of all concerned.

10. The Delegation of Malaysia, speaking on behalf of the Asian Group, noted that the WIPO Cooperation for Development Program, as planned and implemented by the Asia and the Pacific Bureau under the direction of the Director General, had successfully attained its primary objective of strengthening national capacities and promoting international cooperation leading to the development and modernization of the administration and utilization of the intellectual property system by developing countries. This success was achieved in the context of new issues and rapid changes brought about by an increasingly technology-driven society. WIPO was able to address these new challenges through the strengthening and deepening of its cooperation for development activities. The Delegation highlighted the progress achieved in subregional cooperation due to the initiation by the Asia and the Pacific Bureau of activities aimed at strengthening cooperation among member States through the exchange of information and the sharing of expertise and know-how, in particular, within the Association of South East Asian Nations (ASEAN), the South Asian Association for Regional Cooperation (SAARC) and the Association of South Pacific Countries (SOPAC), and among various groups such as intellectual property administrators, system users and practitioners and civil society in general. The conduct of seminars, symposia and training courses, within WIPO's regular budget and utilizing extrabudgetary sources such as the Japan Funds-in-Trust, the United Nations Development Programme (UNDP) and the World Bank, had been instrumental in achieving this progress and should be continued as they provided excellent opportunities for regional policy makers to address the emerging policy and strategy issues of intellectual property. The Delegation drew particular attention to the needs of the least developed countries (LDCs) in the Asia and the Pacific region. It was noted that the Lisbon Meeting on LDCs held on February 1 and 2, 2001, was a significant step towards addressing these needs. In addition, while the Delegation welcomed the agenda items on electronic commerce, the protection of traditional knowledge and the WIPO Worldwide Academy (WWA), it noted that the challenges of new global issues required innovative and creative responses. It underscored the importance of the WIPONET project as well as the ten-point plan of action under the WIPO Digital Agenda. The Delegation also reiterated the support of the Asian Group for the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, which will hold its first meeting from April 30 to May 4, 2001. It also observed that more developing countries should benefit from the WWA. However, the institutional capacity of the Academy should be further strengthened in order to maintain its status as a center of excellence in human resource development in the field of intellectual property. The Delegation expressed the view that the activities of the cooperation for development program of the Asia and the Pacific Bureau should not only be maintained, but also that the program should embark on more activities and benefit from the allocation of more funds.

11. The Delegation of Portugal referred to the setting-up on July 17, 1996 in Lisbon of the Community of Portuguese-speaking Countries (CPLP). The CPLP comprises the following countries: Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal, Sao Tome and Principe and, soon, Timor. The aims of CPLP were political and diplomatic coordination between the members to ensure growing participation in international meetings and cooperation in the economic, social, cultural, legal and scientific fields. The Delegation expressed the wish that CPLP should obtain the support of WIPO in achieving its objectives.

12. The Delegation of Madagascar, speaking on behalf of the African Group, thanked the Director General and the staff of WIPO's International Bureau for their dedication and expressed the gratitude of the African Group for the enormous work that has been achieved and for the development aid projects that WIPO continued to implement on its behalf. It stressed the prime importance assumed by the WIPONET project for all developing countries since it would enable intellectual property offices to access a worldwide network of information. With respect to the protection of audiovisual performances, it expressed its wishes that a new diplomatic conference should be convened in order to conclude an international agreement on that issue. The African Group welcomed the existence of a program for small and medium-sized enterprises (SMEs), which should enable them to improve their competitive position in worldwide trade by making better use of the intellectual property system. It also greeted the setting-up of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, whose first meeting was soon to be held, and promised its full contribution to the work of that meeting. Finally, the African Group wished to thank WIPO for the assistance that it provided, together with WTO, to the developing countries with regard to the compliance of their national laws with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

13. The Delegation of Uruguay, speaking on behalf of the Group of Countries of Latin America and the Caribbean (GRULAC), said that the Group was pleased to note the cooperation activities that WIPO had engaged in for Latin America and the Caribbean since the last session of the Permanent Committee, commenting in particular on the work done by the Regional Office in identifying technical cooperation needs and in coordinating and implementing the cooperation program, adding that it was confident that the Committee was the appropriate forum within which to work out a policy in the cooperation field. It referred on the one hand to the intense and valuable assistance received from WIPO in the process of legislative modernization required for implementation of the TRIPS Agreement in the countries of the region, and on the other hand to the importance that would be attributed to the work of strengthening institutions and taking greater advantage of the opportunities offered by intellectual property from the point of view of the development of production and trade, including the promotion of intellectual property among smaller businesses. It emphasized the Group's hope that WIPO would be able to continue to increase the resources set aside for the implementation of its technical cooperation program for countries of the region, with respect to both national action plans worked out individually with each country and also programs that would serve to promote subregional and regional cooperation on issues related to intellectual property. It ended its intervention by stating that the Group would regard as a constructive move WIPO's intention to set aside a percentage of its budget for cooperation activities, and by pointing to the need for the International Bureau to continue to strengthen its support for activities aimed at the promotion of innovation.

14. The Delegation of Sri Lanka thanked WIPO for its continuing legal and technical assistance to the country, in particular in the implementation of the TRIPS Agreement and in the development of the intellectual property system of the country as a whole. It highlighted the beneficial impact of such assistance in modernizing legislation, human resource development, awareness and institution building. The Delegation made a special reference to WIPO's assistance in creating an automated support system for the National Intellectual Property Office, in establishing a society for the collective administration of copyright and related rights, and in embarking on a public outreach program aimed at demystifying intellectual property rights. The Delegation, while appreciating the initiative taken by WIPO in establishing a forum for intellectual property cooperation among the member States of SAARC, emphasized the need to pursue these activities in the national

and collective interest of the countries concerned. It expressed the need for further assistance from WIPO in the field of promotion of inventive activities and the protection of traditional knowledge and also its desire to continue as an active partner in the WIPO Cooperation for Development Program.

15. The Delegation of Sweden commended the International Bureau for its ongoing activities and initiatives in the area of technical cooperation. These activities had had a great impact, as was evident, for example, in the discussions in WTO, which indicated a deeper and wider understanding of intellectual property. The Policy Advisory Commission played an important role in the formulation of development cooperation activities as it provided advice on matters relating to intellectual property. In relation to the need to engage new partners, the Delegation noted that the number of women participants in the training courses jointly organized by WIPO and Sweden had increased steadily in the last 20 years. More than half of last year's participants were women. The administration of copyright was important in the context of trade and new technologies. This extended beyond traditional areas and included both reprography and the Internet. The activities undertaken by WIPO in the Caribbean region to establish a regional collecting society were important. Regional cooperation in Northern Europe had proved to be extremely beneficial in this area. On the need for cooperation between various industries and ministries in the handling of intellectual property matters, the Delegation stressed the need for policy setting to be carried out in close cooperation with different sectors, as many issues were increasingly interlinked, particularly in the context of WTO. Assessing the economic impact of intellectual property was also an important activity, as the economic value of intellectual property should be taken into account by policy makers. In Finland for example, intellectual-property-related activities accounted for 4.6 per cent of GNP. Other areas of interest included the promotion of local products, the protection of geographical indications and, to a certain extent, the protection of industrial designs. Sweden was also pleased with the increased attention given to SMEs in WIPO's development cooperation activities, particularly as this was an idea it had supported from the outset.

16. The Delegation of Yemen expressed its appreciation for WIPO's continued assistance to developing countries, and thanked the Director General and the Arab Bureau for the activities implemented in the Arab region. The Delegation emphasized that developing countries and LDCs could promulgate intellectual property legislation, but the major problem that they were facing was the development of human resources. Therefore, training sessions abroad, national and regional workshops and specialized training for judges and enforcement officials should be increased. The Delegation also requested that fact-finding missions by intellectual property experts be sent by WIPO to evaluate the situation in the respective countries in the region. The Delegation stressed the need to establish a regional organization for inventors and innovators. Yemen was looking forward to benefiting from WIPO's future activities, especially those for LDCs, as well as from WIPO's assistance to Arab countries in acceding to WTO.

17. The Delegation of Niger expressed its gratitude to WIPO and congratulated the International Bureau on the intensity of the activities conducted, since the setting-up of the Committee, with regard to the developing countries, and more particularly with regard to Niger; those activities had enabled the decision makers, the public servants and the various players in the economic life of the countries concerned to become better aware of the intellectual property system. It noted that the structural problems faced by the LDCs (lack of funding) meant that intellectual property made a weak contribution to their GDP. It also welcomed WIPO's initiative with regard to the Lisbon Roundtable and observed that the Lisbon Declaration, with the support of WIPO, addressed to the IMF and the World Bank,

could contribute to the constitution of favorable support for the mobilization of human resources to promote intellectual property. Finally, it expressed the wish that cooperation with the LDCs should be effected through medium and long-term development programs, and asked for the benefit of WIPO expertise in the drawing up of a framework program with Niger for 2001. The Delegation of Niger supported the declaration made by the Delegation of Madagascar on behalf of the African Group.

18. The Delegation of Cuba declared its support for the intervention by the Representative of GRULAC, and emphasized the interest in WIPO continuing to build up its development cooperation activities in the next biennium. It then gave an account of the results of WIPO cooperation in its country, mentioning the setting up of territorial delegations throughout the country with technological infrastructures that enabled them, among other things, to have online access to the databases of patent information at the central headquarters of the Cuban Industrial Property Office (OCPI), and also to process administrative management information thanks to the modernization of the national intellectual property system. The Delegate pointed to the support received from WIPO in the development of the "MARIPOSA" CD-ROM product, which contained the bibliographic information of trademarks in force in Cuba, in the drafting of the new industrial property legislation, in the procurement of specialized literature for the creation of degrees and masterships in industrial property, in the introduction of distance learning for the benefit of technical staff and in the organization of events and seminars in such fields as value-added information services based on its information in the field of industrial property, copyright, related rights and collective management, the protection of new plant varieties, the promotion of innovation and the PCT, the Madrid system for the international registration of marks and the Hague system for the registration of industrial designs, the WWA in Spanish, appellations of origin and trademarks. After having emphasized the importance of the Director General's visit to Cuba, she mentioned the areas of work that were considered important for the coming biennium, namely information technology and electronic commerce, the WWA, the development of industrial property information services, especially those of value-added type, the promotion of innovation, copyright, related rights and collective management, the significance of intellectual property for the development of SMEs, traditional knowledge, biodiversity, biotechnology, folklore and handicraft. Finally she recognized the importance of WIPO continuing to organize meetings of Directors of Industrial Property and Copyright Offices for the benefit of Latin America, and increasing its development cooperation activities in the forthcoming biennium.

19. The Delegation of India stated that, since 1999, new legislative initiatives relating to trademarks, copyright, industrial designs, geographical indications and layout-designs of integrated circuits had come to fruition. Legislation relating to patents and plant variety protection was under active consideration in Parliament. India was also putting into place an Intellectual Property Appellate Board to provide a fast-track judicial mechanism for intellectual property issues. India had undertaken a major program of modernization of its patents, designs and trademark offices and of backlog clearance at the cost of over US\$20 million. The Delegation expressed its Government's appreciation and gratitude for the help and support extended by the Director General, Dr. Kamil Idris, Messrs. Roberto Castelo and Narendra K. Sabharwal, in their endeavor to strengthen and streamline the intellectual property system in India, and suggested that WIPO's assistance be sustained and substantially enhanced. The Delegation, on behalf of the Government, extended an invitation to the Director General to visit India. The Delegation endorsed WIPO's initiatives with regard to emerging concerns in intellectual property in areas of information technology, e-commerce, traditional knowledge, biodiversity and access to genetic resources, SMEs and technology transfer. It highlighted its concern in matters related to the protection of its traditional

knowledge and bioresources and requested WIPO to ensure that these concerns were safeguarded. It referred to initiatives taken in India to set up a Traditional Knowledge Digital Library. The Delegation made a number of suggestions: that regional meetings on policy development, which have been held in the last two years, be made an annual feature and that awareness-building initiatives be increased; that, given the designation of India in nearly 100,000 international applications under the PCT over two years, technical support, awareness creation and management initiatives be further extended and enhanced; that India host an Academy session for entrepreneurs and be a WWA's hub for distance learning at the subregional and regional levels; that intensive training courses and programs for specialized categories of professionals such as customs officials, judges, civil servants, policy makers and academicians be co-organized; and that expertise and knowledge be shared by making available experts in computerization, modernization and awareness promotion at the subregional and regional levels.

20. The Delegation of Egypt commended the International Bureau for its assistance to Egypt and to the Arab countries, and particularly thanked the Director General and the Arab Bureau. Egypt attached great importance to WIPO's assistance in modernizing its intellectual property system. The Delegation referred to the successful visit of Egypt's First Lady to Geneva to receive an award of distinguished merit and to the visit of the Director General of WIPO to Cairo, where he was received by the President of the Republic and senior government officials. Egypt wished that the Permanent Committee could concentrate on discussing future policies and initiatives in the field of cooperation for development rather than confining itself to activities which have been implemented. Egypt wished to emphasize the importance of organizing more activities relating to the protection of folklore and traditional knowledge. The Delegation stressed the importance it attributed to the issue of SMEs and referred to the forthcoming G-15 Expert Meeting on Small and Medium-Sized Enterprises scheduled to take place in Cairo on February 19 and 20, 2001, which a WIPO delegation will attend.

21. The Delegation of Kenya recognized and appreciated WIPO's assistance to Kenya, in particular in the sponsoring of training activities and the participation of Kenyan officials in WIPO and non-WIPO organized meetings. The Delegation expressed its thanks to WIPO for the ongoing computerization project and the supply, last year, of computer equipment to the Kenya Industrial Property Office (KIPO), which has gone a long way to improve its services and output, and for WIPO's legal assistance in the drafting of legislation on geographical indications and layout-designs of integrated circuits. The Delegation of Kenya was grateful for the support WIPO had afforded to KIPO's outreach programs and requested the further assistance of WIPO in organizing a national workshop for Parliamentarians before the end of the first half of this year, or at any other convenient time. This request was being made in the light of the decision taken by the Kenyan Government to update all industry and trade-related laws. Furthermore, the Delegation, in acknowledging that KIPO has succeeded in capturing data contained in patents and trademarks, expressed concern over the difficulties the Office was experiencing in scanning and keying into computers, figurative elements of marks. KIPO was engaged in capturing and storing data on computers but was encountering difficulties in capturing and storing data on figurative elements of marks. Consequently, it requested WIPO's assistance in providing computer software to enable the Office to fully automate its procedures as well as in providing industrial property training sponsorships for its newly recruited officials. The Delegation informed the Committee that the Trademarks Act was under revision in Parliament and that a copy of it will be sent to WIPO as soon as it is passed. The Delegation appealed to the International Bureau to set aside funds to facilitate the organization of consultative meetings on intellectual property harmonization in the framework

of the East African Community (EAC). In conclusion, it endorsed the statement made by the Delegation of Madagascar on behalf of the African Group.

22. The Delegation of Morocco thanked the International Bureau, the Director General and the Arab Bureau for their continued assistance. The Delegation indicated that it wished that the Permanent Committee could concentrate in future on policies and the challenges facing the international community. The Delegation indicated that, following a meeting between the Prime Minister of Morocco and the Director General, a WIPO advisory mission visited its country to provide advice on the modernization and restructuring of the national institutions responsible for intellectual property. The Delegation confirmed the importance it attached to the protection of folklore and traditional knowledge, as well as its interest in establishing a strong collective management society. The Delegation was looking forward to the seminar on collective management scheduled to take place in Morocco in May 2001.

23. The Delegation of Austria highlighted the importance it attached to the International Bureau's development cooperation activities. Austria had supported and played an active role in these activities and would continue to do so, through, *inter alia*, the organization, in Vienna, of the annual WIPO-Austria seminar on industrial property. The Austrian Patent Office would also continue to provide search and examination reports within the framework of WIPO's International Cooperation in the Search and Examination of Inventions (ICSEI) Program.

24. The Delegation of Angola associated itself with the statement of the African Group and commended WIPO for including the use of the Portuguese language in several WIPO meetings. It mentioned its appreciation of WIPO's assistance to LDCs and developing countries in the implementation of the TRIPS, and to the Africa Bureau for the organization of the forthcoming national seminar on TRIPS scheduled to be held in Angola. The Delegation attached much importance to the seminar as it will target the judiciary, fraud investigation services and legal practitioners, and emphasized its timeliness in view of the introduction of the new Angolan industrial property law. The Delegation requested the International Bureau to provide technical assistance in the automation of the Industrial Property Office in order to benefit from the WIPONET project, in addition to more WIPO-organized national seminars in the context of the TRIPS Agreement.

25. The Delegation of Mexico stressed the importance that its country attached to the Technical Cooperation Agreement signed by IMPI and WIPO during the Director General's visit to Mexico in March 2000. It mentioned the technical assistance received during the past year under the Agreement, and said that it hoped in the current year to continue to benefit from WIPO cooperation in areas such as assistance in the design of a strategic plan and elements with which to establish a corporate image, computerization to permit access to international patent databases, training of IMPI staff in a refresher course on PCT issues, and also a course on copyright and related rights and a general course on state-of-the-art searching in patent files. It also spoke of the importance that IMPI attached to a stay for one of its patent examiners at the Spanish Patent and Trademark Office (OEPM), which would help to enhance the training of human resources in patent searching, emphasizing the interest that they shared with the Spanish Office in carrying on activities of that type in order to increase the use of Spanish in international search procedures, and encouraging Latin American countries to take part in the project.

26. The Delegation of Jamaica expressed its gratitude to WIPO for supporting the process of centralizing and rationalizing the national system of intellectual property by the creation of the Jamaica Intellectual Property Office (JIPO), the governmental body in charge of

administering intellectual property rights, including the full compliance with TRIPS' obligations. The JIPO was set up on January 2, 2000, as a department of the Ministry of Industry, Commerce and Trade, pending the enactment of legislation establishing it as a statutory body. The Delegation stressed that WIPO's significant role in the creation of the JIPO would become even greater in consolidating the national effort to ensure the Office's success through extensive and specialized training, full automation of its operations and assistance in the field of patent administration. The Delegation underlined the work undertaken by WIPO and the United National Conference on Trade and Development (UNCTAD) in the Caribbean region, particularly in the music industry sector, and mentioned that the Government had requested WIPO's assistance in implementing a system to tackle piracy which was limiting the potential of Jamaica's music industry.

27. The Delegation of the Philippines, while associating itself with the remarks of the Delegation of Malaysia, expressed its deep satisfaction over the quality, substance and highly professional implementation of cooperation for development projects by WIPO at the national and regional levels under the direction of the Bureau for Asia and the Pacific. It also noted the demand-driven approach of WIPO in identifying and formulating such projects, in keeping with the vision and strategy of the Director General. As far as future endeavors were concerned, four priority areas for the country were identified, for which continued support and technical assistance from WIPO was requested. These were: first, the creation of an enabling environment for the protection and use of intellectual property at the national and international levels, in terms of legislation, access to information technology and human resource development, as well as assistance in expanding the country's capacity to participate more fully in the various global intellectual property protection systems; second, the organization of expanded training programs on intellectual property enforcement for enforcement authorities such as customs officials and the police, the judiciary and consumer associations, in conjunction with programs aimed at demystifying intellectual property; third, the use of the intellectual property system in enhancing the competitiveness of SMEs in order to fully utilize their potential as engines of growth and producers of wealth; and fourth, protection of traditional knowledge and folklore and access to genetic resources, which is critical to the promotion of economic growth and progress of developing countries, particularly in the areas of food and pharmaceutical products. The Delegation expressed continued support for WIPO's programs and activities and suggested an expansion of cooperation for development activities in the region as well as in the Philippines.

28. The Delegation of Jordan expressed its thanks to the Director General and to the Arab Bureau for their continued efforts in assisting Arab countries in modernizing their intellectual property systems. The Delegation reiterated its interest in the continued assistance of the Arab Bureau and requested that more awareness-building programs in promoting understanding of intellectual property be implemented. It emphasized the need to create an Arab regional office in the field of industrial property. The Delegation emphasized that training abroad and participation in seminars should be continued in order to develop human resources. The Delegation stressed the importance of adopting the Arabic language as an official language in courses, meetings and in publications and the translation of intellectual property and WIPO publications into Arabic. The Delegation commended the work done by the Arab Bureau in preparing a casebook on judicial decisions in the field of intellectual property. The Delegation indicated that, recently, Jordan had acceded to WTO and had adopted new legislation which was in conformity with the TRIPS Agreement, and had amended existing legislation to make it conform to the said Agreement, in the following fields of intellectual property: copyright, trademarks, patents, industrial designs, topographies of integrated circuits, geographical indications, and unfair competition and trade secrets. In view

of the adoption of these new laws, the Delegation requested more specialized training especially for judges, police officers and customs authorities.

29. The Delegation of Fiji supported the statement made by Malaysia on behalf of the Asian Group and commended the International Bureau, particularly the Asia and the Pacific Bureau, for the initiatives taken in extending technical assistance to States in the South Pacific region. The Delegation supported the need to demystify intellectual property. Fiji's experience with its new Copyright Act had demonstrated the need for greater public awareness of intellectual property issues, especially in the private sector, among non-governmental organizations (NGOs) and the population at large. Fiji was striving to create such awareness, and had established an intergovernmental committee, comprising a number of agencies, to coordinate on intellectual property issues. The Delegation pointed out that all the Small Island Developing States (SIDS) in the region, regardless of their status as LDCs or developing countries, faced serious constraints in meeting their international obligations. The Delegation therefore requested WIPO to sympathetically consider requests for assistance from those States.

30. The Delegation of Brazil endorsed the declaration of the Delegation of Uruguay on behalf of GRULAC and emphasized that WIPO should continue and increase its assistance to developing countries, since intellectual property was an essential factor in economic, technological and cultural development. The Delegation expressed its gratitude to WIPO and the Bureau for Latin America and the Caribbean for the support and partnership in many of the projects undertaken to improve Brazilian and Latin American intellectual property policy through, *inter alia*, training seminars and consultancies, including the Subregional Seminar on Geographical Indications that took place in 2000. The Delegation highlighted the use of information technology as an extremely important instrument of industrial policy and the use of intellectual property as a key factor in the innovation system. It also mentioned the Brazilian Government's interest in receiving WIPO's support in organizing meetings focused on these matters, and in participating in the many relevant activities offered by the WWA, given its interest in disseminating intellectual property subject matter throughout universities, research centers and SMEs. The Delegation also observed that Brazil attached special importance to the training of the staff of the National Institute of Industrial Property (INPI), including the initiative set out by the Spanish Office, and to continuing the joint activities organized with African countries.

31. The Delegation of Pakistan expressed its appreciation for WIPO's Development Cooperation Program and thanked the Director General and the Deputy Director General for their personal commitment to strengthening intellectual property systems in developing countries. The Delegation observed that intellectual property matters had assumed critical importance in a globalized economy, and developing countries would need continuing cooperation from WIPO to meet the challenge of rapidly upgrading their intellectual property systems. In the past year, Pakistan had thoroughly revised its intellectual property legislation. It had taken the decision to join the Paris Convention for the Protection of Industrial Property, and was actively considering acceding to the PCT and to the Madrid System. Measures were also being formulated to streamline the functioning of the separate intellectual property offices, including by the establishment of an integrated intellectual property office. To complement its efforts, Pakistan would seek WIPO's cooperation in certain specific areas, including: human resource development through the establishment of national training and intellectual property educational facilities; the development of a legislative framework and databases on traditional knowledge and geographical indications; the promotion of innovation through appropriate institutional and legislative measures; the sharing of best

practices on enforcement and on different institutional models for policy making on intellectual property matters.

32. The Delegation of Bangladesh supported the statement of the Delegation of Malaysia on behalf of the Asian Group and thanked the Director General of WIPO for integrating, with pragmatism and flexibility, the development needs of developing and least developed countries into the evolving intellectual property system. It commended the International Bureau for the assistance given to Bangladesh in developing its intellectual property system. The Delegation analyzed current trends in wealth creation in the rapidly globalizing world economy, with the resulting challenges and opportunities, and observed that the disparity in the shares of developed and developing countries, in particular the LDCs, in the benefits from economic sectors based on intensive knowledge activities could be narrowed by enforcing intellectual property rights. The Delegation further observed that there was a need to strike a balance between incentives for continued innovation, and the distribution of benefits, and also to work towards achieving this end through the WIPO Cooperation for Development Program. The Delegation referred to the possibility of Bangladesh joining the PCT soon. While appreciating WIPO's assistance in modernizing national intellectual property legislation, the Delegation identified the need to formulate intellectual property policies and programs to enable developing countries to face the challenges of a knowledge-based economy, to enhance the process of transforming "virtual wealth" into real wealth for the poor, to strengthen the SMEs in developing countries and to augment the capability of countries to use biotechnology and to receive the benefits due from genetic resources. The Delegation emphasized the need to explore cooperation with other international organizations in establishing a regime to protect traditional knowledge and genetic resources. It also stressed the importance of encouraging regional and subregional cooperation on intellectual property issues, particularly in the SAARC.

33. The Delegation of Australia believed that the International Bureau's technical cooperation program was one of the most significant and critical elements in its overall responsibility to promote the use of intellectual property systems worldwide, for the effective protection of intellectual property rights and the consequent economic benefits to society. WIPO had been preeminent in its support for the building of strong, harmonized intellectual property systems throughout the world, particularly in developing countries, where much had been achieved, particularly in the implementation of the TRIPS Agreement. Australia would continue to support WIPO's technical cooperation activities, particularly in the Asia and the Pacific region. The WIPO-Australia Joint Statement on Cooperation for Technical Assistance was signed last year by the Director General and Australian Federal Government Ministers. Work in this area must be strategically focused and targeted to the needs of its recipients and the community at large. Technological developments have also raised the question of how intellectual property systems can continue to provide appropriate protection for creativity and innovation to promote economic development. Some of the areas most urgently in need of action included traditional knowledge, biotechnology and electronic commerce. There was a need to be proactive and preemptive, not merely reactive and supportive, in meeting these challenges. The reports indicated the activities being undertaken to address these issues. The work of the Permanent Committee could also, in future, include the critical strategic discussions and planning needed to keep pace with technological developments worldwide.

34. The Delegation of Ethiopia commended WIPO's cooperation for development activities, particularly in integrating LDCs in intellectual property regimes for economic growth. The Delegation expressed gratitude for the assistance given to its country through the Africa Bureau. In acknowledging that most African countries are LDCs, the Delegation appealed to the International Bureau to facilitate more participation of LDCs in important

meetings on intellectual property and requested the Africa Bureau, in collaboration with the LDCs Unit, to formulate activities focused on LDCs.

35. The Delegation of Japan commended the International Bureau for its ongoing efforts and initiatives in the area of development cooperation. Japan continued to make financial contributions to support these activities. In the fiscal year 2000, it contributed 2.7 million Swiss francs for industrial property and 586,000 Swiss francs for copyright through the WIPO-Japan Funds-in-Trust for development cooperation activities. It had also been involved in various activities to assist developing countries in implementing the TRIPS Agreement. These included the "Training 1,000 by the Year 2000" project which was successfully concluded in June last year. These and other WIPO activities, including the provision of legislative advice on the compatibility of draft legislation with the TRIPS Agreement and other international treaties, as well as the maintenance and development of the WIPO Collection of Laws for Electronic Access (CLEA), continued to play an important role in the modernization of the legislative framework for the protection of intellectual property. Japan would continue to contribute towards activities to assist developing countries in administering and implementing their intellectual property systems, including assisting in the areas of information technology, patent examination and public-awareness building.

36. The Delegation of Tunisia expressed its appreciation to the Director General and his staff, as well as to the Arab Bureau, for their continued efforts in providing assistance in the fields of human resource development, legislative advice and institution building. The Delegation also expressed its wish to reinforce its cooperation with WIPO in the aforementioned areas.

37. The Delegation of China noted the vital importance of cooperation for development related to intellectual property in sustainable development, particularly of developing countries, and expressed its appreciation for the great importance WIPO attaches to this cooperation by assisting in various fields, such as human resources development, information technology, industrial property information services, the protection of new technologies and traditional knowledge. The Delegation expressed its satisfaction with the reports by the various Bureaus, and particularly commended the Asia and the Pacific Bureau on the excellent and effective work done in the area of cooperation for development for since the first session of this Committee. The Delegation highlighted the active cooperation of WIPO with China in 2000, recalling that China and WIPO jointly organized a PCT training course, a trademark training course and a seminar on intellectual property protection of new technologies, with the participation of over 500 Chinese officials and professionals, and that China sent altogether over 50 intellectual property officials in patent, trademark and copyright areas to attend various seminars organized by WIPO both within and outside the Asia and the Pacific region. The Delegation reiterated its willingness and readiness to cooperate further with WIPO and other member States in the activities on cooperation for the development related to intellectual property. The Delegation expressed to WIPO, headed by its Director General, its appreciation of the tremendous efforts made and of the fruitful results achieved in the cooperation for development sector.

38. The Delegation of El Salvador, speaking on behalf of Costa Rica, the Dominican Republic, El Salvador, Honduras, Nicaragua and Panama, thanked the International Bureau, and especially the Cooperation for Development Bureau for Latin America and the Caribbean, for the assistance given to their countries in the course of the current biennium, and endorsed the statement made by the Delegation of Uruguay in the name of GRULAC. It said that in recent years they had concentrated their effort on the task of bringing their legislation into line with the TRIPS Agreement, so that WIPO cooperation had been focused on the one hand on

providing assistance in the legislative field to achieve compliance with the obligations under the Agreement, and also on computerizing intellectual property offices for the purposes of their trademark and patent operations. It mentioned that the countries were currently going through a new stage in which they would require, among other things, assistance with the enforcement and implementation of their laws, and with strengthening and supporting the intellectual property culture by means of a systematic process of user training. It advocated International Bureau support for future projects in such areas as innovation activities, the publicizing of intellectual property and the development of consultation and cooperation systems for SMEs that would serve to consolidate the intellectual property culture, and stressed the usefulness of a contribution by WIPO to the strengthening of the process of subregional intellectual property integration. Finally it commended the Bureau for Latin America and the Caribbean for its excellent work, and recommended an increase in the Bureau's human and financial resources to deal with the increasing demand for technical assistance in the countries of the region.

39. The Delegation of Guinea thanked the Director General and the International Bureau of WIPO for the quality and conduct of the development cooperation program during the year 2000. It explained that the program had enabled Guinea to modernize its structures, but above all to train its officials. It also welcomed the initiation of a pilot project concerning geographical indications and of the even more ambitious project constituted by WIPONET. The Delegation of Guinea, as one of the LDCs, welcomed the adoption in Lisbon of a joint declaration by the ministers of the LDCs and expressed the wish that the cooperation activities of WIPO should continue, whilst wishing that they should also extend to new fields. Finally, it supported the declaration made by the Delegation of Madagascar on behalf of the African Group.

40. The Delegation of Nigeria further commended the progress report of the regional Bureaus. The Delegation reiterated its support for the Africa Bureau and further expressed its recognition and appreciation of the impact its activities had had on the intellectual property system in Nigeria. The Delegation commended the establishment in WIPO of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. It expressed the wish that the Committee would make headway in studying the problems relating to source of origin and benefit sharing and shed some light on a possible *sui generis* system of protection. With respect to Nigerian intellectual property law, the Delegation was pleased to announce that most Nigerian laws were being reviewed to make them in conformity with the TRIPS Agreement, especially in the areas of enforcement, protection of undisclosed information, geographical indications, layout-designs of integrated circuits and the protection of plant varieties. The Delegation concluded by associating itself with the statement made by the Delegation of Madagascar on behalf of the African Group.

41. The Delegation of the Sudan expressed its appreciation to the Director General and the Arab Bureau for their work and stated that the two meetings on the PCT and for the LDCs which took place in Khartoum in 2000 heightened the awareness of the Sudanese public. The Delegation also stated that the Sudan University of Science and Technology had approved a curriculum on intellectual property law, and requested further assistance from WIPO in this field. The Delegation welcomed the intention of the Arab Bureau to organize a national seminar for 200 Sudanese lawyers, and also the advice provided by WIPO to the Sudan in modernizing its intellectual property legislation. It requested the strengthening of activities related to preparing and disseminating intellectual property information to children and young people, spreading intellectual property teaching among children, the organization of study visits for members of parliament and training workshops for judges and enforcement officials,

the sending, to the Arab region, of more missions on the subject of traditional knowledge and continuing WIPO's work in automating the industrial property offices in the region.

42. The Delegation of Uruguay congratulated the International Bureau on the excellent documents submitted for the meeting of the Committee, saying that they were a testimony to the volume and depth of the work done. It also mentioned that the Committee provided an excellent opportunity for developing countries to be made fully aware of the cooperation that took place, and for them to focus attention on the projects and areas of work that were most interesting with the view to meeting the enormous challenges facing those countries.

43. The Delegation of France congratulated WIPO on the work it had accomplished in the field of development cooperation, both in quantity and in quality, and expressed the wish that those actions should continue and develop. It stated that the National Institute of Industrial Property (INPI) would pursue and strengthen its material support for such actions through the holding of seminars and other events for awareness and promotion and through the provision of experts. To that end, INPI would considerably increase the amount of its cooperation funding. The Delegation emphasized the importance of the WIPO cooperation activities both for the beneficiary countries but also for all member countries of WIPO, as a means of ensuring the raising of the level of intellectual property protection in accordance with the TRIPS Agreement, the quality of services provide to users by the industrial property offices and the legal security that was sought by enterprises. It added that those activities also promoted the development of innovation and creativity in the least favored countries, transfer of technology towards those countries, and adaptation of such countries to the new means of communication. The Delegation welcomed the holding by WIPO of a seminar at the *École Nationale de la Magistrature* to be attended by judges from 20 different countries from all regions of the world and was happy to be able to organize the seminar this year. It also stressed the importance of the effective implementation of intellectual property rights and of collective management. The Delegation of France assured the meeting that INPI would continue, and intensify, its actions for the benefit of offices in the developing countries or in the emerging countries with which it had concluded bilateral cooperation Agreements. During the year 2000, INPI had funded training at the Center for International Industrial Property Studies (CEIPI) of officials from the Mexican, Romanian and Hungarian offices and from the national liaison structure of the African Intellectual Property Organization (OAPI). At the same time, INPI had held practical training courses and study travel for the benefit of officials from the Moroccan, Hungarian and Chinese offices and from OAPI and had funded French language courses for officials from the Chinese, Thai, Mexican and Hungarian offices. INPI had also informed numerous delegations on the implementation and application of industrial property rights, had participated in various events, such as the second African Exhibition of Inventions, and had made available to OAPI an expert for support missions to Benin and to the Central African Republic and also for the installation of the national liaison structure in Guinea-Bissau.

44. The Delegation of Congo thanked the African Bureau for the support given to its country under the cooperation program between WIPO and Congo. That program had led to the supply of computer hardware to support the reconstruction efforts undertaken by the Government of Congo following the destruction suffered by the country during the war. The Delegation supported the declaration made by the Delegation of Madagascar on behalf of the African Group.

45. The Delegation of Argentina thanked WIPO for the collaboration accorded to its country in the intellectual property field, which had developed considerably in recent years. It expressed its country's interest in joining in and actively supporting the program of

Ibero-American cooperation in international patent searching proposed by the Spanish Delegation, pointing to the importance of tightening the bonds of cooperation among Ibero-American countries as well as between Latin American countries. Finally it subscribed to the statement made by Delegations of Uruguay and El Salvador.

46. The Delegation of Venezuela expressed its support for the statement made by the Delegation of Uruguay as coordinator of GRULAC, thanking WIPO for the cooperation given to its country, notably in the modernization of the Autonomous Intellectual Property Service (SAPI), and also for the collaboration that it had received in connection with the upgrading of its legislation and in the revision of the Andean Community Decision on Industrial Property. It said that it was essential that WIPO continue to satisfy resources for technical cooperation programs, and that it carry on cooperating with Venezuela in order that the country might succeed in meeting its commitments, but above all in order that the interconnection of the intellectual property offices of countries of the Andean Community might be achieved and access to and the exchange of information made possible. It voiced its support for the Delegations that had spoken in favor of an intensification of WIPO technical assistance to developing countries with a view to protecting traditional knowledge, biodiversity and access to genetic resources and also expressions of folklore, and also helping to improve the competitiveness of SMEs and the effective use of technological information.

47. The Delegation of the United States of America commended the International Bureau for its ongoing efforts to provide training in the area of intellectual property. This was one of the core functions of WIPO and such activities should be encouraged. In the last 18 months, officials from the United States of America had also participated in the training of officials from more than 60 countries through 250 seminars, workshops and training programs, which had taken place both in host countries and in the United States of America.

48. The Delegation of Uganda commended the excellent quality of the reports presented by the International Bureau. It acknowledged and appreciated the importance of the Cooperation for Development Program which allowed developing countries and LDCs to play an active role in intellectual property issues. The Delegation recognized the difficulties—in terms of lack of supplies and infrastructure—of developing countries and LDCs in taking full advantage of the opportunities afforded by recent developments in the global economy. In this regard, the Delegation associated itself with the Delegation of Ethiopia in requesting enhanced facilitation to enable LDCs to participate in more WIPO meetings. The Delegation welcomed the establishment of an intergovernmental body on intellectual property and genetic resources, expressions of folklore and traditional knowledge as well as new WIPO initiatives with respect to SMEs. The Delegation, aware of the impact knowledge-based activities have had on countries' technological, socio-economic and cultural development, stated that protection of intellectual property rights should go hand in hand with enabling the transfer of technology and called upon the International Bureau to extend its technical assistance to LDCs in this regard. The Delegation thanked the Cooperation for Development Sector under the leadership of the Deputy Director General and the Director of the Africa Bureau and the LDCs Unit for the assistance given to LDCs and, in particular, for the technical assistance to Uganda. It further thanked the Director General for honoring Uganda with the possibility of hosting the WIPO seminar on the modernization of intellectual property systems in the LDCs, in Kampala in December 2000.

49. The Delegation of Eritrea expressed its gratitude to WIPO for assistance in training, participation in meetings on intellectual property and for sending expert missions in Eritrea. The Delegation informed the Permanent Committee that the level of awareness in Eritrea, on intellectual property, was rather low due to historical reasons as well as a lack of financial

resources to enable the establishment of the intellectual property system. Following a WIPO expert mission to Eritrea, it is the hope of Eritrea that new projects for developing the intellectual property system would ensue.

50. The Delegation of Algeria said that it was pleased with the quality of the activities carried on by WIPO in connection with development cooperation related to intellectual property, and mentioned in particular the Organization's expanding role in that area. It spoke of the prime importance of information technology to the protection of intellectual property, and of the strategic character of the WIPONET project in that connection. It welcomed the inclusion of a genetic resources, traditional knowledge and folklore feature in the WIPO Cooperation for Development Program, and also the setting up of an Intergovernmental Committee to deal with those issues, and declared itself willing to contribute fully to the Committee's work. It stressed the importance of adopting a program in favor of SMEs that would serve to encourage such enterprises to concern themselves with intellectual property. It praised the efforts made by the WWA towards developing intellectual property in developing countries, at the same time wishing that those efforts might be concentrated more on the implementation of the TRIPS Agreement. Finally, the Delegation asked for there to be some concrete evidence of an integrated approach to the intellectual property aspects of electronic commerce, genetic resources, traditional knowledge and folklore.

51. The Permanent Observer Delegation of LAS commended the excellent cooperation which existed between WIPO and the LAS. It emphasized that the relationship had been further enhanced and strengthened following the signature of a Memorandum of Understanding (MOU) between WIPO and the LAS in July 2000 in Cairo. Both Organizations also cooperated in organizing an exhibition of Arab artists which took place in Geneva in September/October 2000. Following the signature of the aforementioned MOU, the LAS created a special unit responsible for intellectual property with the objective of increasing cooperation, coordination and consultation with WIPO on matters of intellectual property. The Delegation observed with satisfaction the progress made in the different regions under the Cooperation for Development Program. It requested that the experiences gained in each region should be shared by other regions in order to allow for the cross-fertilization of expertise and information. In order to allow the International Bureau to carry out its ever-increasing activities in developing countries, it requested the member States of WIPO to approve the allocation of additional funds to the Cooperation for Development Program. It emphasized that such funds would be necessary to address the challenges faced by developing countries when dealing with issues relating to intellectual property. In conclusion, the Delegation emphasized the importance of using Arabic in meetings organized by WIPO and of making documents available in Arabic.

52. The Representative of WTO stated that cooperation activities with the International Bureau continued to be a key feature of the WTO Secretariat's technical cooperation activities in the area of intellectual property. These activities were based on the cooperation agreement between the two organizations, Article 4 of which deals with legal technical assistance and technical cooperation. The cooperation had taken various forms, including the provision of resource persons, the organization of joint events, as well as contributing to each other's training activities in Geneva. In recent years, special efforts had been made through a Joint Initiative to assist developing countries to meet their commitments under the TRIPS Agreement by the year 2000 and efforts were now being undertaken to look into ways to intensify cooperation activities to assist the LDCs in meeting their obligations under the TRIPS Agreement by the year 2006. The WTO Secretariat was very appreciative of its collaboration with WIPO, in particular, the assistance WIPO had made available to WTO members to assist them in implementing their commitments under the TRIPS Agreement and

in benefiting from their intellectual property systems. The WTO Secretariat was looking forward to the continuation and development of this cooperation.

53. In conclusion, the Committee noted with appreciation the information provided under this item.

Agenda Item 5: The WIPO Worldwide Academy: Performance, Challenges and Opportunities

54. Discussions were based on document PCIPD/2/2. The item was presented by the Director of the WIPO Worldwide Academy (WWA), Mr. Mpazi Sinjela, on an IT medium.

55. All the delegations which took the floor thanked Mr. Sinjela for the presentation.

56. The Delegation of El Salvador invited member States to take advantage of the training programs proposed by the WWA. The Delegation asked for more information on the activities of the Academy and on current programs.

57. The Delegation of India affirmed its support for the WWA and its important role in the promotion and demystification of intellectual property. The Delegation announced that India was ready to serve as a springboard for the WWA's regional training activities. Indian academic institutions, such as institutes of technology and law schools were ready to cooperate with the WWA in providing training. The WWA could provide the benefit of its experience in organizing and implementing training programs for the benefit of intellectual property officials. The Delegation proposed that the WWA and India cooperate on specialized courses for specific target groups such as judges, civil servants and police officers and was ready to cooperate with the Academy in holding a special Academy session.

58. The Delegation of Uruguay, speaking on behalf of the member States of GRULAC, expressed support for the work of the WWA, and spoke of its creation as being a grand initiative. The Delegation advocated the continued strengthening of the Academy, and in particular that of the programs of cooperation with universities in the region. It likewise suggested that experts from the region should be involved in the preparation of intellectual property teaching and promotional material. Moreover it asked and encouraged the Academy to use the distance learning program to devise training courses of intermediate and advanced level in consultation with experts and institutions from the Latin American and Caribbean region, and to increase the number of publications in Spanish.

59. The Delegation of Yemen congratulated the WWA for its achievements and paid tribute to this important initiative by the Director General. It expressed a desire for more training programs targeted towards LDCs. In this connection, it proposed a training program aimed at Directors of intellectual property offices, legislators, members of parliament, judges, prosecutors and customs officials. The Delegation concluded by imploring the WWA to make a greater use of the Arabic language in its training activities.

60. The Delegation of Bangladesh supported the WWA and acknowledged its contribution to national capacity building in Bangladesh. The Delegation noted that WWA's effective training programs have added dynamism to the WIPO. It noted that the WWA was the heart of the WIPO. The Delegation was pleased to take cognizance of the rapid take off of the WWA since its creation and encouraged its development into a center for innovation and freethinking. Its creation marks a paradigm shift in the training activities of WIPO, which

must be nurtured. The Delegation, in conclusion, requested that more training courses for policy-makers in developing countries should be carried out.

61. The Delegation of Angola expressed its satisfaction at the work carried out by the WWA since its creation in 1998. It referred to its participation in a session of the Academy in Havana, Cuba, in the year 2000, which had been conducted in Portuguese. It nevertheless explained that Angola did not participate fully in the distance learning program of the Academy due to the fact that the courses were not yet given in Portuguese. The Delegation referred to the considerable interest of the public and private institutions in Angola for issues of intellectual property, the lack of qualified teachers for implementing the training programs and the lack of appropriate teaching programs. Consequently, it had requested that the Academy should foresee the holding of training programs in Portuguese for teachers and decision-makers.

62. The Delegation of Switzerland congratulated the Chair on his election as also the two Deputy Chairs. It observed that, in view of the reports submitted by the regional bureaus of WIPO, the globalization and the development of technical assistance, both from the economic and the socio-political points of view, necessitated a growing commitment on the part of Switzerland abroad, whether with regard to international organizations or other countries. The Delegation emphasized that its country had always made a point of cooperating actively in the development of intellectual property and of technical assistance, both at multilateral and bilateral levels. Each year, at the request of WIPO, the Federal Intellectual Property Institute hosted various delegations from developing countries, either within the framework of sessions of the WWA or on the basis of individual requests from member States. The Delegation observed that the development of the WWA's activities appeared promising, in particular with regards its distance learning program, which should make it possible to reach a much vaster and more diversified audience. Switzerland had always supported and was continuing to support WIPO's activities with regard to development cooperation and considered that the WWA was called upon to play an important part in those activities. Switzerland was interested in and intended to continue to participate actively in activities aimed at developing intellectual property in highly promising fields for the developing countries, such as geographical indications, traditional knowledge, genetic resources and electronic commerce. The Delegation held that the Academy had a part to play in that respect.

63. The Delegation of the Democratic People's Republic of Korea expressed its appreciation and support for the excellent work of the WWA in the past two years. In connection with the Distance Learning Program of the WWA, the Delegation commended this initiative as cost-effective and innovative. It noted with satisfaction, the increasing number of registrations for the distance learning course offered by the WWA. However, it regretted that some member States had not benefited. One reason it cited, for this, was the inadequate communication facilities in countries with little Internet connectivity. A CD-ROM version of the WWA's courses would help to overcome this problem. A second problem was of language difficulty. The Delegation expressed a desire to explore the possibility of assisting member States which did not speak one of the WIPO working languages to translate the WWA's course materials into their own languages.

64. The Delegation of Venezuela endorsed the statement made by the Delegation of Uruguay on behalf of GRULAC. Venezuela hoped to be able to take greater advantage of the Academy's training programs, and suggested that information on its activities should be widely publicized. It asked for an increase in the number of fellowships in order to promote research and academic work in the intellectual property field. It regarded the distance learning program as an excellent initiative, and spoke in favor of continuing with those

efforts, as they made it possible for more to take part from developing countries. It asked for work to be done on optimizing means of off-line access to information such as CD-ROMs, owing to the cost of accessing the Internet. In addition it suggested the development of courses in all areas of intellectual property, and a gradual increase in new program content.

65. The Delegation of Cuba expressed support for the WWA and endorsed the statement made by the Delegation of Uruguay commending the work of the WWA on behalf of GRULAC. It emphasized the importance of the Distance Learning Program for Cuba and encouraged the development of more advanced and more diversified courses in areas such as copyright and related rights. It noted the WWA's role in exploring new issues in intellectual property such as traditional knowledge, electronic commerce and intellectual property issues as they affected SMEs. The Delegation emphasized the importance it attached to strategic alliances between WIPO, national intellectual property offices and universities. It also placed the modest collaboration of OCPI and the National Copyright Center at the disposal of the WWA.

66. The Delegation of Bulgaria expressed its strong support for the WWA and commended it for its successful work during the previous two years. It viewed the WWA as a cornerstone of WIPO's outreach initiatives. In the area of human resource development, it appreciated WIPO's efforts in assisting countries in transition and acknowledged the signing of a cooperation agreement between the WWA and the University of National and World Economy in Bulgaria. In light of this nascent cooperation, it encouraged the development of additional courses for the Distance Learning Program of the WWA. It invited all member States to take cognizance, during forthcoming deliberations of the WIPO Budget Committee, of the good work of the WWA. With regard to the future directions for the Academy, the Delegation requested attention to be given to the development of the WWA into an academic institution and the role that research would play in its future activities.

67. The Delegation of Egypt expressed its satisfaction with, and great interest in, the work of the WWA and its support for the WWA in general. In particular, it recognized and thanked the WWA for its support to the University of Cairo. The Delegation stated that its nationals have benefited from the WWA's Distance Learning Program. It encouraged the organization of a competition in connection with forthcoming World Intellectual Property Day. With regard to paragraph 29 of document PCIPD/2/2, it called for more use of the Arab language in WWA training sessions and in WIPO Activities in general. The Delegation expressed the fear that the WWA might become a victim of its own success, in that it may not be able to meet the increasing demand for its services. It hoped that the WWA would be given the funds necessary to meet the expectations placed on it. In concluding, the Delegation requested more information to be provided on the WWA's outsourcing activities.

68. The Delegation of the Philippines expressed its satisfaction for the WWA's work over the last two years. It thanked WIPO and the WWA and for the assistance provided to nationals of the Philippines thus far. The Delegation wished to explore with the WWA its professional training activities and the Distance Learning Program. In particular, it wished to see a diversification of the target groups of training programs to include policy makers and enforcement officials. The Delegation was interested in greater institutional cooperation between the WWA and Philippine educational institutions, such as the Foreign Service Institute of the Department of Foreign Affairs, the Asian Institute of Management, the University of the Philippines College of Law and the Ateneo College of Law. It proposed that these institutions could cooperate with the WWA in the development of curricula for teaching intellectual property, the development of Intellectual Property Faculty, and the use of library facilities. In connection with the latter, the Delegation expressed a strong interest in

gaining greater access to the WIPO Library and to its services. The Delegation wished to contribute to making the WWA a center of excellence in teaching, training and research in intellectual property.

69. The Delegation of Sweden, while expressing its strong support for the WWA, recalled that Sweden was one of the first countries to support the establishment of the WWA in 1998. The Delegation was pleased to see the WWA blossom. The Delegation expressed its satisfaction and support for the information provided regarding the Academy Sessions. It hailed the transformation of the WIPO Library into an Information and Documentation Center (IDC) on intellectual property as a good idea as it was important for Members States to have access to a repository of global knowledge and documentation on intellectual property issues. As regards the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP), the Delegation believed it offered a sound academic basis for the overall training activities of the WWA. It proposed that the WWA's activities be organized within the context of the World Intellectual Property Declaration by the WIPO Policy Advisory Commission. Finally, while the Delegation espoused the aspiration of the WWA to become an academic arm of WIPO, it encouraged the fostering of practical training which was an indispensable element for its activities. Promotion of awareness of intellectual property issues was important, as was the administration of intellectual property systems.

70. The Delegation of China expressed its heartfelt thanks to the Director of the WWA and his colleagues for the fruitful cooperation being undertaken between the WWA and his country. The Delegation highlighted the increasing demand for human resource development in China and was pleased to take note of the ever-increasing role of the WWA in meeting this demand. It expressed its satisfaction with the work of the WWA and recalled as a significant milestone China's cooperation with the WWA—a special Academy Session held in June 1999 on the role of intellectual property in fostering development. He announced the completion of the translation into Chinese of the WWA's distance learning course "Introduction to Intellectual Property". In connection with the latter, the Delegation noted that training on a large-scale using the WWA's course would commence in the near future. It hoped that new courses would become available during the year 2001. It concluded by recommending that more financial and human resources be provided to the WWA to enable it to fulfill its important role and called for continued cooperation between the WWA and China.

71. The Delegation of Brazil attributed the highest priority to the WWA and supported the call for more finances for the WWA. The Delegation mentioned his personal experience as a participant in a WWA Session for diplomats, which provided an opportunity for informal brainstorming. The Delegation encouraged the provision of additional materials by the WWA, especially in the Portuguese language. The Distance Learning Program was of particular importance to Brazil and the Delegation wished to explore, with WIPO, three areas, namely, the possibility of devising short term distance learning courses for technology managers, in particular officers dealing with technology licenses in universities; distance learning courses at the graduate level in cooperation with Brazil's National Institute for Intellectual Property (INPI) and the Federal University of Rio de Janeiro; and the participation of WWA in activities related to children. In this connection, the Delegation proposed the WWA's participation, through its distance learning program, in Brazil's "Inventivo Junior", a program that caters for school children. Delegation indicated its country's willingness to welcome a visit by a WWA delegation to discuss areas of possible cooperation.

72. The Delegation of Uruguay considered the WWA an essential component of WIPO cooperation for development, and encouraged it to continue to build up the distance learning program as an appropriate complement to the traditional training programs. The WWA

should investigate new subjects, and serve as a means of bridging theory and practice, incorporating input from other areas and disciplines, which would increase the net strength of intellectual property.

73. The Delegation of Guatemala requested the WWA to establish contact with universities in Guatemala for possible cooperation in the teaching of intellectual property.

74. The Delegation of Jordan called for the greater use of Arabic in WWA's training program. In addition, it hoped that training programs could concentrate on practical training rather than on theoretical training. It also requested that due consideration be given in such training to the TRIPS Agreement.

75. The Delegation of Kenya recognized the benefits obtained by its staff through WWA training programs. It proposed that the WWA design training sessions intended for "non-graduate" staff members who had little or no training in intellectual property.

76. The Delegation of the Sudan commended the achievements of the WWA during the past two years and the global coverage of the WWA's training programs. It noted, however, that resources were insufficient for the WWA to meet the demand for training placed upon it. It called upon member States to ensure that the WWA was equipped with the necessary tools to meet the challenges it faced. Finally, it called for the greater use of Arabic as a training language. As regards the future of the WWA, the Delegation noted that the Sudan looked forward to benefiting from the Academy's professional training, policy training and distance learning programs and from the Library.

77. The Delegation of Ethiopia supported the activities of the WWA and called for the holding of a special Academy Session for LDCs. It requested the WWA and the Regional Bureaus of the Cooperation for Development Sector to devote the necessary resources to address the problems faced by the LDCs and called for an increase in the number of fellowships for LDCs.

78. The Delegation of Fiji thanked WIPO and the WWA for assistance given to Fiji. It noted the areas, which the WWA was required explore in its future courses, to include traditional knowledge, folklore, and genetic resources, which needed be included in the overall scope of intellectual property rights.

79. The Delegation of Mexico spoke of the importance of continuing to promote the Academy's training programs and also WIPO cooperation with universities with a view to the development of new departments and strengthening research. The Delegation suggested to the Academy that it should consider the possibility of offering highly specialized courses of study, masterships and doctorates in intellectual property, with the titles being recognized by member States.

80. The Delegation of Finland appreciated the opportunities for training inherent in the Distance Learning Program of the WWA. In particular, the Delegation viewed the Distance Learning Program as a useful complement to WWA's training activities, since it ensured that participants arrived with a common, minimum knowledge in intellectual property. It looked forward to further cooperation with the WWA.

81. The Delegation of Zambia expressed its continued support for the work of the WWA and called for the provision of greater financial resources to the WWA to enable it to meet the challenges before it.

82. The Delegation of the Republic of Korea hailed the establishment of the WWA as one of the best and most sound policy decisions of the WIPO. With 15 million Internet users in the Republic of Korea, there was great potential in the country for the exploitation of the Distance Learning Program of the WWA. The Delegation proposed that the WWA cooperate and share its experience with the recently created Korean Intellectual Property Training Institute (KIPTI) which was devoted to training of human resources in the intellectual property field.

83. The Delegation of Guinea expressed its wish to cooperate with the Academy and asked that the latter be provided with greater financial resources. It also asked that the Academy should hold training programs more specifically focused on the needs of the LDCs and supported the statement made by the Delegation of Ethiopia in that respect.

84. The Representative of OAU praised the work of the Africa Bureau as a whole and the various development cooperation activities undertaken by that Bureau during the past year. It also welcomed the intervention of WIPO in the field of African integration through subregional machinery such as the Community of West African States, the Southern African Development Community (SADC) and many others. To conclude, it repeated OAU's appreciation of the efforts deployed by WIPO, which had achieved considerable impact on public awareness and on the development of the infrastructures of the intellectual property offices of the African countries.

85. The Representative of ARIPO expressed its support for the WWA and recalled its interest in the Distance Learning Program of the WWA, as stated by the Representative at the first session of the Permanent Committee. It referred to the cooperation agreement of 1999 between WIPO and ARIPO for the training of officials from its member States.

86. The Representative of LAS recognized the benefits gained by the staff of LAS within the framework of the Agreement concluded between LAS and WIPO in July 2000. It reiterated the great importance of seminars conducted in Arabic.

87. The Representative of IFRRO supported the declaration by the Delegation of Uruguay on behalf of GRULAC. It considered it important that the WWA promote research on intellectual property issues and supported its mission to become an institution of excellence in teaching, training and research in intellectual property. The Representative called for the development of high level curricula, at the doctoral and masters levels. The Representative, in a second intervention, emphasized the need for training on enforcement of copyright and collective management of intellectual property systems. It urged the WWA to cooperate with IFRRO on the development of and delivery of courses in this regard. In response to inquiries about new distance learning courses, Mr. Sinjela reiterated that advanced courses on copyright and related rights, traditional knowledge, electronic commerce and biotechnology were being developed and would be launched during the course of the year 2001. In addition, a new course on SMEs was being prepared.

88. Regarding the issue of language, Mr. Sinjela noted that its traditional courses were now conducted in English, French, Spanish, Arabic and Portuguese. The distance learning courses were offered in English, French and Spanish. Translations of these courses in Arabic and Chinese were forthcoming. Plans were also under way to translate the distance learning courses in Russian and Portuguese to ensure access to a greater number of people, especially in developing countries where Internet connectivity was costly, and a CD-ROM version of the WWA's distance learning courses was being produced. Students of its distance learning courses could also print the material in PDF format to reduce Internet connection costs.

Finally, in response to the questions as to how the WWA would become a training teaching and research institution, Mr. Sinjela noted that other international organizations—the UN and the International Maritime Organization (IMO)—had developed academic institutions at the university level. A challenge had been posed to the WWA to seek accreditation and become such an institution. Regarding research methodology, the WWA intended to propose, for consideration for the next biennium, the creation of a sub-program focusing on teaching and research at the WWA. It would propose that the WWA host researchers at the doctoral level and at the masters level at the university level. In addition, it would seek to provide member States with monographs resulting from research undertaken by these experts and by students who attend its various programs. Notwithstanding this emphasis on research, the WWA recognized the great importance of practical training.

89. The Committee noted with appreciation the information contained in document PCIPD/2/2.

Agenda Item 6: Development of a Regional System for the Collective Management of Copyright and Related Rights in the Caribbean: Progress Report

90. Discussions were based on document PCIPD/2/3. The item was presented by Mrs. Nahla Haidar El Addal, the Director of the Copyright Collective Management Division on an IT medium.

91. The Delegation of Uruguay, speaking on behalf of the countries of the Latin American and Caribbean Group, expressed thanks for the presentation, and said that it shared the philosophy embodied in it. It declared that the Group was very pleased to see the support given by WIPO to the establishment of a regional system of collective management of copyright and related rights in the Caribbean. It likewise expressed its appreciation of the contribution made by the General Authors' and Publishers' Society (SGAE) [Spain] in the development of a technical solution for the operation of the system, and its confidence that the system could be ready and fully operational for the benefit of the Caribbean's own creators.

92. The Delegation of Jamaica recognized the efforts of WIPO and its consistent commitment to the regional collective management project in the Caribbean; it considered copyright and related rights a potential growth area in terms of economic development. It expressed appreciation of WIPO's assistance to the Caribbean region and in particular for the work undertaken since Caribbean Ministers agreed, in 1999, on the establishment of a Regional Committee on Collective Management of Copyright and Related Rights. For the Delegation, collective management of copyright and related rights remained a key area for Governments of the Caribbean region, which view collective management as a means by which creators will receive due compensation for the global exploitation of their works. Caribbean Ministers, at their third WIPO Ministerial Meeting in Castries, St. Lucia, renewed their commitment to the regional system for collective management of copyright and related rights, and adopted a Resolution which calls for, *inter alia*, closer cooperation between the Caribbean Copyright Link (CCL) and the intellectual property offices in the region, in order to ensure the continued cooperation and assistance of Caribbean Governments. The Government of Jamaica considered it important for the Caribbean Governments representatives to play an instrumental role in the review process and implementation of the program through the CCL. The Delegation spoke of the intent of the Government of Jamaica to play a more proactive role in this regard. The Jamaica Association of Composers, Authors and Publishers (JACAP), which administers the public performing rights of composers, authors and publishers in their musical works, is the only national collective management

society which is involved in the CCL. There are three other national societies in Jamaica, which administer different types of rights: the Jamaican Copyright Licensing Agency, JAMCOPY, which administers the reprographic rights of authors and publishers of works in the print media and is the only Caribbean reprographic rights organization in the Caribbean; the Jamaican Musical Rights Administration Society, which administers the rights of records producers in their phonograms; and the Jamaican Performers Administration Society, which administers the rights of performers in their performances. The Delegation expressed the hope that these and other fledgling societies would be integrated into the CCL process. The Delegation stated that the Regionally Focused Action Plan (RFAP) outlined in the report is only at this time focusing on collective management of rights in musical works. However, the RFAP is flexible enough to address other categories of works and rights such as reprographic rights and photographic works. In this regard, the Delegation would like the project to extend to cover other aspects of copyright and related rights which could benefit from collective management systems and not just musical works. The Delegation welcomed the proposal outlined in the progress report on training activities, which are scheduled to commence this month and also in March and informed that it would consult further with the relevant Department on this matter. The Delegation took note of the fact that the Performing Rights Society had decreased its operations in a number of Caribbean countries and had assigned its repertoire to Caribbean societies. This progressive move was not only vital to the long-term viability of the national collecting societies, but also vital to the feasibility and sustainability of the regional system of collective management. The autonomy of the national collecting societies was also important if countries were to benefit from a net inflow of royalties from overseas use. Turning to the progress in collective management activity by national societies, in Jamaica they had focused their efforts on the acquisition of rights, licensing and royalty collection. Concerning licensing and royalty collection, the Government of Jamaica underscored the role of its Copyright Tribunal in regulating the licensing activities of collecting societies, all of which occupied a quasi-monopoly position in respect of the particular rights they administer. The Tribunal had been established to streamline collective management by establishing proper licensing schemes and also ensuring reasonable royalty rates. The Delegation affirmed that Jamaica would continue to work with WIPO to advance the work on the regional system for the collective management of copyright and related rights in the Caribbean not only to protect and promote creative works but also to ensure proper remuneration for the peoples of their region.

93. The Delegation of Yemen expressed its appreciation of the work undertaken by the Copyright Collective Management Division in the short period of time since its setting up. It referred to the document prepared by the International Bureau on item 6, and noted the efforts which were deployed by the Division in cooperation with Governments of the Region to implement the project and its different components. It will no doubt give a strong impetus to copyright and related rights in the Caribbean Region. The Delegation added that this development encouraged Yemen to request the extension of similar projects to the Arab region in order to benefit from the development and promotion of copyright and related rights protection in Arab countries, in view of the importance of Arab-Islamic civilization and history. The Delegation alluded to the need for additional resources to enable the Division to accomplish its tasks and render service to all member States, in particular developing countries and the LDCs. The Delegation mentioned the efforts of Yemen in the field of collective management of copyright and related rights, in particular through the promotion of the association concerned with the rights of creative communities such as writers, artists, composers, sound recorders, etc., by enabling them to render their associative movements more effective in promoting copyright and related rights protection for their respective members and in ensuring respect for their economic rights which derive from the use of their works. In that context, the Delegation referred to the planned workshop on collective

management organized in cooperation with WIPO to be held in Yemen in June 2001 and emphasized the pressing need for Yemen to cooperate further with WIPO and its Copyright Collective Management Division in order to establish proper systems in that field to promote and protect the cultural wealth represented by the subject matter of copyright and related rights in Yemen.

94. The Delegation of Mexico expressed thanks for the presentation on the establishment of a regional system of collective management of copyright and related rights in the Caribbean region. It had also appreciated the activities conducted in Latin America from 1999 to date. It commended the International Bureau for its significant achievements so far in the implementation of the Caribbean project. In particular the Delegation noted the creation of a computerized collective management program developed by the SGAE in Spanish for the exchange of data between societies throughout the world, which conformed to the most recent technical standards laid down by the International Confederation of Societies of Authors and Composers (CISAC). It said that it was convinced that better communication between collective management societies would bring tangible benefits for authors and performers all over the world, which was why it declared its interest in studying the computer program with a view to adapting it to the requirements of the collective management societies of Mexico, if necessary with assistance from the International Bureau. Finally, it subscribed to the statement made by the Delegation of Uruguay on behalf of GRULAC.

95. The Delegation of Cuba congratulated WIPO on the presentation, and also on the quality of the documents submitted by the International Bureau. It said that a cost-benefit analysis of the Regional Project for Collective Management in the Caribbean Region should be regarded as an initiative that would promote collaboration between the offices of the Caribbean region; it regarded the project as a promising one which would avoid the situation where structures were created and expenditure was incurred independently by each office, as it was based on the use of existing resources. It was of the opinion that the results achieved so far promised a successful exercise overall which would serve as an experiment in support of the proposal for the adoption of similar approaches by other regions, with the characteristics of each such region being taken into account. It also supported the statement by the Delegation of Uruguay on behalf of GRULAC.

96. The Delegation of Sweden stated that the document prepared by the Copyright Collective Management Division (PCIPD/2/3) was very encouraging. It considered that a very practical mechanism was being developed for the collective management of rights in the Caribbean region. It noted that Sweden had a long tradition of collective management and therefore was well placed to better appreciate the particular problems faced by small countries and to understand the enormous benefits that a regional approach could bring to the Caribbean. Further, the Delegation had the following four specific points it wished to emphasize:

- (a) it approved an approach based on regional cooperation. This statement was based on Sweden's own experience in the field;
- (b) the Business Plan according to which the project was being developed was realistic and well designed;
- (c) the project implementation program must integrate reprographic, photographic and other rights into the collective management plan. To limit the program to music rights alone would not be sufficient;
- (d) the Regional Committee (since transformed into the CCL) was a good organizational device that would ensure the development of national societies, would keep them in touch with realities and maintain the required level of efficiency.

97. The Delegation of Egypt wished to highlight the importance of collective management in economic and social development, especially in the context of the existing digital environment. It encouraged and supported the further expansion of collective management activities related to cooperation for development and expressed great interest in the document on the Regional Collective Management Project in the Caribbean presented by the International Bureau, which it would study carefully. It noted that the document invited member States to consider whether this regional project was appropriate for other regions. Because the document referred to the fact that the small size of the market in the Caribbean countries was a decisive factor in launching the WIPO Project in this region, the Delegation requested the International Bureau to prepare the necessary studies to clarify the matter and to share its thoughts, particularly as regards the Arab region.

98. In response to the questions raised by the Delegations, Mrs. Nahla Haidar El Addal stated that the Division was prepared to reproduce the Caribbean experience where feasible in other regions, if so requested. In response to the intervention made by the Delegation of Jamaica, she recalled that the Feasibility Study conducted for the Caribbean region set a minimum threshold for licensing income of US\$200,000 per annum for a society to be considered viable in the long term. Where a society met this standard and managed a set of rights that was not already being managed by another society established in the country there was no obstacle in principle to it joining the CCL, but such decisions had to be taken on the one hand in the relevant governmental fora and in consultation with involved partners and on the other hand in a gradual fashion so as not to affect adversely the rooting of the system in the region. In response to the intervention made by the Delegation of Sweden, Mrs. Haidar El Addal expressed WIPO's gratitude to copyright offices and collective management societies in Sweden and Finland, France, Spain, Switzerland, the United Kingdom and the United States of America, to name only a few, for their support in receiving trainees from the Caribbean and other countries.

99. The Committee noted with appreciation the information contained in document PCIPD/2/3.

Agenda Item 7: Recent Developments in Information Technology in Developing Countries; the Collective System for the Management of Societies (COSMOS) and Industrial Property Office Automation Projects: Progress Report

100. Discussions on this item were based on document PCIPD/2/4 which was introduced by Mr. Narendra Sabharwal, Director, Cooperation for Development Bureau for Asia and the Pacific, Mr. Ernesto Rubio, Director, Cooperation for Development Bureau for Latin America and the Caribbean, Mr. Sherif Saadallah, Director, Cooperation for Development Bureau for Arab Countries, and Mr. Geoffrey Onyeama, Director, Cooperation for Development Bureau for Africa.

101. The Delegation of Uruguay, speaking on behalf of GRULAC, emphasized the Group's satisfaction with the assistance continually provided by WIPO with the development of computer systems, and pointed out that the systems had contributed to increase the efficiency in the administration of intellectual property in the countries of the region. The Delegation expressed the wish that the countries of the Group might continue to rely on WIPO assistance in that connection, adding that it was confident that the Bureau for Latin America and the Caribbean would be able to find sufficient resources with which to continue to promote the development of such systems in the region, and in that way to respond to the challenges constantly facing each one of the intellectual property offices wishing to achieve effective use

of information technology with a view to improving the management of its operations, facilitating connections with other offices in the framework of WIPONET, increasing the ability to render information services to interest groups in the region and motivating human resources to tackle such tasks.

102. The Delegation of El Salvador expressed thanks to WIPO for its cooperation activities in the field of information technology and in the computerization of industrial property offices, especially in the Latin American and Caribbean region, and expressed the desire to receive technical assistance from WIPO with the process of upgrading the computer systems of its industrial property office. The Delegation gave its support and recognition to WIPO initiatives put in hand in Caribbean countries for the development of systems of support for copyright collective management societies, and stated its interest in the implementation of similar initiatives in Central American countries, as those countries did not yet have efficient copyright management systems.

103. The Delegation of Egypt expressed its gratitude to WIPO and the Arab Bureau for their efforts to automate industrial property offices in the Arab region. The Delegation advocated a greater use of local experts from the developing regions when developing such software. It indicated its support for the WIPONET project and praised the cooperation existing between the Arab Bureau and the Africa Bureau; this exchange should be encouraged as it reinforced South-South cooperation, which would have a snowball effect on other developing countries.

104. The Delegation of Jamaica expressed its gratitude to WIPO for the support received so far from the International Bureau in the field of automation and the use of new information technologies. It underlined the importance of implementing the resolution on the automation of intellectual property offices of Caribbean Countries adopted by the Ministers responsible for intellectual property at the Third Ministerial Level Meeting on Intellectual Property for Caribbean Countries, held in Saint Lucia last October. In this respect, the Delegation was pleased to know that the above-mentioned work was already included in the cooperation activities to be carried out by the Bureau for Latin America and the Caribbean in the near future.

105. Speaking on behalf of the Asian Group, the Delegation of Malaysia stated that it was pleased to note that different methods and approaches had been employed successfully to plan and implement various automation projects in the countries of Asia and the Pacific region. This differentiated approach was necessary as countries had different situations and needs. While expressing satisfaction at the successful implementation of industrial property automation systems in numerous countries in the region and the many ongoing projects which are expected to be completed soon, the Delegation suggested that a more proactive and aggressive approach was necessary regarding information technology and automation projects, to ensure that all countries in the region, including the LDCs, benefited from them. The Delegation expressed the hope that WIPO would continue to provide the necessary practical and technical assistance to countries in the Asia and the Pacific region in order to find an effective automation solution for those countries. Overall, it noted with satisfaction the considerable and significant progress that had been made in the region in the WIPO's automation activities.

106. The Delegation of Kenya expressed its gratitude to the Director General for the assistance the Organization continued to provide to Kenya with regard to the ongoing computerization project, which has significantly improved and simplified the work of KIPO. The Delegation also thanked the Director of the Africa Bureau for his constant assistance and guidance and mentioned the successful missions undertaken by the said Director and the

WIPO computer expert based at ARIPO. The Government of Kenya has recently decided to relocate KIPO to Government premises. This meant that the local computer network which had been completed would have to be repeated in the new premises. In conclusion, the Delegation expressed the desire to receive the same support and the requisite software, especially in the field of trademarks.

107. The Delegation of Mauritius thanked the Africa Bureau and its Director for their work. It recalled that on the previous day, the Delegation of Fiji had referred to the severe constraints that small island developing States faced in terms of financial, economic and human resources, and indicated that Mauritius, being a small island developing State, also suffered from those constraints. The Delegation was therefore grateful to WIPO for the assistance Mauritius had so far received, in particular for the automation of its Industrial Property Office under the NFAP. It added that Mauritius was waiting for the necessary software to be made available so that the Office could move on to the next phase of the automation project, namely, intellectual property software installation and configuration for data entry. In conclusion, the Delegation welcomed the planned training program in industrial property classification systems and indicated that Mauritius would like to participate in the program.

108. The Delegation of Cuba congratulated the International Bureau on the excellent results achieved by the Cooperation for Development Bureaus with regard to computerization, and mentioned that an evaluation over time of the results achieved by the Cuban Office with WIPO cooperation revealed better management of the institution, the possibility of access and easier use of intellectual property information, both that generated by the country itself and that available internationally. The Delegation stressed the importance of WIPO continuing to provide cooperation in that field for the benefit of the various developing countries, and of efforts being made in addition to train human resources so that they might make optimum use of the possibilities of the new technology and prepare themselves for taking full advantage of the benefits of WIPONET. The Delegation underlined the importance of the countries having a website that would enable them to have at their disposal an economic channel through which to advertise their services and disseminate any kind of information that they felt they should share with actual and prospective users of intellectual property. It also repeated the proposal made the previous October at the Meeting of Directors of Industrial Property offices of Latin American Countries that WIPO assistance be sought for the installation of virtual private networks that used coding machinery on the basis of WIPONET. Finally, it subscribed to the statements made by the Delegation of Uruguay on behalf of GRULAC.

109. The Delegation of the Lao People's Democratic Republic expressed its appreciation and gratitude to WIPO, and especially to the Director of the Bureau for Asia and the Pacific, for the effort made in providing technical assistance to countries of the region. The Delegation underlined the importance of the ongoing efforts for the automation of the Industrial Property Office in Vientiane, and observed that in comparison with other offices in the region, much work was still to be done. With the introduction of the common filing system of trademarks and patents among ASEAN countries, an automated industrial property office in its country was a necessity. The Delegation also drew attention to the fact that the intellectual property systems of the developed and developing countries and LDCs differed and that the needs of the LDCs should be specifically focused upon. The Delegation requested WIPO to continue its technical assistance to LDCs in the South East Asian region in order to strengthen their automation systems.

110. The Delegation of Uruguay thanked the International Bureau for the cooperation provided in the process of computerizing its Industrial Property Office. The Delegation said

that the process had begun at the end of the 1980s and the beginning of the 1990s, with the result that the Office was at present fully automated, with information systems that provided overall management support in both the trademark and the patent field. The Delegation mentioned that the Government of Uruguay had signed a cooperation agreement with WIPO the previous year, which was financed with Government funds and included a substantial information technology component, reflecting the strategic importance that Uruguay attached to the subject of information technology and computerization in support of the development of its intellectual property system. The Delegation emphasized the importance of WIPO's patent information services, and said that the Industrial Property Office of Uruguay had been a constant user of those services, as they provided it with a fundamental means of support.

111. The Representative of the EPO provided the Permanent Committee with some information on the activities of the EPO regarding development and making available of a software for patents and trademarks for small and medium-sized offices. The EPO had developed a, so called, common software which had been developed by the EPO and the EC for Central and Eastern European Countries, and had been spread throughout other countries over the world. Various member States of the EPO, OHIM and the Eurasian Patent Office (EAPO) in Moscow were using or would use the common software. Malaysia had also benefited, free of charge, from the common software under the EC-Asian Patent and Trademark Program, and the first development had been done by Malaysian experts or by Asian experts in Malaysia. The Representative stated that the EPO had also, in parallel, developed software (POLITE) for small offices, which was in the state of a pilot project running with ARIPO. He concluded by indicating the EPO's readiness to continue this cooperation, especially with the small industrial property offices, in the framework of the Cooperation for Development Program of WIPO.

112. The Representative of the OAU commended the directors of offices for the useful and beneficial information provided on information technology in developing countries, and the most instructive additional insights provided by the Deputy Director General. The Representative then thanked the Director of the Africa Bureau in particular for the excellent work done in an area in which Africa had a great deal of ground to make up. The Representative said that the Nigerian Head of State had recently made the undertaking to promote, through the OAU, intellectual property awareness among African leaders. The Representative ended his statement by expressing the OAU's wish that such activities in the field of information technology might continue and improve through the training and the supply of equipment to developing countries.

113. The Committee noted with appreciation the information contained in document PCIPD/2/4.

Agenda Item 8: Assistance to Least Developed Countries (LDCs): Report of the Lisbon Meeting (February 1 and 2, 2001)

114. Discussions on this item were based on document PCIPD/2/Inf. 2 introduced by Mr. Kifle Shenkoru, Head of the Least Developed Countries (LDCs) Unit. Mr. Shenkoru also gave an oral report on the outcome of the Lisbon High-Level Interregional Roundtable on Intellectual Property.

115. The Delegation of Madagascar thanked WIPO for the various specific technical assistance activities carried on in the LDCs with a view to promoting and strengthening the intellectual property systems of those countries, including its own. It thanked the Head of the

LDCs Unit for his report on the High-Level Interregional Roundtable on Intellectual Property and LDCs, organized in Lisbon in collaboration with INPI, which had had a strong attendance at ministerial level. It praised the initiative taken by the Director General for organizing the Roundtable, which reflected his determination to take due account of the concerns of LDCs. It expressed the wish that the Recommendation emerging from it might be translated into definite action and might enable LDCs to make the most of intellectual property. In conclusion the Malagasy Delegation supported the statement made the previous day by the representative of Ethiopia on the need to build up LDC participation in the various meetings of WIPO and to increase the resources of the Unit to that end so that its capability might also be increased.

116. The Delegation of Portugal started by declaring how honored its country had been to act as host to the High-Level Interregional Roundtable on Intellectual Property for LDCs in Lisbon. It was pleased with the positive result achieved and with the fact that political authorities had been made aware of the issue and above all of the importance of using the industrial property system in the promotion of LDC development. It reaffirmed the support of the Government of its country and the President of INPI for the efforts of LDCs, especially African countries with Portuguese as an official language (PALOPs), to bring about the implementation of the Final Declaration that emerged from the Roundtable, after the needs of those countries and their potential had been identified.

117. The Delegation of the Philippines first commended WIPO and its Director General in particular for having created the LDCs Unit at the Secretariat. It paid tribute to the Head of the Unit for the work accomplished since the Unit had been created. With reference to the LDCs themselves, it observed that they not only were economically weak but also suffered from empty spaces in the intellectual property field, which explained the importance of including those issues in the program. The Delegation concluded its intervention by expressing the wish that the efforts undertaken by WIPO might bear fruit.

118. The Delegation of Eritrea thanked the Director General for establishing the LDCs Unit and congratulated the Head of the Unit on the achievements realized in such a short period. It noted that the major characteristics of LDCs are weak economic development and a lack of knowledge of intellectual property systems. The Delegation recognized that Eritrea has benefited from WIPO's assistance. In conclusion, it reiterated the importance of the LDCs Unit, citing as an example, the important Declaration that emanated from the Roundtable held in Lisbon.

119. The Delegation of Bangladesh thanked the Director General and the Deputy Director General for their efforts and commitment, and the Head of the LDCs Unit for the informative presentation. The Delegation acknowledged the fundamental changes in the global intellectual property regime brought by the current information and genetic revolutions which have far-reaching implications for LDCs. It elaborated on the need for a new intellectual property paradigm and the importance of bringing LDCs into the global-knowledge society at par with their development partners. The Delegation called for the development of a coherent strategy accompanied by efficient implementation measures that would enable LDCs to face intellectual property challenges. Concerning the Lisbon Declaration, the Delegation requested the LDCs Unit to develop a focused special program based on the Lisbon recommendations. It enumerated a few priority areas that should be included in future LDCs focused programs, namely: the creation of an intellectual property environment offering opportunities to LDCs to derive benefits from the intellectual property system; the creation of wealth from traditional knowledge, folklore and genetic resources; the establishing of collective management societies; the transfer of knowledge in favor of LDCs to curb trends

towards marginalization in a knowledge society; enterprise development, including building SMEs and enhancing competitiveness; the removing of existing imbalances in the intellectual property regime by incorporating development dimensions in the evolving system. The Delegation concluded by thanking the Government of Portugal for hosting the Roundtable and by calling for a further strengthening of the LDCs Unit in terms of financial and human resources.

120. The Delegation of the Lao People's Democratic Republic noted that without WIPO's assistance, its country would not be able to comply with TRIPS Agreement obligations. It pointed to the needs of LDCs, such as adequate infrastructure and human resource development, and requested WIPO to continue with legal and technical assistance to LDCs in order to comply with obligations under the TRIPS Agreement. The Delegation also requested additional seminars be held in favor of its country.

121. On behalf of GRULAC, the Delegation of Uruguay thanked the Head of the LDCs Unit for the excellence and clarity of his report, and expressed its support for the LDC initiative.

122. The Delegation of Cambodia thanked WIPO and the Head of the LDCs Unit for the restoration of the intellectual property system in the country. Cambodia also faced infrastructure constraints regarding its intellectual property system and would like to appeal for WIPO's support on this issue, in addition to assistance with WIPONET, the TRIPS Agreement and other global issues of intellectual property, such as e-commerce, traditional knowledge, genetic resources, etc.

123. The Delegation of Ethiopia thanked the Head of the LDCs Unit for his presentation and associated itself with the statement of the Delegation of Bangladesh with regard to the need to strengthen the LDCs Unit with human and financial resources. It concluded by thanking WIPO and the Director General for the initiative and called for additional support.

124. The Delegation of Malaysia congratulated WIPO for convening the Lisbon meeting. It called for a doubling of efforts in order to help the integration of the LDCs in the intellectual property system, and suggested that one way would be to ensure that more participants were enabled to take part in WIPO meetings in Geneva. The Delegation concluded by making a strong appeal for more support to the Asian Group in facilitating participation in WIPO meetings.

125. The Delegation of Sweden commended the creation of a special Unit responsible for LDCs and the excellent activities undertaken so far. The Delegation wished that LDCs issues be considered in the context of globalization and their relationship with WTO and WIPO. It supported the idea of strengthening coordination on intellectual property issues in developing countries.

126. The Delegation of Guinea first commended the Lisbon Meeting for its high quality and relevance. It was pleased that the three preparatory meetings that resulted in the Lisbon Meeting had been organized in Africa. It pointed out that, in spite of the progress achieved, many important undertakings made at previous UN conferences had not been honored. It noted the need for the greater mobilization of resources and real determination of the part of the international community with a view to defining its action with new means. The Delegation was pleased with the adoption of a Plan of Action in anticipation of the Third United Nations Conference planned to be held in Brussels, and expressed the wish that it might result in definite action that would make the integration of LDCs in the world economy possible. The Delegation concluded by thanking the Director General of WIPO for the

creation of the LDCs Unit, and commended the Secretariat for its efforts with a view to integrating intellectual property in the economic and social development of LDCs.

127. The Delegation of the Sudan thanked the Head of the LDCs Unit for the excellent report and the organization of LDCs conferences in past years. The Delegation thanked the Director General, through the Deputy Director General, for the work carried out in the Sudan. It welcomed the Lisbon Declaration which it considered to be the culmination of all the preceding activities. The Delegation expressed the hope that what was adopted would become a reality. It pointed out that LDCs were going through a difficult period and the gap between developed and developing countries was widening. It added that LDCs need infrastructure including all instruments of protection and development. Considering the number of specialized agencies involved in LDCs conferences, it wondered why assistance to LDCs could not be expanded to include all kinds of assistance such as institution-building.

128. The Delegation of Haiti started by congratulating the various speakers and thanking WIPO and more especially its Director General for the praiseworthy efforts made in its country. The Delegation then reviewed the support that its country had recently been given, which had had a powerful effect. It said that its country had great hopes for the completion of the WIPONET project and for the distance learning program in that it would allow all the sectors concerned, including the universities, to be more effectively targeted. It expressed the wish that the Academy might provide LDCs with a maximum of logistical means of overcoming the problems associated with industrial property development.

129. The Representative of the OAU congratulated the Head of the LDCs Unit for the high quality of his report on the action carried in the area entrusted to him. The Representative expressed satisfaction with the mobilization of the international community in favor of LDCs, in the form of the organization of a series of conferences, the most recent having been that of Lisbon. The Representative of the OAU recognized WIPO's efforts to incorporate an intellectual property dimension in the economic development programs of LDCs. The Representative added that the OAU was all the more appreciative since the African continent contained the greatest number of LDCs, namely 33 out of an overall total of 48. Paying tribute to the Director General of WIPO, the Representative pointed out that such achievements would not have been possible without his clarity of vision. He also praised the significant action of the Deputy Director General in charge of the Sector of Cooperation for Development for the work done to integrate LDCs in the intellectual property circuit. Finally, the Representative of the OAU supported the idea of increasing the resources and activities of the LDCs Unit within WIPO, and concluded by reaffirming the OAU's support for the Lisbon Declaration.

130. The Committee noted with appreciation the information contained in document PCIPD/2/Inf. 2.

Agenda Item 9: Provision of Industrial Property Information Services to Developing Countries: Assessment of Ongoing Activities and Future Needs

131. Discussions on the item were based on document PCIPD/2/5 Rev. 2, which was introduced by Mr. Vladimir Yossifov, Director, Division for Infrastructure Services and Innovation Promotion (DISIP).

132. The Delegation of Cuba congratulated Mr. Yossifov on his excellent presentation, and also the International Bureau on the quality of the document submitted, mentioning that the

WIPO Patent Information Services for Developing Countries (WPIS), introduced in 1975, had been regarded by the users of the OCPI as a very valuable and highly reliable service; that was clear from the report submitted which, from both the quantitative and the qualitative point of view, was evidence of the success of the Service. For that reason it expressed the wish that WIPO continue to provide it in view of its importance to developing countries, and that it engage in a feasibility study with a view to extending it. The Delegation emphasized the importance of having the necessary information available on which to base decision-making, and underlined the role of intellectual property information services in narrowing the gap separating developed from developing countries, as they contributed to the solution of the problems that arose in industry, research, trade and the economy in general. The Delegation concluded by giving assurances of the Cuban Office's support for the Service whenever it should be necessary.

133. The Delegation of the Republic of Moldova commended the speaker on his presentation of the work done by the WIPO Industrial Property Services and on the quality of the documents submitted on the subject. It recalled that the main activity of the State Agency on Industrial Property Protection (AGEPI) consisted in the supply of technical information to users. The Office provided enterprises with the information necessary for their work; it also provided its staff and users with specialized training in the field of patent information. It assisted in the preparation and analysis of projects, and more specifically worked for and with smaller businesses (SMEs) in that connection. The Delegation recommended that the industrial property information services provided by WIPO be strengthened.

134. The Delegation of Sweden expressed its support for the work done by WIPO, and particularly the DISIP, and pointed out the fact that all countries share the same problems regarding the dissemination of industrial property information, in particular among SMEs. This type of activity needed to be financed in one way or another, and was a problem that required a solution. This was why Sweden offered to assist WIPO and the DISIP in developing possible ideas, in particular in respect of marketing and advertising this service because of its great importance to its users.

135. The Delegation of Uruguay, speaking on behalf of the member countries of GRULAC, thanked Mr. Yossifov for his very full presentation. GRULAC hoped that WIPO would continue to engage in cooperation activities with the countries of Latin America with a view to developing specialized intellectual property information services and expanding the dissemination of patent information among national users, especially universities and research centers. It also considered it necessary to strengthen the technological information services of intellectual property offices, which was why it hoped that WIPO would be provided with resources for that kind of activity. In addition, the Delegation stressed the importance of the WIPO Patent Information Services, and said that the Industrial Property Office of Uruguay had been a regular user of them, as they had provided a means of fundamental support.

136. The Delegation of the Democratic People's Republic of Korea expressed appreciation of WIPO's great contribution to developing countries through the provision of industrial property information services. Among WIPO's technical assistance activities to developing countries, WPIS have made valuable contributions to the enhancement of technology in developing countries since the start of this program in 1975. The Delegation pointed out that its country was one of the beneficiaries of these services which had proved highly successful and which would continue to be needed, as shown by the systematic increase in the number and diversity of requests for WPIS, in particular, from those developing countries with no access to the Internet. The Delegation expressed its appreciation to the contributing

Governments and Offices which provided patent information services and patent documents to WIPO free of charge, so that the developing countries could share the modern technology and their inventions, and hoped that these services would continue and be strengthened in the years to come.

137. The Delegation of China expressed its satisfaction with WIPO's activities in the provision of industrial property information services to developing countries and its support for the activities planned for the future. The Delegation expressed its satisfaction with the correction of the oversight, which it had pointed out, in the Annexes to document PCIPD/2/5 Rev.2.

138. The Representative of ARIPO expressed his ongoing satisfaction with ARIPO's relationship with WIPO and, in particular, the DISIP. The Representative requested that WIPO provide for the creation of modern technological services and for the dissemination of information to all its users.

139. The Representative of the EPO agreed with all the other Delegations on the importance of WIPO's provision of necessary information to its users. The Representative pointed out that the relative reduction of numbers of copies of patent documents provided by EPO was mostly due to the fact that all EPO information is currently available on the Internet, and many users could download patent documents directly from EPO's Web-site.

140. The Committee noted with appreciation the information contained in document PCIPD/2/5 Rev.2.

Agenda Item 10: Electronic Commerce and Intellectual Property in Developing Countries: Progress Report

141. Discussions were based on document PCIPD/2/6, introduced by Ms. Cynthia Cannady, Director, Electronic Commerce Division.

142. The Delegation of Uruguay, on behalf of GRULAC, expressed its appreciation for the Report and recognized the importance of the Second WIPO Internet Domain Name Process (the 'Second WIPO Process'). The Delegation expressed its hope that more resources would be allocated by the Organization to its Cooperation for Development Program, so as to facilitate participation, in this important area, by both public and private sectors in the region. The Delegation noted that such support given at a national level, in the form of seminars and workshops, for example, would enable countries to take advantage of the economic benefits of electronic commerce.

143. The Delegation of Egypt thanked the International Bureau for its Report, and noted that the Report, while entitled 'Electronic Commerce and Intellectual Property in Developing Countries', outlined the Organization's progress under the WIPO Digital Agenda but did not fully focus on the specific needs of developing countries and the Organization's technical cooperation in this area. The Delegation noted that a link could usefully be made between the Organization's activities in electronic commerce and technical assistance aimed at developing countries.

144. The Delegation of Cuba congratulated the International Bureau for its full Report, and noted the high priority given to electronic commerce in Cuba. Both its national copyright and industrial property offices were actively participating in the National Commission on

Electronic Commerce, and were responsible for giving advice within the Commission on intellectual-property-related matters. The Delegation remarked, in particular, on the high importance it placed upon the online procedures for filing and administration of international applications under the PCT, the Madrid System and the Hague Agreement Concerning the International Deposit of Industrial Designs, and noted the significant benefits offered to applicants and industrial property offices through the ongoing development of these systems. The Delegation stated that it looked forward to the Second WIPO International Conference on Electronic Commerce and Intellectual Property, to be held on September 19 and 21, 2001, and expressed the hope that the Organization would facilitate broad participation in the Conference. The Delegation stated its support for the statement made by the Delegation of Uruguay on behalf of GRULAC.

145. Mr. Castelo, Deputy Director General, explained, with respect to the intervention of the Delegation of Egypt, that the purpose of this Agenda Item was to demonstrate the manner in which the Cooperation for Development Program operated in conjunction with the Organization's electronic commerce programs. He noted that the Second WIPO Process is one item of the WIPO Digital Agenda, and that a consultation process and various missions had been organized around this. He remarked that, as a separate exercise, some activities in the Cooperation for Development Program concerned the use of electronic techniques for performing administrative tasks in the field of intellectual property.

146. The Delegation of Mexico expressed its appreciation to the International Bureau for the Progress Report on the WIPO Digital Agenda. The Delegation noted that the Organization's electronic commerce program was of great importance in reducing the digital divide between developing and developed countries. In particular, the Delegation commended the International Bureau's efforts in carrying out the recommendations made in the Report of the First WIPO Internet Domain Name Process, to prevent and resolve disputes involving domain names and trademarks, and 'cybersquatting' practices. The Delegation also expressed its appreciation for the Organization's ongoing assistance to the administrators of country code top-level domains ('ccTLDs'), and looked forward to receiving the results of the Second WIPO Process. The Delegation remarked that it would follow with interest the developments with respect to the 10 items of the WIPO Digital Agenda. The Delegation recalled that Mexico, in the middle of 2000, had ratified the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), and encouraged other States to ratify those important treaties. The Delegation also expressed its support for the further study of the protection of databases, and noted with interest the work on online processes for the filing and administration of international applications under the PCT, the Madrid System and the Hague Agreement, and their benefits in facilitating users' access to these services. The Delegation noted with satisfaction that 90,948 PCT applications had been filed in 2000, representing a significant increase in acceptance of the PCT, and expressed its hope that the resulting income would be reflected in the Cooperation for Development Program, to meet national needs for resources. The Delegation expressed its overall support for the Organization's electronic commerce programs, and its view that the Second WIPO International Conference on Electronic Commerce and Intellectual Property would offer an appropriate opportunity to assess and refine the direction to be taken in future on these issues. The Delegation stated that Mexico looked forward, with interest, to the Conference, and to its active participation. Finally, the Delegation noted the importance of training and the dissemination of information on electronic commerce, and requested further information to be made available on the content of the proposed electronic commerce module for the WIPO Academy's Distance Learning Program.

147. The Delegation of Guatemala expressed its appreciation for the International Bureau's provision of assistance to numerous ccTLD administrators and, in particular, to the ccTLD administrator for Guatemala.

148. Ms. Cannady welcomed the remarks of the Delegations of the Permanent Committee and stated that the International Bureau looked forward to exploring, refining and focusing further upon issues of electronic commerce and intellectual property for developing countries in the future. She confirmed WIPO's readiness to provide further information concerning the electronic commerce distance-learning module.

149. The Committee noted with appreciation the information contained in document PCIPD/2/6.

Agenda Item 11: Protection of Traditional Knowledge and Intellectual Property in Developing Countries: Progress Report

150. Discussions were based on document PCIPD/2/7. The item was presented by Mr. Wend Wendland, Senior Legal Officer, Global Intellectual Property Issues Division.

151. The Delegation of Australia commended WIPO for its work done on intellectual property and genetic resources, traditional knowledge and folklore to date. Noting that these issues are complex, evoke high passions and cut across many areas, the Delegation stated that it welcomed open and frank discussions on these issues. The Delegation believed that WIPO had provided, and would continue to provide, the appropriate environment for such discussions, and welcomed, particularly, a practical and open approach to these questions. Australia was pleased to have been involved in certain of WIPO's activities in this area to date, and looked forward to further participation in WIPO's work.

152. The Delegation of Uruguay, speaking on behalf of GRULAC, noted with satisfaction the establishment by the WIPO General Assembly (September 25 to October 3, 2000) of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore ("the Intergovernmental Committee"). The Delegation expressed the hope that WIPO would enable a significant number of representatives of developing countries to take part in the new Committee's meetings, and set aside resources for engaging in cooperation activities that would allow developing countries to be better prepared for participation in its discussions by, for example, supporting the compilation of documents and submissions by developing countries, and by facilitating consultations, at the national level, involving all interested stakeholders.

153. The Delegation of India expressed its appreciation of the work done by WIPO to date. India attached great importance to traditional knowledge and folklore, and the Delegation referred to negative public perceptions concerning intellectual property arising from the inadequate protection of traditional knowledge and folklore. The Delegation stated that expanded intellectual property protection was seen by some to favor only commercial and developed country interests. The lack of acknowledgement of the contribution of local communities in the areas of genetic resources and traditional knowledge had led to long drawn-out legal disputes. The Delegation noted with particular interest the reference by the Secretariat to WIPO's work on traditional knowledge documentation. It referred to a digital database of traditional Indian medicinal knowledge that is being created. The Delegation hoped that this database would be included as part of WIPONET in the form of a Traditional Knowledge Digital Library (TKDL), which could also be included in the International Patent

Classification (IPC). It was suggested that WIPO should take the initiative in supporting countries to participate in activities concerning intellectual property and genetic resources, traditional knowledge and folklore. The Delegation hoped that the Intergovernmental Committee would be able to address the various questions raised in this area. The Delegation concluded by stating that it looked to WIPO for an objective study of these matters.

154. The Delegation of Sweden congratulated WIPO on its activities and the approach it had adopted on these issues. The Delegation stated that this subject was an example of increasing inter-linkages between different forums and different areas of law. Thus, the comprehensive and interdisciplinary approach of WIPO was appropriate. Referring specifically to WIPO's Cooperation for Development Program, the Delegation stated that this subject posed challenges in respect of designing programs and activities that should take into account the inter-sectoral nature of the subject. It would therefore, for example, be valuable for participants in the annual Sweden/WIPO training course to learn about how genetic resources, traditional knowledge and folklore issues are dealt with in other fora.

155. The Delegation of the Democratic People's Republic of Korea thanked WIPO for the work already undertaken in this area. The Delegation stated that with the emergence of biotechnology, issues relating to genetic resources had become of great concern to many countries. The Delegation welcomed the decision to establish the Intergovernmental Committee, and hoped that the first session would produce recommendations. The Delegation concluded by expressing its willingness to participate actively in meetings of the Intergovernmental Committee.

156. The Delegation of Uganda thanked WIPO for its activities to date in relation to genetic resources, traditional knowledge and folklore. The Delegation noted that these issues were of particular importance to developing countries and LDCs. The Delegation welcomed the establishment of the Intergovernmental Committee as this would facilitate the participation of these countries in further discussions. The Delegation expressed the hope that the meetings of the Intergovernmental Committee would allow for such discussions to continue in an open and frank manner. The Delegation noted that these issues were also of concern to developed countries. It expressed gratitude that such global issues were being specifically addressed as part of WIPO's program of activities. Finally, the Delegation hoped for effective regional representation in meetings of the Intergovernmental Committee and suggested that WIPO should facilitate, in particular, the participation of LDCs.

157. The Delegation of Mexico endorsed the statement made by the Delegation of Uruguay on behalf of GRULAC and requested further information on the pilot project on the collective acquisition, management and enforcement of intellectual property rights in traditional knowledge mentioned by the Secretariat in introducing this agenda item. The Delegation also requested copies of the case studies on the role of intellectual property rights in the sharing of benefits arising from the use of biological resources and associated traditional knowledge, commissioned by WIPO and the United Nations Environment Programme (UNEP) (the WIPO/UNEP case studies), which had also been mentioned by the Secretariat.

158. The Delegation of Brazil commended WIPO's work to date, and referred to two activities that the Delegation regarded as particularly important. First, the Delegation referred to information workshops and seminars concerning intellectual property and genetic resources, traditional knowledge and folklore. The Delegation informed the Permanent Committee of a recent decision by Brazil to organize a meeting, to be held in the Amazon region, on these issues. The Delegation stated that it would welcome the involvement of WIPO in that meeting. In addition, the Delegation stated that it would also welcome the

involvement of other member States that might be interested. Second, the Delegation referred to the need for WIPO to continue to provide legislative assistance, in view of the growing number of countries that were drafting laws dealing with intellectual property, genetic resources, traditional knowledge and folklore, particularly so as to ensure compliance of such laws with intellectual property treaties as well as treaties in other areas.

159. The Delegation of Madagascar stated that the issues covered by the agenda item were of great importance to Madagascar, which is rich in its biological diversity. The Delegation referred to cases in which genetic resources from Madagascar had been used to produce medicines. Referring to its draft law, under preparation, dealing with genetic resources, access to databases and related matters, it requested WIPO's assistance in finalizing that law. The Delegation commended WIPO for its activities in this area to date.

160. The Delegation of Slovakia thanked and congratulated WIPO for the results of its activities thus far. The Delegation stated that traditional knowledge and folklore played an important role in Slovakian society, and mentioned the Folklore and Ethnography Institute, which is part of the Academy of Sciences of Slovakia. The Delegation welcomed the establishment of the Intergovernmental Committee and was looking forward to its first session.

161. The Delegation of China stated that it attached great importance to the role of intellectual property in access to and benefit-sharing in genetic resources and in the protection of traditional knowledge and folklore. The Delegation stated that there were urgent and practical needs that must be addressed, and expressed its support for past and ongoing activities of WIPO in this regard, including the establishment of the Intergovernmental Committee. In conclusion, the Delegation expressed the hope that the first session of the Intergovernmental Committee would produce fruitful results.

162. The Delegation of Fiji noted with pleasure the establishment of the Intergovernmental Committee and urged WIPO to extend assistance to as many countries, especially small island countries, as possible to participate effectively in the Intergovernmental Committee.

163. The Delegation of Egypt expressed its great satisfaction that this item was on the agenda for this meeting, as it reflects the momentum gained by the issues addressed under this item in the work of the Organization. The Delegation strongly supported the establishment of the Intergovernmental Committee, and welcomed open and frank discussions on these issues. It further invited WIPO to continue to include these issues in its cooperation for development activities. The Delegation also requested further information on the pilot project on collective acquisition, management and enforcement of intellectual property rights in traditional knowledge referred to by the International Bureau. The Delegation referred to a meeting and a mission on the protection of expressions of folklore that had taken place in Egypt in 2000. In conclusion, the Delegation expressed the view that the activities of WIPO should continue to take into account the activities in other fora, such as UNCTAD.

164. The Delegation of Panama expressed the wish that WIPO facilitate the participation of a representative from its capital in meetings of the Intergovernmental Committee.

165. The Delegation of Cuba supported the statement made earlier by the Delegation of Uruguay on behalf of GRULAC. It once again congratulated WIPO on the decision to set up the Intergovernmental Committee. It informed the Permanent Committee on the participation of OCPI in the revision of the country's Law on Biodiversity, including provisions on access to genetic resources, which had involved advising it on the inseparable link between that

subject and intellectual property. Apart from that OCPI was liaising with officials of other bodies within the country that were taking part in international meetings organized by the Food and Agriculture Organization of the United Nations (FAO) and other agencies at which the subject was discussed in relation to intellectual property issues, with a view to keeping them informed of developments in the area and thereby enabling them to put forward authoritative views. The Delegation suggested that WIPO should ensure that countries from the developing country regions would be represented in meetings of the Intergovernmental Committee. Finally, the Delegation requested copies of the WIPO/UNEP case studies and the draft report on WIPO's fact-finding missions undertaken in 1998 and 1999 referred to by the Secretariat in introducing this agenda item.

166. The Delegation of Ethiopia commended WIPO for its activities to date and welcomed the establishment of the Intergovernmental Committee. The Delegation stated that it would participate actively in meetings of the Intergovernmental Committee. It also expressed particular support for WIPO's planned information workshops on intellectual property and genetic resources, traditional knowledge and folklore, as well as the activities on the documentation of traditional knowledge. The Delegation concluded by saying that WIPO should strengthen the ability of developing countries to participate in these processes by capacity building and infrastructure development.

167. The Delegation of the Sudan stated that the draft report on the fact-finding missions conducted by WIPO in 1998 and 1999 represented a tremendous effort to collect, and make available, useful information. Access to and benefit-sharing in respect of genetic resources, traditional knowledge and folklore are issues to which the Delegation attached great importance. The Delegation stated that it would be ready to deal thoroughly with all the matters raised in the draft fact-finding mission report and by the Intergovernmental Committee.

168. The Delegation of Kenya expressed its great appreciation for the work done by WIPO to date. The Delegation stated that WIPO should facilitate the participation of developing countries in meetings of the Intergovernmental Committee, the establishment of which the Delegation was particularly pleased with.

169. The Representative of the OAU expressed its satisfaction with the work done by WIPO thus far, and warmly welcomed the establishment of the Intergovernmental Committee. The Representative noted that access to and benefit-sharing in genetic resources, and the protection of traditional knowledge and folklore were linked to economic development, as was recently mentioned by the President of Nigeria. The Representative also noted the growing awareness, at the highest levels, amongst African governments of the links between intellectual property protection, development and economic growth.

170. The Representative of the EPO stated that the EPO attached particular importance to traditional medicinal knowledge and plant genetic resources. The Representative stated that EPO patent examiners would benefit greatly from the kind of searchable databases mentioned by the Delegation of India.

171. The Representative of the European Communities stated, on behalf of the European Commission (EC), that the EC welcomed the work done by WIPO to date and was open to addressing the requests of developing countries to achieve adequate protection of traditional knowledge, genetic resources and folklore. The Representative advised the meeting of two studies recently commissioned by the EC on, first, access to and benefit-sharing in genetic resources, and, second, on expressions of folklore. The EC supported an approach whereby

existing systems for traditional knowledge protection and for the regulation of access to and benefit-sharing in genetic resources would be examined first. The EC was somewhat concerned by the large number of fora dealing with these issues at present, and believed that WIPO would be the most appropriate body to deal with intellectual property issues. The Representative stated that there should be no overlaps, in this respect, with other fora. Developing countries should have sufficient resources to deal with these issues, and the EC was prepared to assist with capacity building and technical cooperation. In conclusion, the Representative advised that the EC was planning to organize a seminar on biodiversity-related issues, traditional knowledge and intellectual property in a developing country and had, therefore, noted with interest the statement made by the Delegation of Brazil regarding the meeting it was planning to organize.

172. The Representative of ARIPO advised the meeting that the Council of Ministers of ARIPO had mandated ARIPO to take initiatives in respect of the subjects under discussion. The Representative stated that ARIPO supported every effort undertaken thus far by WIPO. ARIPO was receiving applications for patents based upon traditional technologies and hoped that the further work of WIPO, particularly of the Intergovernmental Committee, would provide guidance in respect of such matters. In conclusion, the representative expressed the need for greater clarity in the relationship between the TRIPS Agreement and access to and benefit-sharing in respect of genetic resources and the protection of traditional knowledge and folklore.

173. In response to the questions raised by the Delegations of Mexico and Egypt concerning the WIPO pilot project on the collective acquisition, management and enforcement of intellectual property rights in traditional knowledge, the International Bureau reported on recent developments regarding this activity. Noting that the model for the collective management of copyright and related rights, while, perhaps, not being entirely applicable to the traditional knowledge domain, could, however, be used as a guide, the International Bureau reported on the ongoing development of terms of reference for a project in which traditional knowledge holders would be assisted to collectively acquire, manage and enforce rights and interests in their tradition-based innovations and creations, through, for example, the establishment of an association or similar entity.

174. The Committee noted with appreciation the information contained in document PCIPD/2/7.

Agenda Item 12: Evaluation of a WIPO Cooperation for Development Activity: Presentation of the In-Depth Evaluation Report Concerning the Annual WIPO Regional Meeting of Directors of Industrial Property Offices of Latin America (El Salvador, October 31 to November 3, 2000)

175. Discussions were based on document PCIPD/2/8. The item was introduced by Mr. Marco Pautasso, Senior Internal Auditor and Acting Director, Internal Audit and Oversight Division (IAOD).

176. The External Evaluator, Ambassador Rodriguez Cedeño, expressed his gratitude to the Directors of the industrial property offices and the other participants who were present at the El Salvador meeting for their active contribution to the evaluation. He stated that this evaluation was a very positive experience with important implications for WIPO's Cooperation for Development Program and its role in promoting horizontal cooperation in the region.

177. The Delegation of El Salvador congratulated the International Bureau for presenting a very complete evaluation report with the positive results of that meeting. It welcomed WIPO's efforts to continue these meetings on an annual basis, and stated that they contributed to more effective technical cooperation assistance and to strengthening links with other industrial property offices, thereby facilitating expanded horizontal cooperation in the region.

178. The Delegation of Sweden, speaking from Sweden's point of view as a donor, stressed that its country utilized income from taxpayers. It stated that the first question often asked, when anticipating the start of a project, was what its effects would be. By making such evaluations available, the International Bureau offered persuasive evidence which would perhaps have the tangible effect of persuading governments of donor countries more readily to make resources available, and in particular, enhance Sweden's ability to raise funds for these projects.

179. The Delegation of Uruguay, on behalf of GRULAC, noted with satisfaction the steps taken by the International Bureau to evaluate technical cooperation activities, and appreciated that, for the first evaluation, it had selected an activity in Latin America. It expressed its appreciation for the participation of an external Evaluator who came from the Latin American region. The Delegation noted that the report was very complete and positive and provided valuable lessons for increasing, still further, the impact and value of WIPO's cooperation.

180. The Delegation of Venezuela expressed its appreciation to WIPO for the evaluation of the results of this annual meeting, held in 2000 in El Salvador. It praised the International Bureau for having drawn up a clear, coherent and well-structured evaluation document, and hoped WIPO would retain its structure in the future. The Delegation highlighted the warm welcome given to the participants by the Government and people of El Salvador. While associating itself with the statement of the GRULAC Coordinator, the Delegation fully supported the conclusions and recommendations of the report, being convinced that the parameters and approaches of the meeting were well founded. It considered the meeting a valuable cooperation tool, not only between WIPO and member States, but also among the States themselves, allowing an exchange of experience and promoting regional and subregional cooperation. The format of the meeting made it possible to optimize its results. It firmly supported the recommendations as to the coverage of the meeting, with special emphasis put on achieving better dissemination, so as to inform national authorities of the aims of the meeting, on the one hand, and, on the other, to spread knowledge of the meeting so that countries from other regions could be informed of the results and apply them. It considered that this regional meeting was a good consultative mechanism between representatives of industrial property offices, and, in view of the positive impact on the attainment of these objectives, namely the promotion of bilateral and multilateral cooperation, it proposed that this kind of meeting be held in other regions using the same format.

181. The Delegation of Argentina noted its appreciation of the contents of the Report, which reflected with great clarity the success of the meeting in El Salvador. Gratitude was also extended to El Salvador as the host country, for the excellent organization and the warm welcome extended to all the participants. The Delegation endorsed the statement presented by the Group Coordinator, not only on this evaluation topic, but also previous statements made on behalf of GRULAC during the last few days. The Delegation also extended its gratitude to the International Bureau for its continuous support in coordinating relations between GRULAC member States and stated that, for Argentina, it was of great importance to increase cooperation among Latin American countries.

182. The Delegation of Cuba appreciated the presentation of the in-depth evaluation report and commended WIPO for its valuable initiative in undertaking such evaluations. It considered that evaluation was an important tool, since the best way to improve such activities or programs was to evaluate them as they proceeded, and noted that it was a vital component in decision-making. Those who were able to participate were very satisfied at the methodology used, since they were able to highlight the importance of these annual meetings to the Latin American industrial property offices, and also the importance of holding such meetings in other regions. The Delegation supported the proposal of Venezuela to transmit this report to the national authorities, as well as the statement made by Uruguay on behalf of GRULAC.

183. The Delegation of Niger congratulated WIPO for its initiative in evaluating this regional meeting. It also thanked the Directors of the Latin American industrial property offices on the quality of their input to the report. The Delegation inquired whether it would be possible to obtain some financial statistics showing the correlation between investments made in cooperation for development and economic growth, detailing the increase in the revenue of industrial property offices and giving an estimation of the contribution of industrial property to the GDP of the various countries.

184. The Delegation of Uruguay commended the International Bureau for the evaluation report, which set out clearly and exhaustively the results of the regional meeting of the Directors of industrial property offices of Latin America. The Delegation highlighted the objectivity, professionalism and quality of the evaluation documented in the conclusions and recommendations of the report. Finally the Delegation suggested, as had other Delegations, that this form of evaluation take place in other regions.

185. In conclusion, the Committee noted with appreciation the information contained in document PCIPD/2/8.

Agenda item 13: Adoption of the Report

186. This Report was unanimously adopted by the Permanent Committee on Cooperation for Development Related to Intellectual Property (PCIPD) on February 8, 2001, after which the Chairperson declared the second session closed.

[End of Annex and of document]