

Committee on Development and Intellectual Property (CDIP)

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DIRECTOR GENERAL'S REPORT ON IMPLEMENTATION OF THE DEVELOPMENT AGENDA

Prepared by the Secretariat

1. The present document contains the Director General's report on the implementation of the Development Agenda (DA) for 2011.
2. The report is structured in three parts. Part I provides an overview of the mainstreaming of the Development Agenda into WIPO's program activities and its various bodies. Part II deals with the implementation of Development Agenda projects. Part III seeks to demonstrate the Organization's strategic approach to the implementation of the Development Agenda. In addition, Annex I to the document includes an overview of the status of implementation of the Development Agenda recommendations and Annex II lists the key achievements of the Development Agenda projects currently underway.
3. This report seeks to provide a macro level assessment of the work undertaken thus far in the implementation of the Development Agenda.

PART I: MAINSTREAMING THE DEVELOPMENT AGENDA

DEVELOPMENT AGENDA MAINSTREAMING INTO WIPO'S PROGRAM ACTIVITIES

4. The Development Agenda recommendations continued to guide WIPO's activities in 2011.

5. The approved Program and Budget for the biennium 2012/13 mainstreams development across all substantive Strategic Goals and all relevant programs of WIPO. As in the previous biennium, a table providing details for proposed development expenditure by program was included in the Program and Budget for 2012/13 (see Appendix I). In addition, a Result Frameworks Chart, including estimated development share by result, was developed for the first time in order to identify precisely under which results resources were devoted to development across various programs (see appendix II). The Development Agenda projects approved by the Committee were also mainstreamed, both in terms of substance and resources, in each program. Moreover, program linkages to the Development Agenda recommendations have been substantively reflected in the narrative for each relevant program.

6. The Program Performance Report (PPR) for 2010, included details on the role and contribution of each program to the implementation of the Development Agenda. The reporting process has been strengthened to include information on the implementation of Development Agenda recommendations as well as projects undertaken by each program.

7. A WIPO Code of Ethics was developed and circulated amongst staff for comments. A summary of the key values and principles to be observed by all staff, the Code complements the Organization's Staff Regulations and Staff Rules, as well as the Standards of Conduct for the International Civil Service. This will be supplemented with mandatory ethics training for all WIPO personnel. The Ethics Office has also issued a draft Whistleblower Protection Policy for comment by all staff.

8. DA principles continue to guide WIPO technical assistance activities aimed at greater empowerment of developing countries and least developed countries (LDCs) in using IP for development. Generally, this objective is being achieved by assisting countries in developing:

- (a) country-specific IP strategies and policies aligned with national development goals;
- (b) balanced and tailored IP regulatory frameworks that promote creativity and innovation;
- (c) IP institutional and technical infrastructure to support creators and innovators; and
- (d) enhanced human and professional capacity to support countries in benefitting from the knowledge economy through the use of IP.

9. The Country Plan process launched by WIPO in 2012, as a planning and delivery tool for development cooperation activities provides for an agreed, transparent, comprehensive and tailored assistance framework between WIPO and the concerned country. It defines specific projects and activities to be jointly undertaken by WIPO and the country over a specific period of time with pre-determined expected results and target deliverables. Review and evaluation are intrinsic to the country plan.

10. The Development Agenda Project (DA_10_05): Development of National IP Strategies is based on an IP audit, needs assessment and government-led stakeholder consultations. It

identifies IP-related needs and priorities, and addresses these through specific plans of action which take into account higher development goals and public policy concerns.

11. Complementary to the above-mentioned Development Agenda project, the WIPO framework on Designing National IP Strategies for Development initiative aims to provide a macro-level policy framework to link IP Strategy development to a broader development oriented policy framework consistent with national needs and development priorities.

12. The national IP strategy and Country Plan approaches are aimed at ensuring that the Organization's technical assistance is development-oriented, demand-driven and transparent, based on country needs and level of development, and country-specific with respect to design, delivery and evaluation. Both are interlinked, as one informs the other.

13. The WIPO Academy training programs continue to play a central role in implementing the Development Agenda recommendations by meeting the training needs of the Member States. In 2011, the Distance Learning courses underwent a major change with a specific goal of creating and developing access to IP education to developing countries through an infrastructural change and substantive development of content. A new platform WIPO Academy eLearning Centre (WeLC) was created to offer the WIPO DL courses widely in non-Latin character based languages such as Arabic, Chinese and Russian, which the older system limited. This move is expected to expand the beneficiaries of the WIPO DL courses to even higher numbers than 50,000 in 2010. The DL courses are offered to a large number of participants with over 75% attendance from developing countries and LDCs. The request by Member States to expand the content of the courses to include IP and development was started in 2010 and completed during 2011 for the flagship General Course on Intellectual Property (DL-101). As a result this course will be offered in the seven WIPO languages from the 2nd session of 2012. Based on this successful deployment, the so called 'learner-centered-approach' that was applied during the DL-101 Development Agenda inclusion phase, three other modules will be developed for the advanced courses of Copyright and Related Rights (DL-201), Trademarks, Geographical Indications and Industrial Designs (DL-302) and Patents (DL-301) making the WIPO Development Agenda an integral part of these courses in 2012. The three advanced modules will be completed 2012 and offered in 2013. A synergistic methodology of training has been launched in 2011 by WIPO Academy and WIPO TISC training units by offering pre- and post-TISC training for Member States by offering the Academy's DL courses on Patent (DL-301) Patent Information Search (DL-318), basics on Patent Drafting (DL-320), IP Management (DL-450).

14. In line with a number of Development Agenda (DA) recommendations, notably recommendations 30 and 42, WIPO continued throughout 2011, to strengthen its cooperation with other inter-governmental organizations (IGOs), particularly in the United Nations (UN) system. The focus of this collaboration has primarily been the interface between intellectual property and economic, social and cultural development. WIPO has also sought to improve its engagement with the UN in New York, and to better relate and report its activities in relation to the Millennium Development Goals (MDGs). Further efforts in this respect continue and WIPO will also be contributing in 2012 to UN inter-agency processes related to the post 2015 Development Agenda. In addition to these New York based activities, where the WIPO Coordination Office in New York plays a key role, WIPO has also sought throughout 2011 to improve collaboration with Geneva-based agencies and also to increase collaboration with the UN and other IGOs at the regional and country level.

15. A number of joint activities were organized as part of WIPO's trilateral cooperation with the World Health Organization (WHO) and the World Trade Organization (WTO) for the implementation of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property. On public health issues WIPO contributed to the UN inter-agency process

on non-communicable diseases, led by the WHO. The WIPO Re:Search project also benefits greatly through its partnership with the WHO.

16. WIPO's relationship with the WTO is also another key area of work. During 2011, WIPO was actively engaged in meetings of the TRIPS Council. The WIPO submission on its TRIPS related technical assistance submitted to the October session of the TRIPS Council demonstrated the support that WIPO provides to developing countries in IP related technical assistance. WIPO has also increased its effort to work more closely with the WTO in relation to the WTO LDC Needs Assessment process. The needs assessment submission of Senegal provided further example of the critical role WIPO can play in supporting this work through the development of national IP and innovation strategies. During the WTO Third Global Review of Aid-for-Trade, WIPO partnered with the Government of Ethiopia to showcase the role that IP can play in generating increased revenues, job creation and economic growth through the use of IP. The event was also an opportunity to present the WIPO IP Advantage database. WIPO continues to contribute to the WTO Global Trade-related Technical Assistance Database (GTAD). In addition to these Geneva-based events, WIPO also provided experts to participate in WTO organized national and regional workshops.

17. On sustainable development and climate change, WIPO has worked closely as a part of UN inter-agency processes both within the framework of the preparatory process for the UN Conference on Sustainable Development (UNCSD - Rio+20) and in providing support, upon request to the UNFCCC Secretariat and to the UNFCCC Parties on the Climate Change negotiations. Within the UN Chief Executive Board's (CEB) High Level Committee on Programmes (HLCP), WIPO is the lead convening agency on issue of technology transfer within the HLCP Working Group on Climate Change. In that capacity, WIPO organized a number of inter-agency information and awareness raising events. WIPO has participated as an observer in meetings of the UNFCCC Technology Executive Committee and in the intersessional and Prepcom meetings of the UNCSD. A WIPO contribution was submitted to the UNCSD process and contributed to the UN Environment Management Group Report entitled "Working together towards a balanced and inclusive green economy: A UN system-wide perspective". WIPO has also participated in related meetings of other organizations such as the UNCTAD Expert Group Meeting on the Green Economy (November, 2011).

18. Another key area of WIPO's engagement with IGOs relates to the follow-up to the World Summit on the Information Society (WSIS). In 2011, WIPO participated in and provided a speaker at the 7th High-Level Meeting of the UN Group of the Information Society (UNGIS) and also participated substantively in the WSIS Forum organizing a side event on the role and responsibility of Internet Intermediaries in the field of copyright. In September 2011, WIPO also organized, in conjunction with the Internet Society (ISOC), a similar workshop at the Sixth Annual meeting of the Internet Governance Forum (IGF) in Nairobi. WIPO also participated as one of the five IGO members of the UN Commission on Science and Technology for Development (CSTD) Working Group on Improvements to the IGF, as well as meetings of the Broadband Commission of which the WIPO Director General is one of the Commissioners.

19. In 2011, the main theme for the High Level Segment and Annual Ministerial Review (AMR) Session of the UN Economic and Social Council (ECOSOC) focused on education. As part of that WIPO co-organized with UNICEF a Ministerial breakfast Roundtable on "Increasing Access, Enhancing Quality and Promoting Equity in Education Through Innovation, Products and Partnerships". The theme of the 2012 AMR is: "Promoting Productive Capacity, Employment and Decent Work to Eradicate Poverty in the Context of Inclusive, Sustainable and Equitable Economic Growth at all Levels for Achieving the MDGs". In response to a request from the UN in December 2011, WIPO submitted a contribution to the 2012 Annual Ministerial Review on this subject.

20. In addition to the specific engagement referred to above, in 2011 WIPO participated in and contributed to various meetings organized by the Secretariat of the Convention of Biodiversity (CBD) and the UN Conference on Trade and Development (UNCTAD), the ITU, UNEP. WIPO has also engaged in discussions with the United Nations Institute for Training and Research (UNITAR), the International Telecommunications Union (ITU) and the Global Institute for Water Environment and Health (GIWEH) with a view to developing a program of collaborative activities, and in 2011 has established with the European Organization for Nuclear Research (CERN) a plan of action to cooperate in various areas to implement WIPO-CERN Cooperation Agreement.

21. Examples of cooperation at the regional and national levels include a WIPO-UN Economic and Social Commission for Asia and the Pacific (UNESCAP) Regional Workshop on Research on IP Economics and Policy which took place in Bangkok, Thailand in December 2011. This meeting was organized following WIPO's participation in the UNESCAP Committee on Trade and Investment and associated meetings with officials from UNESCAP. Meetings were also held at that time with the UNEP Regional Office which resulted in further collaboration to take place in 2012. A meeting was also held in May 2011 with the support of the Japan Fund in Trust which was aimed at strengthening regional cooperation: "Policy Forum on Partnership between WIPO/JPO and the African Regional Economic Communities on Leveraging IP for Economic Development". At the national level, an example is the cooperation between WIPO, UNIDO and the ITC on an EU funded Trade Related Technical Assistance project in Pakistan.

22. Finally, in 2011 WIPO continued to provide contributions to various inter-governmental and UN processes and programs and to respond to requests for submissions on a variety of subject matter, for example, the zero draft Outcome document for the UNCSD – Rio plus 20, the UN Secretary General's Report on Culture and Development, the follow-up to the World Summit on the Information Society (WSIS), the UN Commission on Science and Technology for Development (CSTD), the ECOSOC, WTO, UNCTAD, the New Partnership for Africa's Development (NEPAD), and the Office of the High Commissioner for Human Rights (OHCHR). In total, WIPO's External Relations function responded to over 200 such invitations and requests in 2011 and participated in over 70 meetings organized by the UN and other IGOs.

23. Ensuring civil society's engagement and participation in WIPO's work remains a critical objective (DA Recommendation 42). In 2011, the Assemblies of the Member States of WIPO decided to grant observer status to five international non-governmental organizations (NGOs) and to five national NGOs. Moreover, representatives from NGOs have increasingly been invited to participate in a wide range of WIPO activities, including, in particular, activities relating to the WIPO Development Agenda and briefings on WIPO activities. WIPO has also participated actively in meetings organized by other institutions. On November 18, 2011, the Secretariat organized a briefing session for NGOs in the margins of the CDIP.

24. On the Millennium Development Goals (MDGs), a qualitative assessment of the impact of WIPO's activities on the achievement of the MDGs was undertaken by an external consultant. The document was presented to the eighth session of the CDIP. The Committee took note of the document and requested for it to be revised and submitted to a future session of the Committee. WIPO has also sought to improve its engagement with the UN in New York, and to better relate and report its activities in relation to the MDGs. This includes contributing to UN inter-agency processes related to the post 2015 Development Agenda.

25. The WIPO Conference on Building Partnerships for Mobilizing Resources for Development (November, 2009) was one of the first Development Agenda projects (Recommendation 2). Following the Conference, project performance indicators and targets were mainstreamed into the Program and Budget for 2010/11. In 2011, WIPO undertook a range of activities to implement follow up actions identified at the Conference and reported to the CDIP. These activities included the development and submission of a project proposal to

the African Development Bank on the establishment of technology transfer organizations in the Arab region and outreach to aid agencies including USAID, World Bank, Asian Development Bank, Islamic Development Bank, Executive Coordinator of the UN Multi-Donor Trust Funds, InfoDev (World Bank), UN Office for Partnerships, UN Foundation, Gates Foundation, Rockefeller Foundation, AusAid, and DFID. The Secretariat also organized the second WIPO FIT donors meeting aimed at improved sharing of information.

26. In 2011, the Secretariat developed a draft Partnerships and Resource Mobilization Strategy. The Strategy is under internal review and will be more widely available soon. On private sector partnerships, the approved Program and Budget for 2012/13, included the development and approval of guidelines for private sector partnerships. A draft has been developed using the UN Business Partnering Guidelines and Member States will be consulted on this issue in 2012. WIPO's resource mobilization activities included support for the development of the WIPO Matchmaking Database.

27. In response to requests by Member States, WIPO is undertaking a work program on flexibilities in the IP system. In the context of patent-related flexibilities, the Secretariat has produced a document (CDIP/5/4 Rev.) which provides detailed information on the implementation in national laws of five patent-related flexibilities, namely compulsory licenses and government use, exhaustion of rights, research exemption, regulatory review exception, and utility models. At the fourth session of the CDIP, Member States requested WIPO to prepare a document (CDIP/7/3) on a further five patent-related flexibilities, namely transitional periods, patentability of substances existing in nature, disclosure-related flexibilities, substantive examination systems, and ex-officio IP Office control of contractual anti-competitive practices. This document is being revised to incorporate Member States' comments for further discussions by the Committee.

28. WIPO also continues to implement a number of activities, as agreed by the Member States, aimed at raising awareness of the practical implementation of flexibilities at the national level. In this context, a website (<http://www.wipo.int/portal/index.html.en?code=500>) has been established in the six official languages. It provides a roadmap to the work on flexibilities taking place across WIPO, as well as links to literature and resources on flexibilities produced by other IGOs. The website makes available a database enabling users to search for information on the implementation of IP flexibilities in national laws. At present, the database contains information on the five patent-related flexibilities which have been agreed by the Member States (see document CDIP/5/4), and is scalable to introduce further data on different flexibilities, and to include material such as case studies submitted by States, illustrating their experiences in using flexibilities to achieve public policy objectives. In accordance with the agreed work plan, the Organization has briefed colleagues involved in the provision of technical assistance and legislative advice on the issues related to flexibilities before the CDIP, and continues to explore possibilities, at the request of Member States, to hold national and regional seminars with a view to enable the practical exchange of experiences among countries on the implementation of flexibilities.

DEVELOPMENT AGENDA MAINSTREAMING IN THE WORK OF OTHER WIPO BODIES

29. The various WIPO bodies continue to adhere to the principles set out under recommendations 15, 17, 21, 22, 42 and 44 of the Development Agenda. The priorities of all Member States as well as the viewpoints of other stakeholders, including accredited intergovernmental organizations and non-governmental organizations, are taken into consideration in WIPO norm-setting activities. The agendas and issues to be discussed are either decided by Member States in the previous sessions of each committee or by the General Assembly. The Secretariat maintains a neutral stance in facilitating the work of the various committees and working groups, and in negotiations amongst Member States.

30. The Coordination Mechanisms and Monitoring, Assessing and Reporting Modalities approved by the WIPO General Assembly at its thirty-ninth session requested “relevant WIPO bodies to include in their annual report to the Assemblies, a description of their contribution to the implementation of the respective Development Agenda Recommendations”. Accordingly, and for the first time, the required information was included in the reports of the various bodies to the fortieth session of the General Assembly. The General Assembly noted and forwarded the relevant paragraphs from the aforementioned reports to the Committee for consideration in its eighth session (document CDIP/8/6). The Committee decided to continue discussions on the document, including a separate document on the observations made by Member States, in its current session.

31. The following is a summary of progress made by the relevant WIPO bodies in 2011:

32. *Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)*

During two Intersessional Working Group meetings, held in February and March 2011, the negotiating texts on genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs) were developed and transmitted to the IGC which examined and developed them further during the two sessions held in May and July 2011. In September 2011, the General Assembly agreed to renew the IGC’s mandate for the 2012-2013 biennium (WO/GA/40/7), in accordance with the recommendation adopted at the IGC’s 19th session (July 2011). The mandate will enable the IGC to: i) expedite its work on text-based negotiation with the objective of reaching agreement on a text(s) of an international legal instrument(s) which will ensure the effective protection of GRs and TK and TCEs, without prejudice to the work pursued in other fora; ii) follow a clearly defined work program, based on sound working methods; iii) build on its existing work and use all WIPO working documents, as well as any other textual contributions by Member States; and iv) submit the text(s) of an international legal instrument(s) to the 2012 General Assembly, which will take stock and consider the text(s) and progress made, to decide on convening a Diplomatic Conference and the need for additional meetings, taking into account the budgetary process. All working documents of the Eighteenth and Nineteenth sessions of the IGC are available at:

http://www.wipo.int/meetings/en/topic.jsp?group_id=110

33. *Standing Committee on the Law of Patents (SCP)*

The SCP held its sixteenth and seventeenth sessions in 2011. During these sessions the following issues were examined, namely: i) exceptions and limitations to patent rights; (ii) quality of patents, including opposition systems; (iii) patents and health; (iv) transfer of technology; and (v) confidentiality of communications between patent advisors and their clients. On exceptions and limitations (recommendation 22), the Secretariat conducted a survey based on a questionnaire. Some 60 responses were received and these have been compiled. During the sixteenth session, Member States expressed their views on the contribution of the SCP to the implementation of the respective Development Agenda recommendations. These were transmitted to the 2011 WIPO General Assembly. Following the decision of the SCP at its sixteenth session, the Chief Economist organized a Special Economics Seminar on Patents and Transfer of Technology. All working documents of the sixteenth and seventeenth sessions of the SCP are available at:

http://www.wipo.int/meetings/en/topic.jsp?group_id=61

34. *Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)*

During its twenty-fifth and twenty-sixth sessions held in 2011, the SCT discussed industrial design law and practice, protection of country names against registration or use as trademarks, and the role and responsibility of internet intermediaries in the field of trademarks. The Committee issued the “Information Document on the Work of the SCT on Industrial Design Law and Practice in Relation to the WIPO Development Agenda Recommendations” (Document

SCT/26/4). The terms of reference for a study on the potential impact of the work of the SCT on the draft articles and rules on industrial design law and practice was also agreed (SCT/26/2 and 3). The study will be published two months before the next session. All working documents of the twenty-fifth and twenty sixth sessions of the SCT are available at:

http://www.wipo.int/meetings/en/topic.jsp?group_id=63

35. *Standing Committee on Copyright and Related Rights (SCCR)*

In 2011, the SCCR held its twenty-second and twenty-third sessions, during which progress was achieved in the negotiations on: i) the protection of broadcasting organizations and ii) limitations and exceptions, including the agreement on a single working document for a draft instrument on limitations and exceptions for visually impaired persons/persons with print disabilities and a provisional working document containing comments on and textual suggestions towards an appropriate international legal instrument (in whatever form) on exceptions and limitations for libraries and archives. The Diplomatic Conference on Protection of Audiovisual Performances was reconvened in Beijing from June 20 to 26, 2012. All working documents of the twenty-second and twenty-third sessions of the SCCR are available at:

http://www.wipo.int/meetings/en/topic.jsp?group_id=62

36. *Advisory Committee on Enforcement (ACE)*

During its seventh session (held in December 1 and 2, 2011), the ACE's work was guided by the Development Agenda (Recommendation 45). This was reflected in the following items of the work program: i) an analysis of different types of infractions and motivations for IPR infringements, taking into account social, economic and technological variables as well as different levels of development; ii) targeted studies with an aim to developing analytical methodologies that measure the social, economic and commercial impact of counterfeiting and piracy on societies, taking into account the diversity of economic and social realities as well as different stages of development; and iii) an analysis of various efforts, alternate models and other possible options from a socio-economic welfare perspective to address the counterfeiting and piracy challenges. Furthermore, the Committee renewed its commitment with the current strong development-oriented work program and emphasized the guiding role of the Recommendation 45. Finally, delegations requested to disseminate additional information on technical assistance activities provided by WIPO in the field of IP enforcement. The Secretariat offered to find ways of making such information available at the eighth session. All working documents of the seventh session of the ACET are available at:

http://www.wipo.int/meetings/en/details.jsp?meeting_id=22170

37. *Patent Cooperation Treaty Working Group (PCT)*

At its fourth session, held from June 6 to 10, 2011, the Working Group noted and endorsed the following documents prepared by the International Bureau: i) a progress report on the implementation of the recommendations to improve the functioning of the PCT (PCT/WG/4/3); ii) a study on the coordination of technical assistance and financing of technical assistance projects for developing countries under Article 51 of the PCT (PCT/WG/4/5), where it agreed that the International Bureau should provide more detailed information on the existing technical assistance projects relating to the PCT and their sources of funding, for more informed discussion at the fifth session on the future of the Committee for Technical Assistance and projects' funding; and iii) a working document reporting on the progress of an external review of technical assistance in the area of cooperation for development (PCT/WG/4/6), which will be the basis for a study, to be presented at the fifth session, on the performance of the PCT system in terms of realizing its aim of disseminating technical information and facilitating access to technology as well as organizing technical assistance for developing countries. The Working Group also agreed to include an item entitled "Contribution of the Working Group to the implementation of the respective Development Agenda recommendations" to the agenda of its fourth session. Its discussions were recorded in the report of the session (PCT/WG/4/17) and transmitted to the WIPO General Assembly, in accordance with the decision taken by the 2010 WIPO General Assembly relating to the Development Agenda Coordination Mechanism. All

working documents of the fourth session of the PCT Working Group are available at:
http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=166557

PART II: DEVELOPMENT AGENDA PROJECTS

38. To date, the Member States have approved 23 projects addressing 29 Development Agenda recommendations.

39. The implementation of 19 projects addressing 25 recommendations continued in 2011. This led to the completion of the following projects:

- (a) Conference on “Mobilizing Resources for Development” (Recommendation 2);
- (b) Intellectual Property Technical Assistance Database (IP-TAD) (Recommendation 5);
- (c) IP Development Matchmaking Database (IP-DMD) (Recommendation 9);
- (d) Intellectual Property and the Public Domain (Recommendations 16 and 20); and
- (e) Intellectual Property and Competition Policy (Recommendations 7, 23 and 32)

40. All Development Agenda projects are subject to evaluation upon completion. Final external evaluation reports for these projects are presented for the consideration of the current session of the Committee.

41. In 2011, implementation also began on two projects approved in the sixth session of the Committee. A progress report on the implementation of the aforementioned projects was presented to the eighth session of the CDIP (CDIP/8/2). In addition, the Committee also approved four new projects in its seventh and eighth sessions held in April and November 2011 respectively, namely:

- (a) Project on Intellectual Property and Brain Drain (Recommendations 39 and 40);
- (b) Project on Enhancing South-South Cooperation on Intellectual Property and Development Among Developing Countries and Least Developed Countries (Recommendations 1, 10, 11, 13, 19, 25 and 32);
- (c) Project on Intellectual Property and the Informal Economy (Recommendation 34); and
- (d) Project on Patents and the Public Domain (Recommendations 16 and 20).

42. Implementation of these projects commenced in January 2012.

43. WIPO Member States continue to take a keen interest in the implementation of the Development Agenda. A project proposal for the development and strengthening of the audiovisual sector in Africa was submitted by the Delegation of Burkina Faso and presented at the eighth session of the CDIP. The proposal was revised in consultation with the Secretariat and will be considered by the current session of the Committee (document CDIP/9/13). This was the second project presented by Member States to the Committee for its consideration.

44. Annex II to this document provides a description of the 23 approved Development Agenda projects together with the status of their implementation as well as their main achievements and outputs. The following are some of the highlights in 2011:

- (a) The project on IP-Development Matchmaking Database (IP-DMD) (Recommendation 9) was completed with the launch of the online facility (www.wipo.int/dmd). IP-DMD provides a user-friendly platform for Member States to seek donor funding or assistance for IP related projects. The facility is capable of matching the needs of Member States with potential offers. However, its success is largely dependent on the extent to which it is used by Member States.
- (b) Under the project, “Specialized Databases’ Access and Support”, WIPO’s Access to Research for Development and Innovation (ARDI) program was included as the fourth program in the Research4Life (R4L) partnership. This was in addition to WHO’s HINARI (Access to Research in Health), FAO’s AGORA (Access to Global Online Research in Agriculture) and UNEP’s OARE (Online Access to Research in the Environment) programs. The R4L partnership provides researchers in developing countries with free or low cost online access to vital scientific research. Within ARDI, agreement was also reached with partners in the publishing community to extend the number of countries eligible for free access to scientific and technical journals from 49 to 77. A further 150 scientific and technical journals were also added to ARDI. Over 200 journals with a combined regular subscription value exceeding 500,000 United States dollars per year are now included in ARDI.
- (c) Under the project, “Establishment of “Start-Up” National IP Academies”, four academies were launched in Colombia, Peru, Dominican Republic and Tunisia.
- (d) The project, “Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations”, is aimed at enhancing the performance and networking of collective management organizations (CMOs) in West Africa. Significant progress has been achieved in the re-engineering of the WIPOCOS software. The development of the software is divided into 12 “work packets” to ease planning, monitoring and integration. Activities have commenced on the first two work packets. The enhanced application will cover the collective management of copyright and related rights in relation to music, aims to be user friendly and easy to maintain. It will also provide users with online capabilities. The goal is to allow for networking with other international data exchange systems.
- (e) A series of tools have been developed under the project, “Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity” (DA_10_05) with a view to assisting officials in the formulation of national IP strategies. These include a methodology/project initiation document; fact-finding/assessment tool; roadmap for drafting national IP strategies; guidelines for organizing national consultations; and Terms of Reference for national experts and international consultants engaged in IP strategy development. The tools were tested, refined and consolidated on the basis of feedback received from the six pilot countries. The validation of the tools began in 2011, and will be completed by mid-2012. A pool of experienced national and international experts has been created, providing a valuable resource for assisting other potentially interested countries in the IP strategy formulation process. The results of the application of the methodology are being mainstreamed into WIPO’s ongoing cooperation activities, in particular in the context of country planning exercises, where national IP strategies provide the policy context for the implementation of concrete plans and projects.
- (f) Under the component “strengthen regional/sub-regional IP institutions by providing assistance for the establishment of sub-regional cooperation mechanisms” of the project, “Improvement of National, Sub Regional and Regional IP Institutional and User Capacity” (DA_10_05), work continued on the establishment of a Regional Patent Administration (RPA) system for the Caribbean region. To facilitate the process, WIPO commissioned the preparation of a text containing possible elements of a draft Convention for the RPA. The text, which

includes elements of substantive patent law, was discussed during a meeting of the Working Group convened by CARICOM in Kingston, Jamaica, in November 2011. Critical points of the RPA (i.e. the structure of the Office, the bundle of individual patents approach, post grant options, language issues, patent examination procedures and their implications, costs and financial implications) were also discussed by the Working Group. These developments represented significant progress and it is possible that a treaty could be negotiated during the 2012 Caribbean Ministerial Meeting.

(g) In keeping with the objective of the project, “Intellectual Property and Public Domain”, the scoping study on “Copyright and Related Rights and the Public Domain”, and the studies on “Patents and the Public Domain” and “Misappropriation of Signs” have contributed to the analysis of the implications and benefits of a rich and accessible public domain. The copyright study has been under discussion since the sixth session of the Committee. The study on patents was discussed in the eighth session and the study on trademarks will be presented in the current session.

(h) A key achievement of the project on “Intellectual Property and Competition Policy” was to facilitate a dialogue aimed at coordinating and harmonizing the two branches of law by bringing together national agencies involved in managing and enforcing IP and competition statutes in various Member States. The national experiences of some Member States on the interface between IP and competition were also shared through the project. The project yielded four studies which are under discussion in the Committee, i.e. “Interaction of Agencies Dealing with Intellectual Property and Competition Law”; “Interface Between Exhaustion of Intellectual Rights and Competition Law”; “Analysis of the Economic/Legal Literature on the Effects of IP Rights as a Barrier to Entry”; and “Study on the Anti-Competitive Enforcement of Intellectual Property Rights: Sham Litigation”.

(i) Under the copyright component of the thematic project on “Intellectual Property, Information and Communication Technologies (ICTs), the Digital Divide and Access to Knowledge”, the preliminary results of the study on “Using Copyright to Promote Access to Information and Creative Content” were presented in a workshop held on November 16, 2011 as a side event during the seventh session of the Committee. The study was finalized on the basis of discussions at the workshop. The study facilitated an assessment of the role that could be played by WIPO in the three areas covered under the study, i.e., Education and Research, Software Development and Public Sector Information.

(j) Ten patent landscape reports on vaccines, Atazanavir, Ritonavir, solar cooking, solar cooling, desalination, water purification, neglected diseases and salinity tolerance were completed under the project, “Developing Tools for Access to Patent Information”. Cooperation was established with several IGOs, including WHO, UNITAID, FAO, UNIDO, UNFCCC, UNEP, Renewable Energy Agency (REA), Global Institute for Water, Environment and Health (GIWEH), AATF and ISF. This led to the identification of topics and terms of reference for specific issues included in the aforementioned reports.

(k) An External Review of WIPO Technical Assistance in the Area of Cooperation for Development (CDIP/8/INF/1) was undertaken by two external experts under the project, “Enhancement of WIPO's Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities”. The Committee at its eighth session agreed to establish an ad hoc working group to consider the report and facilitate discussions by the Committee. The ad hoc working group was tasked with reviewing the report “with the emphasis on identifying recommendations that were redundant or no longer relevant, without any prioritization of recommendations.” The Secretariat was also requested to submit a management response to the report of the ad hoc working group. The report of the working group and the management's response will be discussed during the current session of the Committee.

(l) A methodology was developed to assist local communities in designing IP and branding strategies for their most valuable products under the project on “IP and Product Branding for Business Development on Developing and Least Developed Countries”. This was tested on three handicraft products in Thailand, three agricultural products in Uganda, and a mix of agricultural and handicraft products in Panama.

(m) The project on “Intellectual Property and Socio-Economic Development” has three ongoing country studies in Brazil, Chile and Uruguay. The studies address the relationship between IP protection and various aspects of economic performance. Significant progress was made in creating the data infrastructure on the basis of which new empirical insights will be sought. The project team is in the process of launching additional studies in response to interest expressed by African and Asian Member States.

(n) The implementation of the project on “Capacity Building in the Use of Appropriate Technology-Specific Technical and Scientific Information as a Solution for Identified Development Challenges” has begun in Bangladesh, Nepal and Zambia. Various steps have been completed, including the selection of international experts with the involvement of the officials of individual beneficiary countries, meetings of national expert groups, identification of the ‘development challenges’ for which appropriate technical and scientific solutions will be sought through landscaping the global IP system; and the identification of information search modalities.

(o) A Project Paper on the project, “Intellectual Property and Technology Transfer: Common Challenges — Building Solutions”, was presented to the eighth session of the Committee.

(p) The taxonomy-analytical study prepared under the project on “Open Collaborative Projects and IP-Based Models was presented to the eighth session of the Committee. Interested Member States were invited to submit written comments to the Secretariat for the revision of the Study.

45. The estimated financial resource approved to date for the implementation of 23 Development Agenda projects amounts 23,357,000 Swiss francs.

PART III: STRATEGIC APPROACH TO DEVELOPMENT AGENDA IMPLEMENTATION

46. During 2011, the organizational reform process in WIPO, notably, the Strategic Realignment Program and the Project on the Enhancement of the Results-Based Management (RBM) Framework and the Organizational Design Initiative, further progressed the mainstreaming of the Development Agenda into the work of the Organization. The integration of the Development Agenda in the Program and Budget for 2012/13, and the Program Performance Report for 2010, demonstrates the positive outcome of these initiatives.

47. One of the key areas of focus of these institutional reforms has been the coherent delivery of technical assistance to developing countries, least developed countries and countries with economies in transition. Transforming Development Agenda principles into better results at the national level is at the heart of the Development Agenda. The introduction of tools such as the Country Plans, Country Fact-Sheets, and an increased focus on facilitating the development of national IP Strategies directly responds to the Development Agenda principles of a demand-driven, transparent and country-specific delivery of the technical assistance, with clear indicators for evaluation and impact assessment. Under this new approach, developing countries can benefit from the expertise available throughout the Organization with the Regional Bureaus acting as the custodians of the Country plans and facilitating their implementation. These efforts on the one hand establish a more predictable technical assistance environment,

and on the other hand seek to maximize the benefits of the allocated human and financial resources.

48. The various Development Agenda projects and activities have continued to further work on technical assistance in specific areas of IP. The project on IP and the Public Domain, Patent and the Public Domain, IP and Competition Policy, IP and Socio-Economic Development, and the work on flexibilities in the multilateral legal framework, to name a few, have produced studies and exploratory work which might merit follow-up activities by the Organization.

49. The convergence of the above-mentioned elements, i.e. the institutional foundation for the integration of the development consideration into the work of the Organization, the enhanced capacity for efficient delivery of technical assistance, and the progress in furthering work in specific areas of IP are generating a dynamic process where the Development Agenda is being fully integrated into the programs and structures of WIPO, such that the Organization is appropriately development-oriented in its global work in the field of IP.

[Appendix I follows]

Table 8. Development Agenda Projects - Summary Resource Requirements 2012/13
(in thousands of Swiss francs)

| Projects | Programs | 2012/13 Total Budget | | | |
|--|------------|----------------------|--------------|---------------|---------------|
| | | Project Personnel | | Non-Personnel | Total |
| | | Number | Cost | | |
| Patents and Public Domain ² | Program 1 | - | - | 128 | 128 |
| IP and Product Branding for Business Development in Developing Countries and Least-Developed Countries (LDCs) ¹ | Program 9 | - | - | 120 | 120 |
| South-South Cooperation on IP and Development among Developing Countries and LDCs ² | Program 9 | 1 | 202 | 755 | 958 |
| Pilot Project for the Establishment of "Start-Up" National IP Academies ³ | Program 11 | - | - | 510 | 510 |
| Developing Tools for Access to Patent Information ³ | Program 14 | - | - | 292 | 292 |
| Specialized Databases' Access and Support ³ | Program 14 | 4 | 1,006 | 600 | 1,606 |
| IP and Socio-Economic Development ¹ | Program 16 | 1 | 252 | 592 | 844 |
| IP and Brain Drain ² | Program 16 | 1 | 126 | 150 | 276 |
| Open Collaborative Projects and IP-Based Models ¹ | Program 16 | - | - | 30 | 30 |
| | Program 30 | 1 | 161 | 574 | 735 |
| IP and Technology Transfer: Common Challenges - Building Solutions ¹ | Program 30 | 3 | 300 | 617 | 917 |
| Total | | 11 | 2,047 | 4,368 | 6,415 |
| Reserve funded Development Agenda Projects | | | | | 7,902 |
| 2010/11 Regular Budget funded Development Agenda projects | | | | | 6,109 |
| Total Resources allocated to Development Agenda projects (since 2009) | | | | | 20,427 |

¹ Approved by CDIP.

² Subject to CDIP approval.

³ Subject to evaluation of Phase 1 and subject to CDIP approval of Phase 2.

[Appendix II follows]

RESULTS FRAMEWORK AND PROGRAM AND BUDGET 2012/13 INCLUDING DEVELOPMENT SHARE BY RESULT 1, 2, 3, 4
(in thousands of Swiss francs)

| Strategic Goal VIII - A Responsive Communications Interface between WIPO, its Member States and All Stakeholders | | | | | | |
|--|--|--|---|--|--|---|
| | More effective communication to a broad public about intellectual property and WIPO's role <i>Proposed Budget 12/13:</i> 13,66 <i>Development share:</i> 5,97 | Improved service orientation and responsiveness to inquiries <i>Proposed Budget 12/13:</i> 2,935 <i>Development share:</i> 1,402 | Effective engagement with Member States <i>Proposed Budget 12/13:</i> 5,3 <i>Development share:</i> - | Open, transparent and responsive interaction with NGOs <i>Proposed Budget 12/13:</i> 3,652 <i>Development share:</i> 65 | WIPO effectively interacts and partners with UN and other IGO processes and negotiations <i>Proposed Budget 12/13:</i> 3,652 <i>Development share:</i> 65 | <i>Total proposed budget SG VIII:</i> 26,756 <i>Total development share SG VIII:</i> 7,441 |
| Strategic Goal I: Balanced Evolution of the International Normative Framework for IP | Strategic Goal II: Provision of Premier Global IP Services | Strategic Goal III: Facilitating the Use of IP for Development | Strategic Goal IV: Coordination and Development of Global IP Infrastructure | Strategic Goal V: World Reference Source for IP Information and Analysis | Strategic Goal VI: International Cooperation on Building Respect for IP | Strategic Goal VII: Addressing IP in Relation to Global Policy Issues |
| Enhanced cooperation/greater consensus among Member States on further developing balanced policy and normative frameworks for the international patent system, trademarks, industrial designs, geographical indications, copyright and related rights, TK, TCEs and GRs <i>Proposed Budget 12/13:</i> 15,256 <i>Development share:</i> 7,263 | Informal strategic use of the PCT by all innovators who could benefit from it <i>Proposed Budget 12/13:</i> 7,041 <i>Development share:</i> - Stronger relationships with PCT users and Offices <i>Proposed Budget 12/13:</i> 16,89 <i>Development share:</i> 5,203 | Clearly defined and coherent national innovations and IP policies, strategies and development plans consistent with national development goals and objectives <i>Proposed Budget 12/13:</i> 10,570 <i>Development share:</i> 10,570 Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition <i>Proposed Budget 12/13:</i> 35,611 <i>Development share:</i> 35,146 | Updated and globally accepted system of international classifications and WIPO standards to facilitate access, use and dissemination of IP information among stakeholders in the world <i>Proposed Budget 12/13:</i> 6,932 <i>Development share:</i> 1,213 Enhanced access to, and use of, IP information and knowledge by IP institutions and the public to promote innovation and increased access to protected creative works and creative works in the public domain <i>Proposed Budget 12/13:</i> 14,974 <i>Development share:</i> 12,478 | Increased usage of WIPO statistical information on the performance of the international IP system <i>Proposed Budget 12/13:</i> 635 <i>Development share:</i> 276 Take-up of WIPO economic analysis as an input into the formulation of IP policy <i>Proposed Budget 12/13:</i> 785 <i>Development share:</i> 589 Enhanced access to, and use of, IP-related legal information <i>Proposed Budget 12/13:</i> - <i>Development share:</i> - | Progress in the international policy dialogue among WIPO Member States on building respect for IP, guided by Recommendation 45 of the WIPO Development Agenda <i>Proposed Budget 12/13:</i> 635 <i>Development share:</i> 276 Systematic, transparent and effective cooperation and coordination between the work of WIPO and other international organizations in the field of building respect for IP <i>Proposed Budget 12/13:</i> 785 <i>Development share:</i> 589 | Enhanced understanding among policy makers on the interface between global challenges and innovation and intellectual property as a basis for improved policy decision making <i>Proposed Budget 12/13:</i> 1,168 <i>Development share:</i> 655 WIPO established as a credible source of support, assistance, and reference for information on innovation and IP in relevant public policy processes <i>Proposed Budget 12/13:</i> 2,149 <i>Development share:</i> 1,219 IP-based tools are used for technology transfer from developed to developing countries, particularly least developed countries, to address global challenges <i>Proposed Budget 12/13:</i> 2,596 <i>Development share:</i> 1,887 WIPO established as the relevant Forum for analyzing and debating issues in the field of IP and competition policy <i>Proposed Budget 12/13:</i> 1,381 <i>Development share:</i> 1,303 |
| Evidence-based decision making on copyright issues <i>Proposed Budget 12/13:</i> 2,754 <i>Development share:</i> 2,754 | 7 <i>Development share:</i> 5,203 | Easier access to IP education <i>Proposed Budget 12/13:</i> 3,903 <i>Development share:</i> 3,903 | Increased dissemination of digitized patent collections of national/regional offices of WIPO Member States <i>Proposed Budget 12/13:</i> 1,210 <i>Development share:</i> 302 | Timeliness of PATENTSCOPE updates regarding PCT applications <i>Proposed Budget 12/13:</i> 2,159 <i>Development share:</i> 540 | | |
| Tailored and balanced IP legislative, regulatory and policy frameworks <i>Proposed Budget 12/13:</i> 10,080 <i>Development share:</i> 9,840 | Enhancement of overall PCT system <i>Proposed Budget 12/13:</i> 3,225 <i>Development share:</i> 250 | Upgraded IP Management skills for business <i>Proposed Budget 12/13:</i> 843 <i>Development share:</i> 843 | Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better services (cheaper, faster, higher quality) to their stakeholders <i>Proposed Budget 12/13:</i> 16,832 <i>Development share:</i> 13,948 | | | |
| Increased protection of State emblems and names and emblems of International Intergovernmental Organizations <i>Proposed Budget 12/13:</i> 556 <i>Development share:</i> 37 | 98 <i>Development share:</i> - | DA principles further mainstreamed into the Organization's programs and activities <i>Proposed Budget 12/13:</i> 4,199 <i>Development share:</i> 4,199 | | | | |
| | Increased awareness of the Hague system <i>Proposed Budget 12/13:</i> 2,185 <i>Development share:</i> - | Effective planning, implementation, monitoring, evaluation and reporting on the DA recommendations <i>Proposed Budget 12/13:</i> 1,220 <i>Development share:</i> 1,220 | | | | |
| | Wider and better use of the Hague system <i>Proposed Budget 12/13:</i> 2,153 <i>Development share:</i> - | Enhanced understanding of the DA by Member States, IGOs, civil society and other stakeholders <i>Proposed Budget 12/13:</i> 1,523 <i>Development share:</i> 1,523 | | | | |
| | Better administration of the Hague system <i>Proposed Budget 12/13:</i> 2,633 <i>Development share:</i> - | Recognition by Member States, communities, organizations and other stakeholders of the relevance and effectiveness of WIPO's resources, programs and tools <i>Proposed Budget 12/13:</i> 825 <i>Development share:</i> 771 | | | | |
| | Better use of the Madrid & Lisbon systems, including by developing countries and LDCs <i>Proposed Budget 12/13:</i> 7,841 <i>Development share:</i> 2,957 | | | | | |
| | Better operations of the Madrid & Lisbon systems | | | | | |

Mainstreaming Strategic Goal III - Facilitating the Use of IP for Development & Development Agenda

| | | | | | | |
|--|---|---|---|---|---|--|
| | <p><i>Proposed Budget 12/13:</i> 43,44 5 <i>Development share:</i> 730</p> <p>Increased awareness of the Madrid & Lisbon systems <i>Proposed Budget 12/13:</i> 1,546 <i>Development share:</i> 1,133</p> <p>International and domestic intellectual property disputes are increasingly prevented or resolved through mediation, arbitration and other alternative dispute resolution methods <i>Proposed Budget 12/13:</i> 3,175 <i>Development share:</i> 91</p> <p>Effective intellectual property protection in the gTLDs and the ccTLDs <i>Proposed Budget 12/13:</i> 7,409 <i>Development share:</i> 212</p> | <p>New or strengthened cooperation mechanisms, programs and partnerships in LDCs <i>Proposed Budget 12/13:</i> 1,517 <i>Development share:</i> 1,517</p> <p>Increased understanding/capacity of SMEs and SMEs support institutions to successfully use IP to support innovation and commercialization <i>Proposed Budget 12/13:</i> 5,253 <i>Development share:</i> 5,253</p> <p>Increased extra-budgetary resources available for IP for development, either through direct contributions to WIPO or access to other external funding mechanisms <i>Proposed Budget 12/13:</i> 1,769 <i>Development share:</i> 1,429</p> | | | | |
| <p><i>Total proposed budget SG I:</i> 28,6 46 <i>Total development share SG I:</i> 19,8 94</p> | <p><i>Total proposed budget SG II:</i> 28,6 <i>Total development share SG II:</i> 19,8</p> | <p><i>Total proposed budget SG III:</i> 67,235 <i>Total development share SG III:</i> 66,375</p> | <p><i>Total proposed budget SG IV:</i> 67,235 <i>Total development share SG IV:</i> 66,375</p> | <p><i>Total proposed budget SG V:</i> 67,235 <i>Total development share SG V:</i> 66,375</p> | <p><i>Total proposed budget SG VI:</i> 1,420 <i>Total development share SG VI:</i> 865</p> | <p><i>Total proposed budget SG VII:</i> 7,294 <i>Total development share SG VII:</i> 5,063</p> |
| Strategic Goal IX - Efficient Administrative and Financial Support Structure to enable WIPO to Deliver its Programs | | | | | | |
| <p>Effective, efficient, quality and customer-oriented support services both to internal clients and to external stakeholders (human resources, IT, conference, language, procurement, travel, printing and publication, premises management) <i>Proposed Budget 12/13:</i> 136,604 <i>Development share:</i> -</p> | <p>Efficient and effective results-based programmatic and financial planning, processing, implementation, assessment and reporting <i>Proposed Budget 12/13:</i> 18,90 <i>Development share:</i> 605</p> <p>Enhanced coordination and coherence within the Secretariat <i>Proposed Budget 12/13:</i> 10,25 <i>Development share:</i> -</p> | <p>Well managed, diversified, motivated and appropriately skilled professional workforce <i>Proposed Budget 12/13:</i> 12,703 <i>Development share:</i> -</p> <p>Improved working environment supported by enabling regulatory framework and effective channels to address staff concerns <i>Proposed Budget 12/13:</i> 1,038 <i>Development share:</i> -</p> | <p>WIPO staff, delegates, visitors and information and physical assets are safe and secure <i>Proposed Budget 12/13:</i> 15,031 <i>Development share:</i> -</p> <p>ICT investments are closely aligned with strategic priorities and yield business benefits <i>Proposed Budget 12/13:</i> 2,147 <i>Development share:</i> -</p> <p>Improved physical access to the WIPO Campus <i>Proposed Budget 12/13:</i> 439 <i>Development share:</i> -</p> | <p>An effective and professional internal audit function is in place covering all high risk work areas <i>Proposed Budget 12/13:</i> 1,741 <i>Development share:</i> -</p> <p>Investigation reports provide a sound basis for decision making by the Director General <i>Proposed Budget 12/13:</i> 299 <i>Development share:</i> -</p> | <p>Evidence-based evaluative information available to senior management, program managers and Member States for decision making <i>Proposed Budget 12/13:</i> 2,321 <i>Development share:</i> 1,741</p> <p>Reduced impact of WIPO's activities on the environment <i>Proposed Budget 12/13:</i> 299 <i>Development share:</i> -</p> | <p>New conference hall and related facilities available for meetings of Member States <i>Proposed Budget 12/13:</i> 811 <i>Development share:</i> -</p> <p>Costs related to the new administrative building are kept to a minimum <i>Proposed Budget 12/13:</i> 7,020 <i>Development share:</i> -</p> <p><i>Total proposed budget SG IX:</i> 210,298 <i>Total development share SG IX:</i> 2,346</p> |
| <p>¹ The proposed budget by results does not include the proposed budget for unallocated: 7,503 ² Development share: Expenditure is qualified as development expenditure only where the beneficiary is a developing country and the equivalent expenditure is not available for developed countries (consistent with past practice, countries with economies in transition are included for the purposes of the Program and Budget) ³ The figures for Development Share include Development Agenda project resources ⁴ Expected results which benefit the broader membership, and not exclusively developing countries, do not reflect a development share</p> | | | | | <p><i>Total proposed budget 2012/13:</i> 647,430 (of which 7,503 is unallocated) <i>Total development share:</i> 144,347</p> | |

STATUS OF IMPLEMENTATION OF DEVELOPMENT AGENDA RECOMMENDATIONS END OF DECEMBER 2011

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|----|---|--|--|--|----------------------------------|
| 1. | WIPO technical assistance shall be, <i>inter alia</i> , development-oriented, demand-driven and transparent, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States and activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes of technical assistance programs should be country specific. | Discussed. Activities agreed upon (CDIP/2/4) | Under implementation since adoption of the Development Agenda in October 2007. This recommendation is being addressed by the Project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6). | CDIP/1/3; CDIP/2/2 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |
| 2. | Provide additional assistance to WIPO through donor funding, and establish Trust-Funds or other voluntary funds within WIPO specifically for LDCs, while continuing to accord high priority to finance activities in Africa through budgetary and extra-budgetary resources, to promote, <i>inter alia</i> , the legal, commercial, cultural, and economic exploitation of intellectual property in these countries. | Discussed. Activities agreed upon (CDIP/2/4 and CDIP/3/INF/2) | Under implementation since early 2009. This recommendation is being addressed by the Project DA_02_01: "Conference on Mobilizing Resources for Development" (contained in CDIP/3/INF/2). The project was completed in November 2010. Various project follow up activities have been mainstreamed into the Program and Budget for 2010/2011 and 2012/2013 An evaluation report for this project is presented for the consideration of the current session of the CDIP (CDIP/9/3). | CDIP/1/3; CDIP/2/INF/2; CDIP/2/2 | CDIP/4/2 CDIP/6/2 CDIP/8/2 |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|----|--|---|---|-----------------------|----------------------------------|
| | | | | | |
| 3. | Increase human and financial allocation for technical assistance programs in WIPO for promoting a, <i>inter alia</i> , development-oriented IP culture, with an emphasis on introducing intellectual property at different academic levels and on generating greater public awareness on IP. | Discussed. Activities agreed upon (CDIP/2/4) | Under implementation since adoption of the Development Agenda in October 2007 In WIPO's Program and Budget for the 2012/13 Biennium, the total resources devoted to development expenditure amount to 137.9 million Swiss francs (excluding the Development Agenda projects). This represents an overall increase in development expenditure from 19.4 % in the biennium 2010/2011 to 21.3 % in the current biennium. In addition, for the 2012/13 Biennium a total amount of 6.4 million Swiss francs was approved for the implementation of Development Agenda Projects (please see Table 8 of the Program and Budget 2012/13). | CDIP/1/3; CDIP/2/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|----|---|--|--|--|---|
| | | | <p>On activities for introducing IP at different academic levels, a wide range of tailor-made programs and activities are ongoing, particularly under the WIPO Academy. In this field, the two important initiatives are the “Start-up IP Academies” (Project DA_10_01 contained in CDIP/3/INF/2) and the integration of the Development Agenda into WIPO’s Distance Learning programs, which are used by several academic institutions.</p> | | |
| 4. | <p>Place particular emphasis on the needs of SMEs and institutions dealing with scientific research and cultural industries and assist Member States, at their request, in setting-up appropriate national strategies in the field of IP.</p> | <p>Discussed. Activities agreed upon (CDIP/2/4) (CDIP/5/5)</p> | <p>Under implementation since adoption of the Development Agenda in October 2007. This recommendation is being addressed by the project, “Intellectual Property and Product Branding for Business Development in Developing Countries and LDCs” (Project DA_04_10_01 contained in CDIP/5/5).</p> <p>The SME component of project DA_10_05 is also contributing to the implementation of this recommendation.</p> <p>The Creative Industries component of project DA_10_04 is also contributing to implement this recommendation.</p> | <p>CDIP/1/3; CDIP/2/3; CDIP/5/5; CDIP3/INF/2</p> | <p>CDIP/3/5 CDIP/6/3 CDIP/8/2</p> |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|--|----------------|-------------------------------|--|----------------------|------------------|
| | | | <p><i>WIPO framework for developing national IP strategies for innovation</i></p> <p>In December 2011, WIPO launched a project on Designing National Intellectual Property Strategies for Development, to create a macro-level conceptual framework to assist all countries in developing national IP strategies for intellectual property and innovation which directly reference and support their development needs and priorities, and take into account their specific economic circumstances and goals. The IP Strategies Framework project has strong links with project DA_10_05, which aims to develop a practical methodology, validated by a piloting process in selected countries, using a series of practical tools. The IP Strategies Framework project, which will be conducted over 2012-2013, will be informed by the applied methodology and empirical research gained from the national pilot projects. The IP Strategies Framework report will be developed by a cluster of six expert working groups comprised of eminent development economists and IP experts from around the world, together with advisors from international intergovernmental organizations, in the fields of industry and trade, environment and energy,</p> | | |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|----|--|--|--|-------------------------------|---|
| | | | <p>culture, education and science, agriculture and rural development, and public health. Each expert working group will meet and also work remotely via an Online Forum, to produce modules of the report dealing with their particular macro-economic fields. The resulting Framework report, together with complementary work undertaken by WIPO on national IP strategy development, will be made available to WIPO's Member States via an online portal and WIPO will use the results of these projects in its delivery of technical assistance services to Member States.</p> | | |
| 5. | <p>WIPO shall display general information on all technical assistance activities on its website, and shall provide, on request from Member States, details of specific activities, with the consent of the Member State(s) and other recipients concerned, for which the activity was implemented.</p> | <p>Discussed. Activities agreed upon (CDIP/2/4 and CDIP/3/INF/2)</p> | <p>Under implementation since early 2009. This recommendation is being addressed by the Development Agenda Project on "IP Technical Assistance Database (IP-TAD)" (Project DA_05_01 contained in CDIP/3/INF/2 and available at http://www.wipo.int/tad/en/).</p> <p>An evaluation report for this project is presented for the consideration of the current session of the CDIP (CDIP/9/4).</p> | <p>CDIP/1/3; CDIP/2/2</p> | <p>CDIP/4/2 CDIP/6/2 CDIP/8/2</p> |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|----|--|---|--|--------------------------------|---|
| 6. | <p>WIPO's technical assistance staff and consultants shall continue to be neutral and accountable, by paying particular attention to the existing Code of Ethics, and by avoiding potential conflicts of interest. WIPO shall draw up and make widely known to the Member States a roster of consultants for technical assistance available with WIPO.</p> | <p>Discussed. Activities agreed upon (CDIP/2/4)</p> <p>Document implementing part of the recommendation: CDIP/3/2 (Roster of Consultants)</p> | <p>Under implementation since adoption of the Development Agenda in October 2007.</p> <p>WIPO Code of Ethics, a high-level, values- based document of ethics values and principles was issued by the Director General on February 1, 2012 following a period in which comments were sought from the WIPO Staff Council and all staff. In addition, the Ethics Office has issued a draft Whistleblower Protection Policy for comment by all staff. A comprehensive mandatory ethics and integrity training for all staff is scheduled to get underway in 2012.”</p> <p>The IAOD Investigation Section has issued an Investigation Manual to help ensure the consistency and quality of investigation work and has drafted an Investigation Policy. The General Assembly has strengthened the Internal Oversight Charter for investigation matters, improving confidentiality and the reporting of investigation.</p> <p>The Roster of Consultants presented at CDIP/3 was updated and integrated with the project, “Intellectual Property Technical Assistance Database (IP-TAD)” (DA-05-01). The roster is available at http://www.wipo.int/roc/en/.</p> | <p>CDIP/1/3; CDIP/2/3;</p> | <p>CDIP/3/5 CDIP/6/3 CDIP/8/2</p> |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|----|--|--|---|--|--|
| 7. | Promote measures that will help countries deal with IP related anti-competitive practices, by providing technical cooperation to developing countries, especially LDCs, at their request, in order to better understand the interface between intellectual property rights and competition policies. | Discussed. Activities agreed upon (CDIP/2/4 and CDIP/4/4) | Under implementation since adoption of the Development Agenda in October 2007. This recommendation is being addressed by the Development Agenda project, "Intellectual Property and Competition Policy" (Project DA_7_23_32_01 contained in CDIP/4/4/REV). | CDIP/1/3; CDIP/2/3; CDIP/3/4 | CDIP/3/5 CDIP/4/2 CDIP/6/2 CDIP/6/3 CDIP/8/2 |
| 8. | Request WIPO to develop agreements with research institutions and with private enterprises with a view to facilitating the national offices of developing countries, especially LDCs, as well as their regional and sub-regional IP organizations to access specialized databases for the purposes of patent searches. | Discussed. Activities agreed upon (CDIP/2/4 and CDIP/3/INF/2) | Under implementation since early 2009. This recommendation is being addressed by the project, "Specialized Databases' Access and Support" (Project DA_08_01 contained in CDIP/3/INF/2). An evaluation report for this project is presented for the consideration of the current session of the CDIP (CDIP/9/..). | CDIP/1/3; CDIP/2/2; CDIP/2/INF/3 | CDIP/4/2 CDIP/6/2 CDIP/8/2 |
| 9. | Request WIPO to create, in coordination with Member States, a database to match specific IP-related development needs with available resources, thereby expanding the scope of its technical assistance programs, aimed at bridging the digital divide. | Discussed. Activities agreed upon (CDIP/2/4 and CDIP/3/INF/2) | Under implementation since early 2009. This recommendation is being addressed by the project, "IP Development Matchmaking Database (IP-DMD)" (Project DA_09_01 contained in CDIP/3/INF/2). | CDIP/1/3; CDIP/2/2 | CDIP/4/2 CDIP/6/2 CDIP/8/2 |

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| 10. | <p>To assist Member States to develop and improve national IP institutional capacity through further development of infrastructure and other facilities with a view to making national IP institutions more efficient and promote fair balance between IP protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with IP</p> | <p>Discussed. Activities agreed upon (CDIP/2/4 and CDIP/3/INF/2)</p> | <p>Under implementation since early 2009. This recommendation is being addressed by six Development Agenda projects.</p> <ol style="list-style-type: none"> 1. A Pilot Project for the “Establishment of Start-Up” National IP Academies” (Project DA_10_01 contained in CDIP/3/INF/2). 2. Smart IP Institutions Project: “The Deployment of Components and Business Solutions Customized for Modernizing IP Infrastructure of National and Regional IP Institutions” (Project DA_10_02: contained in CDIP/3/INF/2). 3. “Innovation and Technology Transfer Support Structure for National Institutions” (Project DA_10_03 contained in CDIP/3/INF/2). 4. “Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management | <p>CDIP/1/3; CDIP/2/INF/1; CDIP/2/2; CDIP/4/12; CDIP/5/5; CDIP3/INF/2</p> | <p>CDIP/4/2 CDIP/6/2 CDIP/8/2</p> |

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| | | | <p>Organizations” (Project DA_10_04 contained in CDIP/3/INF/2).</p> <p>5. “Improvement of National, Sub Regional and Regional IP Institutional and User Capacity” (Project DA_10_05 contained in CDIP/3/INF/2).</p> <p>6. “Project on Intellectual Property and Product Branding for Business Development in Developing Countries and LDCs” (Project DA_04_10_01 contained in CDIP/5/5).</p> <p>7. Project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6).</p> | | |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
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| 11. | To assist Member States to strengthen national capacity for the protection of domestic creations, innovations and inventions and to support development of national scientific and technological infrastructure, where appropriate, in accordance with WIPO's mandate. | Discussed. Activities agreed (CDIP/2/4) | Under implementation since adoption of the Development Agenda in October 2007 This recommendation is being addressed by several WIPO Programs, including Programs 1, 3, 9, 14, 18 and 30 and indirectly by a number of DA projects addressing recommendations 8 and 10. This recommendation is also being addressed by the project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6). | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |
| 12. | To further mainstream development considerations into WIPO's substantive and technical assistance activities and debates, in accordance with its mandate. | Discussed. Activities broadly agreed upon (CDIP/3/3) | Under implementation since adoption of the Development Agenda in October 2007 Development Agenda recommendations were mainstreamed into the Program and Budgets for 2010/11 and 2012/13. The project DA_33_38_41_01 on Enhancing WIPO's RBM Framework to Support the Monitoring and Evaluation of Development Activities is under implementation (contained in | CDIP/1/3; CDIP/3/3 | CDIP/3/5 CDIP/6/2 |

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| | | | <p>CDIP/4/8/REV). In the Program Performance Report (PPR) for 2010, the reporting on the DA has been considerably strengthened compared to 2008/09, with detailed reporting on both the implementation of DA projects and DA recommendations under each Program.</p> | | |
| 13. | <p>WIPO's legislative assistance shall be, <i>inter alia</i>, development-oriented and demand-driven, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States and activities should include time frames for completion.</p> | <p>Discussed in context of progress reports (documents CDIP/3/5, CDIP/6/3 and CDIP/8/2 Further discussions in the context of document CDIP/6/10, CDIP/7/3 and CDIP/8/5)</p> | <p>Under implementation since adoption of the Development Agenda in October 2007</p> <p>During 2011, WIPO provided legislative assistance in response to requests from Member State authorities. Countries were advised on their existing or draft legislation and were familiarized with the available options and policy choices in implementing the legislation.</p> <p>This recommendation is also being addressed by the project on Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6).</p> | CDIP/1/3 | <p>CDIP/3/5 CDIP/6/3 CDIP/8/2</p> |

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| 14. | <p>Within the framework of the agreement between WIPO and the WTO, WIPO shall make available advice to developing countries and LDCs, on the implementation and operation of the rights and obligations and the understanding and use of flexibilities contained in the TRIPS Agreement.</p> | <p>Discussed in context of progress reports (documents CDIP/3/5 , CDIP/6/3 and CDIP/8/2). Further discussions in the context of documents CDIP/5/4 and CDIP/6/10, CDIP/7/3 and CDIP/8/5)</p> | <p>Under implementation since adoption of the Development Agenda in October 2007</p> <p>WIPO regularly provides legislative advice to developing countries and LDCs on the implementation and operation of the rights and obligations and the understanding and use of flexibilities contained in the TRIPS Agreement.</p> <p>A document on “Patent Related Flexibilities in the Multilateral Legal Framework and their Legislative Implementation at the National and Regional Levels” was presented to CDIP/5. The second part of this document containing five new flexibilities approved by the sixth session of the CDIP was presented to the seventh session of the Committee.</p> <p>WIPO also regularly contributes to the WTO Trade Policy Courses and national or sub-regional workshops on issues relating to TRIPS implementation, flexibilities and public policies to support countries in the implementation of the TRIPS.</p> <p>As agreed by the Member States in CDIP/6, WIPO published a web page dedicated to making available</p> | <p>CDIP/1/3</p> | <p>CDIP/3/5 CDIP/6/3 CDIP/8/2</p> |

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| | | | information related to use and flexibilities in the IP System, including resources on flexibilities produced by WIPO and other relevant IGOs, and a database of national IP laws provisions on flexibilities. (http://www.wipo.int/ip-development/en/agenda/flexibilities/). | | |
| 15. | <p>Norm-setting activities shall:</p> <ul style="list-style-type: none"> - be inclusive and member driven; - take into account different levels of development; - take into consideration a balance between costs and benefits; - be a participatory process, which takes into consideration the interests and priorities of all WIPO Member States and the viewpoints of other stakeholders, including accredited inter-governmental organizations and non-governmental organizations; and - be in line with the principle of neutrality of the WIPO Secretariat. | Discussed in context of progress reports (documents CDIP/3/5 CDIP/6/3 and CDIP/8/2) | <p>Under implementation since adoption of the Development Agenda in October 2007</p> <p>In October 2007, the GA requested all WIPO bodies, including the norm-setting committees to implement this recommendation (along with the remaining 19 for immediate implementation). Member States, through their participation in those Committees, play a crucial role in ensuring their implementation.</p> <p><u>Inclusiveness and viewpoints of IGOs and NGOs:</u> In 2011, 19 NGOs requested and obtained <i>ad hoc</i> accreditation in WIPO's committees. In addition, five International NGOs and five national NGOs obtained permanent observer status at WIPO giving them the opportunity to participate in the relevant WIPO bodies.</p> <p><u>Member-driven</u> Agenda and issues to be discussed at the committees were either established by Member States in the previous session of the Committees or by the General</p> | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |

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| | | | <p>Assembly.</p> <p><u>Different levels of development:</u> the issues currently being discussed in the committees reflect a wide variety of interests proposed by countries with different levels of development.</p> <p><u>Balance between costs and benefits:</u> this issue has been raised on various occasions in the committee.</p> <p><u>Principle of neutrality:</u> this is a central principle for the Secretariat as a whole and staff as international civil servants.</p> | | |
| 16. | Consider the preservation of the public domain within WIPO's normative processes and deepen the analysis of the implications and benefits of a rich and accessible public domain. | Discussed. Activities agreed upon (CDIP/4/3REV) | Under implementation since adoption of the Development Agenda in October 2007. This recommendation is being addressed the project, "Intellectual Property and the Public Domain" (Project DA_16_20_01 contained in CDIP/4/3 REV). | CDIP/1/3; CDIP/3/4 | CDIP/3/5 CDIP/6/2 CDIP/6/3 CDIP/8/2 |
| 17. | In its activities, including norm-setting, WIPO should take into account the flexibilities in international IP agreements, especially those which are of interest to developing countries and LDCs. | Discussed in context of progress report (document CDIP/3/5, CDIP/6/3 and CDIP/8/2) Further discussions in the context of documents CDIP/5/4, CDIP/6/10, | <p>Under implementation since adoption of the Development Agenda in October 2007</p> <p>The documents on "Patent Related Flexibilities in the Multilateral Legal Framework and their Legislative Implementation at the National and Regional Levels" (Part I and II) (CDIP/5/4 and CDIP/7/3.) contribute to addressing this recommendation.</p> | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |

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| | | CDIP/7/3 and CDIP/8/5). | | | |
| 18. | To urge the IGC to accelerate the process on the protection of genetic resources, traditional knowledge and folklore, without prejudice to any outcome, including the possible development of an international instrument or instruments. | Discussed in context of progress report (document CDIP/3/5, CDIP/6/3 and CDIP/8/2). | Under implementation since adoption of the Development Agenda in October 2007 The 19th session of the IGC in July 2011 agreed on a recommendation to the WIPO General Assembly in September 2011 that the IGC's mandate be extended for the 2012-2013 biennium. | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |
| 19. | To initiate discussions on how, within WIPO's mandate, to further facilitate access to knowledge and technology for developing countries and LDCs to foster creativity and innovation and to strengthen such existing activities within WIPO. | Discussed. Activities agreed upon (CDIP/4/5 REV; CDIP/4/6 and CDIP/6/4). | Under implementation since adoption of the Development Agenda in October 2007. The recommendation is being addressed by five Development Agenda projects: 1. "Intellectual Property ICTs, the Digital Divide and Access to Knowledge" (Project DA_19_24_27_01 contained in CDIP/4/5 REV). 2. Developing Tools for Access to Patent Information" (Project DA_19_30_31 contained in CDIP/4/6). 3. Capacity-building in the use of appropriate technology-specific technical and scientific | CDIP/1/3; CDIP/3/4; CDIP/3/4Add. | CDIP/3/5 CDIP/6/2 CDIP/6/3 CDIP/8/2 |

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| | | | <p>information as a solution for identified development challenges (Project DA_30_31_01: contained in CDIP/5/6 REV).</p> <p>4. Intellectual Property and Technology Transfer” (Project DA_19_25_26_28_01: contained in CDIP/6/4).</p> <p>5. Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6).</p> | | |
| 20. | <p>To promote norm-setting activities related to IP that support a robust public domain in WIPO’s Member States, including the possibility of preparing guidelines which could assist interested Member States in identifying subject matters that have fallen into the public domain within their respective jurisdictions.</p> | <p>Discussed. Activities agreed upon (CDIP/4/3 REV)</p> | <p>Under implementation since January 2010. The recommendation is being addressed by the project, “Intellectual Property and the Public Domain” (Project DA_16_20_01 contained in CDIP/4/3 REV).</p> | <p>CDIP/1/3; CDIP/3/3; CDIP/3/4</p> | <p>CDIP/6/2 CDIP/8/2</p> |

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| 21. | WIPO shall conduct informal, open and balanced consultations, as appropriate, prior to any new norm-setting activities, through a member-driven process, promoting the participation of experts from Member States, particularly developing countries and LDCs. | Discussed in context of progress reports (documents CDIP/3/5, CDIP/6/3 and CDIP/8/2) | Under implementation since adoption of the Development Agenda in October 2007 | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |
| 22. | <p>WIPO's norm-setting activities should be supportive of the development goals agreed within the UN system, including those contained in the Millennium Declaration.</p> <p>The WIPO Secretariat, without prejudice to the outcome of Member States considerations, should address in its working documents for norm-setting activities, as appropriate and as directed by Member States, issues such as: a) safeguarding national implementation of intellectual property rules b) links between IP and competition c) IP-related transfer of technology d) potential flexibilities, exceptions and limitations for Member States and e) the possibility of additional special provisions for developing countries and LDCs.</p> | Discussed. Activities broadly agreed upon (CDIP/3/3). Further discussions in the context of documents CDIP/5/3 ,CDIP/6/10 and CDIP/8/4). | <p>Implementation will begin once activities have been agreed upon.</p> <p>A Report on the Contribution of WIPO to the Millennium Development Goals (MDGs) (CDIP/5/3) was discussed in the fifth session of the CDIP. A webpage on MDGs and WIPO was created. A revised document on Assessing WIPO's Contribution to the Achievement of the Millennium Development Goals (MDGs)(CDIP/8/4) was discussed during the eighth session of the Committee.</p> | CDIP/1/3; CDIP/3/3 | N/A |

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| 23. | To consider how to better promote pro-competitive IP licensing practices, particularly with a view to fostering creativity, innovation and the transfer and dissemination of technology to interested countries, in particular developing countries and LDCs. | Discussed. Activities agreed upon (CDIP/4/4 REV) | Under implementation since January 2010. Recommendation is being addressed by the project, "Intellectual Property and Competition Policy" (Project DA_7_23_32_01 contained in CDIP/4/4 REV). | CDIP/1/3; CDIP/3/3 | CDIP/4/2 CDIP/6/2 CDIP/8/2 |
| 24. | To request WIPO, within its mandate, to expand the scope of its activities aimed at bridging the digital divide, in accordance with the outcomes of the World Summit on the Information Society (WSIS) also taking into account the significance of the Digital Solidarity Fund (DSF). | Discussed. Activities agreed upon (CDIP/4/5 REV) | Under implementation since January 2010. Recommendation is being addressed by the project, "Intellectual Property ICTs, the Digital Divide and Access to Knowledge" (Project DA_19_24_27_01 contained in CDIP/4/5 REV). | CDIP/1/3; CDIP/3/4 | CDIP/6/2 CDIP/8/2 |
| 25. | To explore IP-related policies and initiatives necessary to promote the transfer and dissemination of technology, to the benefit of developing countries and to take appropriate measures to enable developing countries to fully understand and benefit from different provisions, pertaining to flexibilities provided for in international agreements, as appropriate. | Discussed. Activities agreed upon (CDIP/6/4). Further discussions in the context of document CDIP/6/10, CDIP/7/3 and CDIP/8/5). | Under implementation since December 2010. Recommendation is being addressed by two projects: <ol style="list-style-type: none"> 1. Intellectual Property and Technology Transfer" (Project DA_19_25_26_28_01 contained in CDIP/6/4); 2. Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6). | CDIP/1/3; CDIP/3/4Add. | CDIP/8/2 |

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| 26. | To encourage Member States, especially developed countries, to urge their research and scientific institutions to enhance cooperation and exchange with research and development institutions in developing countries, especially LDCs. | Discussed. Activities agreed upon (CDIP/6/4). | Under implementation since December 2010. Recommendation is being addressed by the project, "Intellectual Property and Technology Transfer" (Project DA_19_25_26_28_01 contained in CDIP/6/4). | CDIP/1/3; CDIP/3/4Add. | |
| 27. | Facilitating IP-related aspects of ICT for growth and development: Provide for, in an appropriate WIPO body, discussions focused on the importance of IP-related aspects of ICT, and its role in economic and cultural development, with specific attention focused on assisting Member States to identify practical IP-related strategies to use ICT for economic, social and cultural development. | Discussed. Activities agreed upon (CDIP/4/5 REV) | Under implementation since January 2010. Recommendation is being addressed by the project, "Intellectual Property, ICTs, the Digital Divide and Access to Knowledge" (CDIP/4/5 REV). | CDIP/1/3; CDIP/3/4 | CDIP/6/2 CDIP/8/2 |
| 28. | To explore supportive IP-related policies and measures Member States, especially developed countries, could adopt for promoting transfer and dissemination of technology to developing countries. | Discussed. Activities agreed upon (CDIP/6/4). | Under implementation since December 2010. Recommendation is being addressed by the project, "Intellectual Property and Technology Transfer" (Project DA_19_25_26_28_01 contained in CDIP/6/4). | CDIP/1/3; CDIP/3/4Add. | CDIP/8/2 |
| 29. | To include discussions on IP-related technology transfer issues within the mandate of an appropriate WIPO body. | Not yet discussed by the Committee | Implementation will begin once activities have been agreed. | CDIP/1/3 | N/A |

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| 30. | WIPO should cooperate with other intergovernmental organizations to provide to developing countries, including LDCs, upon request, advice on how to gain access to and make use of IP-related information on technology, particularly in areas of special interest to the requesting parties. | Discussed. Activities agreed upon (CDIP/4/6 and CDIP/5/6 REV) | Under implementation since January 2010. The recommendation is being addressed by two projects: <ol style="list-style-type: none"> 1. “Developing Tools for Access to Patent Information” (Project DA_19_30_31_01 contained in CDIP/4/6). 2. Capacity-building in the use of appropriate technology-specific technical and scientific information as a solution for identified development challenges (Project DA_30_31_01: contained in CDIP/5/6 REV). | CDIP/1/3; CDIP/3/4 | CDIP/6/2 CDIP/8/2 |
| 31. | To undertake initiatives agreed by Member States, which contribute to transfer of technology to developing countries, such as requesting WIPO to facilitate better access to publicly available patent information. | Discussed. Activities agreed upon (CDIP/4/6) | Under implementation since January 2010. The recommendation is being addressed by two projects: <ol style="list-style-type: none"> 1. “Developing Tools for Access to Patent Information” (Project DA_19_30_31_01 contained in CDIP/4/6). <p>Capacity-building in the use of appropriate technology-specific technical and scientific information as a solution for identified development challenges (Project DA_30_31_01: contained in CDIP/5/6 REV).</p> | CDIP/1/3; CDIP/3/4 | CDIP/6/2 CDIP/8/2 |

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| 32. | To have within WIPO opportunity for exchange of national and regional experiences and information on the links between IP rights and competition policies. | Discussed. Activities agreed upon (CDIP/4/4 REV) | Under implementation since January 2010. The recommendation is being addressed by two projects: <ol style="list-style-type: none"> 1. "Intellectual Property and Competition Policy" (Project DA_7_23_32_01 contained in CDIP/4/4 REV). 2. Enhancing South-South Cooperation on IP and Development among Developing Countries and LDCs. (Project DA_1_10_11_13_19_25_32_01: contained in document CDIP/7/6). | CDIP/1/3; CDIP/3/4 | CDIP/6/2 CDIP/8/2 |
| 33. | To request WIPO to develop an effective yearly review and evaluation mechanism for the assessment of all its development-oriented activities, including those related to technical assistance, establishing for that purpose specific indicators and benchmarks, where appropriate. | Discussed. Activities agreed upon (CDIP/4/8 REV) | Under implementation since January 2010. Recommendation is being addressed by the project, "Enhancement of WIPO's Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities" (Project DA_33_38_41_01 contained in CDIP/4/8 REV). | CDIP/1/3 | CDIP/6/2 CDIP/8/2 |

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| 34. | With a view to assisting Member States in creating substantial national programs, to request WIPO to conduct a study on constraints to intellectual property protection in the informal economy, including the tangible costs and benefits of IP protection in particular in relation to generation of employment. | Discussed in the context of documents CDIP/6/9/ and CDIP/8/3). | Recommendation is being addressed by the project, "Intellectual Property and the Informal Economy" (Project DA_34_01 contained in CDIP/8/3 REV). | CDIP/1/3 CDIP/6/9 | N/A |
| 35. | To request WIPO to undertake, upon request of Member States, new studies to assess the economic, social and cultural impact of the use of intellectual property systems in these States. | Discussed in context of progress report (documents CDIP/3/5 ,CDIP/6/3 and CDIP/8/2). Discussed. Activities agreed upon (CDIP/5/7 REV) | Under implementation since adoption of the Development Agenda in October 2007. The recommendation is also being addressed by the project, "Project on Intellectual Property and Socio-Economic Development" (Project DA_35_37_01 contained in CDIP/5/7 REV). | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |
| 36. | To exchange experiences on open collaborative projects such as the Human Genome Project as well as on IP models. | Discussed. Activities agreed upon (CDIP/6/6). | Under implementation since December 2010. Recommendation is being addressed by the project, "Open Collaborative Projects and IP-Based Models". (Project DA_36_01 contained in CDIP/6/6). | CDIP/1/3 | CDIP/8/2 |
| 37. | Upon request and as directed by Member States, WIPO may conduct studies on the protection of intellectual property, to identify the possible links and impacts between IP | Discussed in context of progress report (documents CDIP/3/5, CDIP/6/3 and | Under implementation since adoption of the Development Agenda in October 2007. The recommendation is also being addressed by the project, "Project on Intellectual Property and Socio-Economic | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |

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| | and development. | CDIP/8/2) Discussed. Activities agreed upon (CDIP/5/7 REV) | Development” (Project DA_35_37_01 contained in CDIP/5/7 REV). | | |
| 38. | To strengthen WIPO’s capacity to perform objective assessments of the impact of the organization’s activities on development | Discussed. Activities agreed upon (CDIP/4/8 REV). | Under implementation since January 2010. Recommendation is being addressed by the project, “Enhancement of WIPO’s Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities” (Project DA_33_38_41_01 contained in CDIP/4/8 REV). | CDIP/1/3 | CDIP/8/2 |
| 39. | To request WIPO, within its core competence and mission, to assist developing countries, especially African countries, in cooperation with relevant international organizations, by conducting studies on brain drain and make recommendations accordingly. | Discussed in the context of document CDIP/6/8 and CDIP/7/4). | Recommendation is being addressed by the project, “Intellectual Property and Brain Drain” (Project DA_39_40_01 contained in CDIP/7/4). | CDIP/1/3 CDIP/6/8 | N/A |
| 40. | To request WIPO to intensify its cooperation on IP related issues with UN agencies, according to Member States’ orientation, in particular UNCTAD, UNEP, WHO, UNIDO, UNESCO and other relevant international organizations, especially WTO in order to strengthen the coordination for maximum efficiency in undertaking development programs. | Not yet discussed by the Committee | While activities for implementation are yet to be discussed by the Committee, in practice, the recommendation is already under implementation and notably in the context of Project DA_39_40_01 contained in CDIP/7/4). | CDIP/1/3 | N/A |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
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| 41. | To conduct a review of current WIPO technical assistance activities in the area of cooperation and development. | Discussed. Activities agreed upon (CDIP/4/8) Further discussed in the context of the document CDIP/8/INF/1. | Under implementation since January 2010. Recommendation is being addressed by the project, "Enhancement of WIPO's Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities" (Project DA_33_38_41_01 contained in CDIP/4/8 REV). | CDIP/1/3 | CDIP/8/2 |
| 42. | To enhance measures that ensure wide participation of civil society at large in WIPO activities in accordance with its criteria regarding NGO acceptance and accreditation, keeping the issue under review. | Discussed in context of progress report (documents CDIP/3/5 ,CDIP/6/3 and CDIP/8/2). | <p>While activities for implementation are yet to be discussed by the Committee, in practice, the recommendation is already under implementation.</p> <p>During 2011, five international non-governmental organizations (NGOs) and five national NGOs acquired observer status at WIPO. This brings the total to 68 IGOs, 232 international NGOs and 63 national NGOs. In addition, a number of NGOs requested and obtained ad hoc observer status for participating in specific committees, as follows:</p> <ul style="list-style-type: none"> - one at the Committee on Development and Intellectual Property (CDIP) - one at the Standing Committee on Patent (SCP) - 10 at the Inter-governmental Committee on Genetic Resources, Traditional Knowledge and Folklore (IGC) | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|-----|--|---|---|----------------------|----------------------------------|
| | | | <ul style="list-style-type: none"> - six at the Standing Committee on Copyright and Related Rights (SCCR) - one at the Standing Committee on the law of Trademarks, Industrial Designs and Geographical Indications (SCT) <p>WIPO has also made efforts to include NGO participants in a number of activities undertaken.</p> | | |
| 43. | To consider how to improve WIPO's role in finding partners to fund and execute projects for IP-related assistance in a transparent and member-driven process and without prejudice to ongoing WIPO activities. | Not yet discussed by the Committee | Implementation will begin once activities have been agreed. | CDIP/1/3 | N/A |
| 44. | In accordance with WIPO's member-driven nature as a United Nations Specialized Agency, formal and informal meetings or consultations relating to norm-setting activities in WIPO, organized by the International Bureau, upon request of the Member States, should be held primarily in Geneva, in a manner open and transparent to all Members. Where such meetings are to take place outside of Geneva, Member States shall be | Discussed in context of progress report (documents CDIP/3/5, CDIP/6/3 and CDIP/8/2).. | While activities for implementation are yet to be discussed by the Committee, in practice, the recommendation is already under implementation. | CDIP/1/3 | CDIP/3/5 CDIP/6/3 CDIP/8/2 |

| | RECOMMENDATION | STATUS OF DISCUSSIONS AT CDIP | STATUS OF IMPLEMENTATION | BACKGROUND DOCUMENTS | PROGRESS REPORTS |
|-----|---|------------------------------------|--|----------------------|------------------|
| | informed through official channels, well in advance, and consulted on the draft agenda and program. | | | | |
| 45. | To approach intellectual property enforcement in the context of broader societal interests and especially development-oriented concerns, with a view that “the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations”, in accordance with Article 7 of the TRIPS Agreement. | Not yet discussed by the Committee | While activities for implementation are yet to be discussed by the Committee, in practice, the recommendation is already under implementation. The discussions of the seventh session of the Advisory Committee on Enforcement held in November 2011, were conducted in the framework of recommendation 45. | CDIP/1/3 | N/A |

[Annex II follows]

OVERVIEW OF APPROVED PROJECTS BY THE CDIP

Projects for Recommendations 2, 5, 8, 9 and 10

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|--|---|--|--|---|---|
| 2 | Conference on “Mobilizing Resources for Development” DA_02_01 | The purpose of the project is to convene a conference aimed at providing additional extra-budgetary resources to WIPO for its work to help developing countries benefit from the IP system and to seek to establish Trust-Funds or other voluntary funds specifically for LDCs in close collaboration with Member States and the Donor community. | Completed in November 2010 An Evaluation Report of the project is presented to the current session of the Committee. (CDIP/9/3) | Convene a conference aimed at mobilizing extra budgetary resources to provide additional assistance to WIPO for its work to help developing countries benefit from the IP system and to identify and enable WIPO to access existing funding modalities to support its technical assistance and capacity building work. Establish funds-in-trust or other voluntary funds within WIPO specifically for LDCs. | A great deal of learning was achieved through consultations with donors, in terms of developing a greater understanding of the way they work and how to optimize prospects for resource mobilization. | Conference details link: http://www.wipo.int/meetings/en/details.jsp?meeting_id=19405 |
| 5 | “Intellectual Property Technical Assistance Database (IP-TAD)” DA_05_01 | Design and development of a consolidated database, with supporting software, for all technical assistance activities of WIPO and its regular update. | Completed in April 2010. An Evaluation Report of the project is presented to the current session of the Committee. (CDIP/9/4) | Institutional knowledge of all technical assistance activities will be available for use by WIPO and other interested parties for designing and implementing future technical assistance activities. Information on performance and results achieved will be made available and can be used when designing future | A new computer system, known as the Development Sector System (DSS), has been available since September 2010. It is a fully integrated system comprising : — The IP Development Activities System (IP-TAD) | The DSS can be accessed at http://www.wipo.int/tad and http://www.wipo.int/roc respectively . |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|---|--|---|---|---|---|
| | | | | technical assistance activities. Lessons learned will provide valuable insights in this respect and they will be readily available to all stakeholders in future activities. | – The WIPO Roster of Consultants (IP-ROC) | |
| 8 | “Specialized Databases’ Access and Support” DA_08_01 | Provision of access to technological knowledge, in the form of specialized patent databases and technical journals, for users in developing countries and LDCs in particular patent offices, to carry out more effective patent searches. The aRD _i project, launched in July 2009, is part of this project on assisting countries in establishing Technology and Innovation Support Centers (TISCs) together with a corresponding network. | Under implementation since April 2009. An Evaluation Report of the project is presented to the current session of the Committee. (CDIP/9/5) | <p>Increase availability of technological knowledge in developing countries, especially LDCs.</p> <p>Increase the capacity of IP Offices, including regional and sub-regional organizations to carry out more effective patent searches by identifying known prior art and limiting the scope of granted patents where necessary.</p> <p>Increase the capacity of IP offices to effectively disseminate this knowledge nationally/regionally and internationally.</p> <p>Increase awareness of the benefits of IP rights, and patent information in particular.</p> | <p>The Access to Research for Development and Innovation (aRD_i) program became a full partner and fourth program of the Research4Life (R4L) partnership.</p> <p>26 national networks of Technology and Innovation Support Centers (TISCs) were established.</p> <p>13 Service Level Agreements, providing the framework for activities to be carried out in establishing and developing TISCs, were concluded.</p> <p>A regional conference was held in Buenos Aires, in March 2011, to promote the TISC project</p> | A study Paper reviewing patent and non-patent literature databases (CDIP/3/INF/2/STUDY/III/INF/1), which forms the basis of a Guide to Technology Databases to be used by IPOs, TISCs and researchers in general, was prepared and posted on: http://www.wipo.int/meetings/en/d |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|---|---|--|--|--|---|
| | | | | | in Latin American countries. | oc details.jsp?doc_id=146973 |
| 9 | “IP Development Matchmaking Database (IP-DMD)” DA_09_01 | Development of a database and software to establish an effective process for match-making between the IP-related development needs of countries and donors. | Completed. An Evaluation Report of the project will be presented to the current session of the Committee. (CDIP/9/--) | Institutional documented knowledge of IP related needs of Member States. Information on potential donors or partners and the resources or expertise available. Transparency of technical assistance needs and progress made in addressing those needs. | IP-DMD was officially launched in August 2011. IP-DMD is now ready to “matchmake” the needs of Member States with potential offers. Its success is dependent on the extent to which it is used by Member States. | The DSS can be accessed at: http://www.wipo.int/dm_d |
| 10 | “A Pilot Project for the Establishment of “Start-Up” National IP Academies” DA_10_01 | Pilot project to set up “Start-Up” National IP Academies to help developing countries and LDCs to establish IP training institutions with minimum resources to meet their increasing demand for IP specialists, professionals, government officials and other stakeholders. | Completed. An Evaluation Report of the project is presented to the current session of the Committee. (CDIP/9/6) | Establishment of “Start-Up” National IP Academies. | A total of four national “Start-Up” IP academies have been launched in the framework of this project. WIPO received 20 official requests from Member States to participate in this project. | The Pilot project to set up “Start-Up” National IP Academies can be accessed at: http://www.wipo.int/academy/en/ip/academies/startup_academies/ |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|---|---|---|--|---|---------|
| 10 | “Smart IP Institutions Project” DA_10_02 | Establishment of customized automation solutions for IP offices. Four components address: (1) ICT infrastructure and customized e-communication systems for OAPI; (2) ICT infrastructure and customized e-communication systems for ARIPO; (3) customized automation solutions in three LDC IP institutions; (4) Automation workshops to facilitate sharing and exchange of national experiences. | Under implementation since April 2009. An Evaluation Report of the project will be presented to the next session of the Committee | The deployment of components and business solutions customized for modernizing IP infrastructure of national and regional IP institutions. | <p><u>OAPI Project:</u> Preparatory work was undertaken for the deployment of the Industrial Property Automation System (IPAS). Moreover, equipment was purchased for the office to support the plan at OAPI and two Member States identified for the project, namely Senegal and Gabon. The system was configured to OAPI’s workflow for the Trade Names sub-project. The data was migrated and users were trained on the use of the system.</p> <p><u>ARIPO Project:</u> An electronic data exchange system of notifications between ARIPO and five of its Member State offices (Botswana, Ghana, Kenya, Namibia, and Uganda) was successfully installed and is being extensively used. The system has also been requested by three other</p> | |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|---|--|--|--|--|--|
| | | | | | <p>Member States. This system allows for the discontinuation of paper notifications between ARIPO and member states.</p> <p><u>LDC Projects in Laos, Cambodia and Bhutan:</u> Needs assessments were carried out in all three offices to clearly define the nature and scope of assistance to be provided to help the offices reach the defined project goals. They were followed by training missions on the use of the Industrial Property Automation System (IPAS). Within the framework of the project, equipment was purchased by WIPO using Japanese Funds in Trust to support the modernization plan.</p> | |
| 10 | "Innovation and Technology Transfer Support Structure for | Preparation or updating/improvement of a series of modules and materials relating to managing IP rights by academic and research | Under implementation since April 2009. An Evaluation Report of the project will be presented to the next session of the Committee. | Setting up innovation and technology transfer support structure for national institutions. | Launch of a first prototype of the ITTS Portal; Training tools were tested in in-situ seminars and events; | ITTS Portal http://www-cms.wipo.int/innovation/en/index.html |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|---|--|--|--|--|---------|
| | National Institutions” DA_10_03 | institutions, including on the setting up and running of technology transfer offices at public research organizations, exploring technology transfer mechanisms (in particular, licensing agreements) and enhancing the capacity to draft patents. | | | Six Technology Transfer Guides/Manuals are under development, namely: 1) Patent Drafting Exercise Book, 2) Practical Guide for Valuing Intangible Assets in Research Institutions, 3) IP Valuation Training Kit for Academic Institutions, 4) Training Kit on Models of IP-Related Contracts for Universities and Publicly Funded Research Organizations, 5) Trademark Licensing Guide, and 6) Guide on the Strategic Management of Open Innovation Networks. | |
| 10 | “Strengthening the Capacity of National IP Governmental and Stakeholder Institutions to Manage, Monitor and | Assist in the improvement and strengthening of national institutions and stakeholder organizations dealing with and representing creative industries in enhancing their | Under implementation since April 2009. To be completed in November 2012. | Strengthening the capacity of national IP governmental and stakeholder institutions to manage, monitor and promote creative industries, and to enhance the performance and network of Copyright Collective Management Organizations. | Completion of the design part of the WIPOCOS Software re-engineering. The software development is divided into 12 'work packets' to ease development planning, | |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|--|---|---|--|---|---|
| | Promote Creative Industries, and to Enhance the Performance and Network of Copyright Collective Management Organizations” DA_10_04 | understanding of the role of IP for the effective management and development of creative industries, and to facilitate the establishment of regional or sub-regional networks for the collective management of copyright and neighboring rights | | | monitoring and integration. Work has commenced on the first two work packets. | |
| 10 | “Improvement of National, Sub-Regional and Regional IP Institutional and User Capacity” DA_10_05 | The project aims to a) strengthen national IP institutional capacity through the development of an integrated approach and a standard methodology for the formulation of national IP strategies that are consistent with national development needs and priorities; b) strengthen regional/sub-regional IP institutions by providing assistance for the establishment of sub-regional cooperation mechanisms; and c) enhance the capacities of IP and SME support | Under implementation since April 2009. An Evaluation Report of the project will be presented to the next session of the Committee | Improvement of national, sub-regional and regional IP institutional and user capacity. Improve the capacities of national institutions, including IP Offices, to handle efficiently the procedures for registration and examination of trademarks and geographical indications. | - <u>National IP strategies:</u> Five out of the six pilot countries have formulated draft national IP strategies and action plans using the proposed WIPO methodology (the 6th country is in the process of analyzing the findings from the IP audit and data collection phase to identify key strategic lines and priorities for IP development in the country); A pool of experienced national and international experts has been created, providing a valuable resource for assisting | Information regarding SMEs can be accessed at: http://www.wipo.int/sme/en/ |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENTS | OUTPUTS |
|-----|---------|--|--------------------------|-----------------|--|---------|
| | | institutions through the development of a series of tools and training activities. | | | <p>other potential interested countries in the IP strategy formulation process.</p> <p><u>- Regional and sub-regional institutions:</u> Work continued in 2011 toward the establishment of a Regional Patent Administration (RPA) for the Caribbean Region.</p> <p><u>- IP and SMEs:</u> National studies are underway or completed in six selected countries.</p> | |

Thematic Projects

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|--------|--|---|---|---|--|--|
| 16, 20 | “Intellectual Property and the Public Domain” DA_16_20_01 | Recognizing the importance of the public domain, the project will comprise a series of surveys and studies that will analyze good practices and the currently available tools for identifying content that is in the public domain and to preserve such content from individual appropriation. The surveys and studies should facilitate the planning of the subsequent steps of possible preparation of guidelines and/or possible development of tools to facilitate the identification of and access to public domain subject matter. The project is divided into three components that will address the issue from the perspective of | Completed. An Evaluation Report of the project is presented to the current session of the Committee. (CDIP/9/-7-) | Analyzing the implications of a rich and accessible public domain, exploring the various tools available for identifying and accessing subject matter that has fallen into the public domain, and wherever possible, suggest or work towards the development of new tools or guidelines in this respect, in order to enhance access to the public domain and preserve knowledge that is already in the public domain. | <p><u>Copyright</u> In addition to the Scoping Study on Copyright and Related Rights and the Public Domain, under discussion in the CDIP since its sixth session, the Second Survey on Voluntary Registration and Deposit Systems and the Survey of Private Copyright Documentation Systems and Practices has been made available on the WIPO website. A Conference on Copyright Documentation and Infrastructure took place in Geneva in October 2011.</p> <p><u>Trademarks</u> Study on Misappropriation of Signs will be discussed in the current session of the Committee (see document CDIP/9/INF/5).</p> | <p>Scoping Study on Copyright and Related Rights and the Public Domain (CDPI/43/REV./STUDY/INF.1) was published at: http://www.wipo.int/e-docs/mdocs/cs/mdocs/en/cdip_4/cdip_4_3_rev_study_inf_1.pdf</p> <p>Second Survey on Voluntary Registrati</p> |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|-----|---------|------------------------------------|--------------------------|-----------------|--|--|
| | | copyright, trademarks and patents. | | | <p><u>Patent</u> A study on patents and the public domain together with a Feasibility Study on the Establishment of National Patent Register Databases and Linkage to PATENTSCOPE were discussed during the eighth session of the Committee.</p> | <p>on and Deposit Systems published on: http://www.wipo.int/copyright/en/registration_and_deposit_system_03_10.html</p> <p>Patents and the public domain (CDIP/8/1 NF/2 and 3) related studies are published at : http://www.wipo.int/docs/mdocs/mdocs/en/cdip_8/</p> |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
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| | | | | | | cdip_8_inf_2.pdf and http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=182822 |
| 7, 23, 32 | <p>“IP and Competition Policy” DA_7_23_32_01</p> | <p>In order to promote a better understanding of the interface between intellectual property and competition policy, particularly in developing countries and countries with economies in transition, WIPO would undertake a series of studies that would analyze recent practices, legal developments, jurisprudence and legal remedies available in selected countries and regions, with a focus on issues relating to IP licensing. In addition, a series of sub-regional seminars and</p> | <p>Completed. An Evaluation Report of the project is presented to the current session of the Committee. (CDIP/9/8)</p> | <p>Enable policy-makers, particularly in developing countries and LDCs, to better understand the interface between IPRs and competition policies. Promote pro-competitive intellectual property licensing practices. Provide an opportunity for the exchange of national and regional experiences and information on the links between IPRs and competition policies.</p> | <p>The following three studies were finalized and discussed during the eighth session of the CDIP: 1) Interaction of Agencies Dealing with Intellectual Property and Competition Law (CDPI/8/INF/4); 2) Interface Between Exhaustion of Intellectual Rights and Competition Law(CDPI/8/INF/5); and 3) An Analysis of the Economic/Legal Literature on the Effects of IP Rights as a Barrier to Entry (CDPI/8/INF/6). A Study on the Anti-Competitive Enforcement of Intellectual Property Rights:</p> | <p>The three studies on IP and Competition are available at: http://www.wipo.int/docs/mdocs/cs/mdocs/en/cdip_8/cdip_8_inf_4.pdf http://www.wipo.int/docs/mdocs/en/cdip_8/cdip_8_inf_4.pdf</p> |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|------------|---|--|---|--|---|---|
| | | <p>Geneva-based symposia will be organized as fora for exchange of experiences in this field. WIPO's licensing training programs will include a component on the pro-competitive aspects of licensing and anti-competitive licensing practices, and a Global Meeting will be organized on Emerging Copyright Licensing Modalities.</p> | | | <p>Sham Litigation will be discussed during the current session of the CDIP (document CDIP/9/INF/6)</p> | <p>_5.pdf and http://www.wipo.int/docs/mdocs/cs/mdocs/en/cdip_8/cdip_8_inf_6_corr.pdf</p> |
| 19, 24, 27 | <p>"IP, Information and Communication Technologies (ICTs), the Digital Divide and Access to Knowledge" DA_19_24_27_01</p> | <p>The first component of the project regarding copyright aims at providing Member States a source of relevant and balanced information on the opportunities provided by new models of distributing information and creative content, focusing on the areas of education and research, software development and e-information services (e.g., e-journals and</p> | <p>Completed. An Evaluation Report of the project will be presented to the next session of the Committee.</p> | <p>Gather information and explore the potential of the copyright system, its flexibilities and different models for managing copyright for enhancing access to knowledge, with a particular focus on: education and research; software development practices, including free and open source software; and e-information (e.g., e-journals and public sector information).</p> | <p><u>Copyright</u> The preliminary results of the study on "Using Copyright to Promote Access to Information and Creative Content" (WIPO/CR/WK/GE/11/2, 3 and 4) were presented in a workshop, held on November 16, 2011 as a side event of the seventh session of the CDIP.</p> | <p>Copyright study is available at : http://www.wipo.int/meetings/en/2011/wipo_cr_wk_ge_11/index.html</p> |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
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| | | <p>public-sector information). The second component is about the digitization of national industrial property documents to create a database enhancing public access to digital content and develop skills for creating a national IP database, for users' easy access.</p> | | <p>Contribute to the reduction of the knowledge gap between industrialized and developing countries (especially LDCs) through the digitization of IP data, including national IP data.</p> | <p><u>Digitization of national industrial property documents</u> Nine offices were assisted in 2011. WIPO assistance ranges from simply providing software and technical assistance, to contracting external suppliers to digitize very large backfiles of IP records.</p> | |
| 19, 30, 31 | <p>"Developing Tools for Access to Patent information" DA_19_30_31_01</p> | <p>This proposed project aims to provide developing countries, including LDCs, upon request, with services which will facilitate the use of patent information on specific technology for facilitating their indigenous innovation and R&D in cooperation with other intergovernmental organizations. Patent Landscaping Reports will be drafted which exploit the vast resources of patent information to</p> | <p>Completed. An Evaluation Report of the project will be presented to the next session of the Committee.</p> | <p>Increase understanding by stakeholders of innovation, businesses and public policymakers in developing countries of key trends in specific technology and its effects on business and society, so as to enable them to identify and exploit specific areas of technology. Increase the skills in searching and exploiting patent information, as well as how to prepare Patent Landscaping Reports by teaching in an effective and convenient manner: how, why and where to carry out</p> | <p>10 patent landscape reports on vaccines, atazanavir, ritonavir, solar cooking, solar cooling, desalination, water purification, neglected diseases and salinity tolerance, have been completed. <u>E-tutorial</u> The completed e-tutorial will be disseminated through the WIPO website and potentially websites of other interested organizations, as well as in CD/DVD-ROM format, in particular to Technology</p> | |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|-----|---------|--|--------------------------|---|--|--------|
| | | <p>provide an analysis of specific technologies and related existing IP rights for selected areas of technology; an e-tutorial available on DVD or on the internet will provide training on using and exploiting patent information; and conferences, including workshops and training courses, will be organized for users, in particular for staff of Technology and Innovation Support Centers.</p> | | <p>patent searches. Facilitate discussions and the exchange of experiences, views and best practices in the field of patent information by inviting users to meet on a regular basis.</p> | <p>and Innovation Support Centers (TISCs).</p> | |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|------------|---|--|--|--|--|--|
| 33, 38, 41 | Project on "Enhancement of WIPO's Results-Based Management (RBM) Framework to Support the Monitoring and Evaluation of Development Activities" DA_33_38_41_01 | (i) Design, develop and establish a sustainable and coherent results-based monitoring and evaluation framework focused on WIPO's development-related activities, as well as the Development Agenda (DA) Recommendations. (ii) Seek to strengthen the capacity for objective development impact assessments of the Organization's activities. (iii) Conduct a review of WIPO's existing technical assistance activities in the area of cooperation for development to help establish some baselines for further work. | Under implementation since January 2010. To be completed in July 2012. | Adapt and strengthen WIPO's existing RBM framework to ensure that there is a strong focus across all relevant Programs on the impact of the Organization's activities on development, including technical assistance, and provide additional management tools to support the specific needs as they relate to the 45 Recommendations, and the reporting needs of the CDIP. Contribute to a monitoring and evaluation culture, in particular as relates to the development impact of all relevant programs, within the Organization, and the systematic collection and use of performance information to ensure accountability, and support informed decision making by the Organization and its stakeholders. | First results based budget delivered, including an estimation of the development share by result; Strengthened measurements framework (indicators, baselines, targets); CDIP External Review of WIPO technical Assistance completed; Development mainstreamed into all substantive Strategic Goals; and Strengthened capacities of managers for results-based planning, including for development-oriented activities. | Program and Budget 2012/13 http://www.wipo.int/about-wipo/en/budget/ An External Review of WIPO Technical Assistance in the Area of Cooperation for Development http://www.wipo.int/docs/mdocs/cs/mdocs/en/cdip_8/cdip_8_inf_1-annex1.pdf |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|--------|---|--|--|---|---|--------|
| | | | | <p>Increase the capacity and ability for independent and objective evaluations of the development impact of WIPO's activities.</p> | | |
| 35, 37 | <p>"Project on Intellectual Property and Economic and Social Development" DA_35_37_01</p> | <p>The project consists of a series of studies on the relationship between IP protection and various aspects of economic performance in developing countries. They would seek to narrow the knowledge gap faced by policymakers in those countries in designing and implementing a development-promoting intellectual property (IP) regime. The envisaged studies would focus on three broad themes: domestic innovation, the international and national diffusion of knowledge, and institutional features of the IP system and its economic implications. Studies would be</p> | <p>Under implementation since July 2010. To be completed in December 2013.</p> | <p>Promote better understanding of the socio-economic effects of IP protection in developing countries.</p> <p>Creation of analytical capacity in countries, where little economic studies work on IP has been undertaken so far.</p> | <p>Studies on the relationship between IP protection and various aspects of economic performance are ongoing in Brazil, Chile and Uruguay.</p> <p>Significant progress was made in creating the data infrastructure, on the basis of which new empirical insights will be sought.</p> | |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|------------|---|--|---|--|--|--------|
| | | implemented by research teams involving the WIPO Office of the Chief Economist, international experts, and local researchers. | | | | |
| 19, 30, 31 | “Capacity-Building in the Use of Appropriate Technology -specific Technical and Scientific Information as a Solution for Identified Development Challenges” DA_19_30_31_02 | This project aims to contribute to building capacity at the national level in the use of appropriate technical and scientific information as appropriate technology to address the identified development challenges facing least developed countries (LDCs). In particular, it explores the delivery possibilities of appropriate technologies at a practical entry point level by working with government and non-government stakeholders in LDCs. | Under implementation since July 2010. To be completed in December 2012. | <p>Increase understanding by stakeholders of innovation, businesses and public policymakers in developing countries of key trends in specific technology and its effects on business and society, so as to enable them to identify and exploit specific areas of technology.</p> <p>Increase the skills in searching and exploiting patent information, as well as how to prepare Patent Landscaping Reports by teaching in an effective and convenient manner: how, why and where to carry out patent searches. Facilitate discussions and the exchange of experiences, views and best practices in the field of patent information by inviting users to meet on a regular basis.</p> | <p>The implementation process of the project has started in Bangladesh, Nepal and Zambia.</p> <p>Various key components of the project have been completed including the selection of international experts with the involvement of the officials of individual beneficiary countries, meetings of national expert groups, identification of the ‘development challenges’ for which appropriate technical and scientific solutions will be sought through landscaping the global IP system; and identification of information search modalities.</p> | |

| REC | PROJECT | BRIEF DESCRIPTION | STATUS OF IMPLEMENTATION | EXPECTED RESULT | MAIN ACHIEVEMENT | OUTPUT |
|-------|---|--|---|--|---|--------|
| 4, 10 | <p>“IP and Product Branding for Business Development in Developing Countries and Least Developed Countries (LDCs)” DA_4_10_01</p> | <p>The project aims to support local communities in developing countries and LDCs in the design and implementation of strategies for the appropriate use of IP in product branding, focusing in particular on geographical indications and trademarks.</p> | <p>Under implementation since July 2010. To be completed in June 2013.</p> | <p>Contribute to the business development of local communities by developing strategic alliances of producers/farmers associations, SMEs and public institutions, to build product brands through the strategic use of IP rights.</p> <p>Raise awareness on the impact of product branding on the business development of local communities and local SMEs, in the framework of sustainable development priorities.</p> <p>Enhanced emphasis, in technical assistance programmes and activities, to the needs of SMEs that specifically deal with scientific research and cultural industries.</p> | <p>In the three selected pilot countries, i.e. Panama, Thailand and Uganda, a total of nine products had been selected, based on their unique characteristics and strong branding potential.</p> <p>Consultants had been appointed to assist the communities in designing IP and branding strategies on the basis of a thorough assessment of the current status and potential of each product.</p> <p>IP and branding strategies were developed for 7 of the 9 selected products, following a product benchmarking exercise; the strategies, to be finalized and validated in 2012, include relevant monitoring and quality control mechanisms, and indicators for impact measurement;</p> | |

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| 19, 25, 26, 28 | “Intellectual Property and Technology Transfer: Common Challenges - Building Solutions” DA_19_25_26_28_01 | <p>The project includes a range of activities that will explore possible initiatives and IP-related policies for promoting technology transfer, particularly for the benefit of developing countries.</p> <p>The project will consist of five progressive phases with the objective of adopting a list of suggestions, recommendations and possible measures for promoting technology transfer.</p> <p>The project includes the following activities: (i) the organization of five Regional Technology Transfer Consultation Meetings, the composition criteria and TOR of which will be decided by Member States; (ii) the elaboration of a number of peer-reviewed analytic studies, including</p> | <p>Under implementation since January 2011.</p> <p>Timeline of implementation to be reviewed by the current session of the Committee.</p> | <p>Increase understanding by stakeholders of innovation, businesses and public policymakers in developing countries of key trends in specific technology and its effects on business and society, so as to enable them to identify and exploit specific areas of technology.</p> <p>Enhanced activities and work to explore IP-related transfer of technology policies and initiatives and the use of flexibilities in international IP instruments to promote transfer and dissemination of technology.</p> <p>Increased initiatives, especially by developed countries to encourage cooperation among scientific and research institutions of developed and developing countries.</p> <p>Exploration and identification of IP-related policies and measures that could be taken by Member States, especially developed</p> | <p>A first draft of the project paper was completed and presented during the eighth session of the CDIP, in November 2011. The project paper (CDIP/8/7) included TORs of the experts tasked to elaborate various studies as provided by the Thematic Project, in order to process the special service agreements (SSAs) and launch the studies as early as possible; composition criteria in respect of the regional consultation meetings; and a provisional model program for these meetings.</p> <p>A revised project paper with redistributed budget and updated timeline is presented to the current session of the Committee as requested by Member States. (CDIP/9/INF/4).</p> | <p>Project Paper for the Project on Intellectual Property and Technology Transfer: Common Challenges - Building Solutions is available at: http://www.wipo.int/e-docs/mdocs/cs/mdocs/en/cdip_8/cdip_8_7.pdf</p> |

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| | | <p>economic studies and case studies on international technology transfer, that will provide inputs for the High-Level Expert Forum; (iii) the organization of a High Level International Expert Forum on “Technology Transfer and IP: Common Challenges - Building Solutions” to analyze the needs in the area of technology transfer and make proposals for the above-mentioned list of suggestions, recommendations and possible measures for promoting technology transfer. The composition criteria and terms of reference (TORs) of the High Level Forum would be decided upon by Member States; (iv) the creation of a Web Forum on “Technology Transfer and IP: Common Challenges - Building Solutions”; and</p> | | <p>countries, to support the transfer and dissemination of technology.</p> | | |

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| | | (v) the incorporation of any outcome resulting from the above activities into the WIPO programs, after consideration by the CDIP and any possible recommendation by the Committee to the General Assembly. | | | | |
| 36 | “Open Collaborative Projects and IP-Based Models” DA_36_1 | This project will initiate and explore a range of activities for exchanging experiences on open innovation environments (including user-centric environments where users co-create innovations through open collaborative agreements) in developed and developing countries, as well as intellectual property (IP) models. | Under implementation since January 2011. To be completed in June 2013. | Exchange of experience among WIPO stakeholders on open collaborative projects such as the Human Genome Project and IP models. | The taxonomy-analytical study (CDPI/8/INF/7) was prepared and presented by the author in a side event during the eighth session of the CDIP, in November 2011. A revised version of the study will be issued incorporating comments made by Member States. | The Taxonomy-Analytical Study for the Project on Open Collaborative Projects and IP-Based Models is available at: http://www.wipo.int/e-docs/mdocs/cs/mdocs/en/cdip_8/cdip_8_inf_7.pdf |

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| 39 40 | “Intellectual Property and Brain Drain” DA_39_40_01 | Mobility of highly skilled individuals from developing to developed countries – the so-called brain drain – is a critical development challenge. This is especially true for certain African economies, showing the highest skilled emigration ratios worldwide. The present project aims to better understand this phenomenon by building a comprehensive database on diasporas of knowledge workers around the globe using information on inventors available in patent documents. The project also explores the link between IP protection and the migration of knowledge workers | Under implementation since January 2012. | Contribute to greater awareness and enhanced understanding of the IP and brain drain linkages among policymakers. Develop an informed research agenda on IP, migration, and associated knowledge flows, providing the basis for future studies on this topic. | N/A | N/A |

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| 34 | “Intellectual Property and the Informal Economy” DA_34_01 | Anecdotal evidence suggests that innovation is taking place in the informal economy. Yet little is known about how intangible assets are generated in the informal economy and how they are appropriated and monetized. The project offers to provide a better understanding of innovation in related sectors and the nexus between IP and the informal economy. | Under implementation since January 2012. | Contribute to greater awareness and enhanced understanding of the IP and informal economy linkages among policymakers | N/A | N/A |
| 16 20 | “Patents and the Public Domain” DA_16_20_02 | This project examines and explores the (1) the important role of a rich and accessible public domain; and (2) the impact of certain enterprise practices in the field of patents on the public domain. | Under implementation since January 2012. | Enhance understanding of the impact of certain enterprise practices in the field of patents on the public domain and the important role of a rich and accessible public domain. | N/A | N/A |

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| 1 10 11 13 19 25 32 | Project on Enhancing South- South Cooperatio n on IP and Developme nt among Developing Countries and LDCs” DA_1_10_1 1_13_19_2 5_32_01” | This project aims to develop means to channel the efforts of different actors to promote South-South Cooperation in the area of intellectual property. | Under implementation since January 2012. | Increased capacity of developing countries and LDCs to share their knowledge and experience in the area of IP and Development. | N/A | N/A |

[End of Annex II and of document]