




Recent Developments in the Field of WIPO's Cooperation with Least Developed Countries (LDCs)

***Workshop for the Least Developed
Countries of Asia and the Pacific Region
on the Use of Intellectual Property for
Technological Capacity Building,
Economic Competitiveness and
Development***

December 15-16, 2011, Thimpu, Bhutan

Overview:

- 
- Cooperation programs in LDCs: The Context
 - Development Cooperation for capacity building in LDCs : An overview
 - Recent developments
 - Conclusion

Cooperation programs in LDCs



- *WIPO's cooperation programs for the LDCs are formulated based on the explicit request made by the LDCs. These programs are designed to generate distinctive yet multidimensional benefits for the recipient countries. Focused and inter-linked thematic contents of the programs seek to address technical assistance and capacity building needs and priorities of the LDCs.*

The context



- Inter-regional coverage
- Regional (geographical, language etc.)
- Country level
- UN (UN-OHRLLS, other UN bodies and Agencies)
- Inter-governmental Organizations

Implementation in coordination and cooperation with WIPO regional bureaus, technical sectors and divisions

Inter-regional coverage



Constituency: 49 LDCs

Asia and the Pacific	14
Africa	30
Arab	4
Latin America	1

LDCs in the Asia and Pacific Region

Afghanistan	Solomon Islands
Bangladesh	Timor-Leste
Bhutan	Tuvalu
Cambodia	Vanuatu
Kiribati	
Laos	
Maldives	
Myanmar	
Nepal	
Samoa	

Asia and the Pacific LDCs: Membership to WIPO Treaties

country	Paris	PCT	Bern	Madrid	Hague	WIPO	WTO membership
Afghanistan						X	
Bangladesh	X		X			X	X
Bhutan	X		X	X		X	
Cambodia	X					X	X
Kiribati							
Lao	X	X				X	
Maldives						X	X
Myanmar						X	X
Nepal	X		X			X	X
Samoa			X			X	
Solomon Islands							X
Timor-leste							
Vanuatu						x	

Support for LDCs



- Policy and legal aspects
- Building IP capacity
 - Human resources development
 - Strengthening institution and support infrastructure and modernization of IP Offices
- Promoting innovation
- Intellectual Property and wealth creation
- Traditional Cultural Expressions and Traditional Knowledge
- Partnership

Policy aspect

- Specific needs of LDCs are addressed through a process of policy dialogue and consultations involving policy makers at the highest level of government and other organizations for clearer understanding of policy options for the use of IP for economic development and wealth creation. Policy related cooperation among others, seeks to identify LDCs' needs and priorities, examine challenges and provide options to addressing them.
- Policy process follows interregional, regional and national pathways.

■ Interregional Forum:

High-level Forum on Intellectual Property for the LDCs: Building Capacity and a Knowledge Base for Wealth Creation, Social and Cultural Development. Geneva, December 12, 2007. [Agenda for the LDCs in WIPO \(10 Point Agenda\)](#)

High-Level Forum on the *Strategic Use of Intellectual Property for Prosperity and Development*. July 23-24, 2009. Ministerial Declaration "An Agenda for the Strategic Use of Intellectual Property for Prosperity and Development in the Least Developed Countries" which set out areas of cooperation between WIPO and LDCs

■ Regional Forums:

Uganda (English Speaking African Countries)
Benin (French speaking LDCs of Africa)
Mozambique (Planned for Portuguese speaking LDCs)
Bangladesh (Asia and the Pacific LDCs)

■ National Forum: Nepal, Bangladesh, Cambodia, Ethiopia, Tanzania, Uganda

Policy aspect: National level

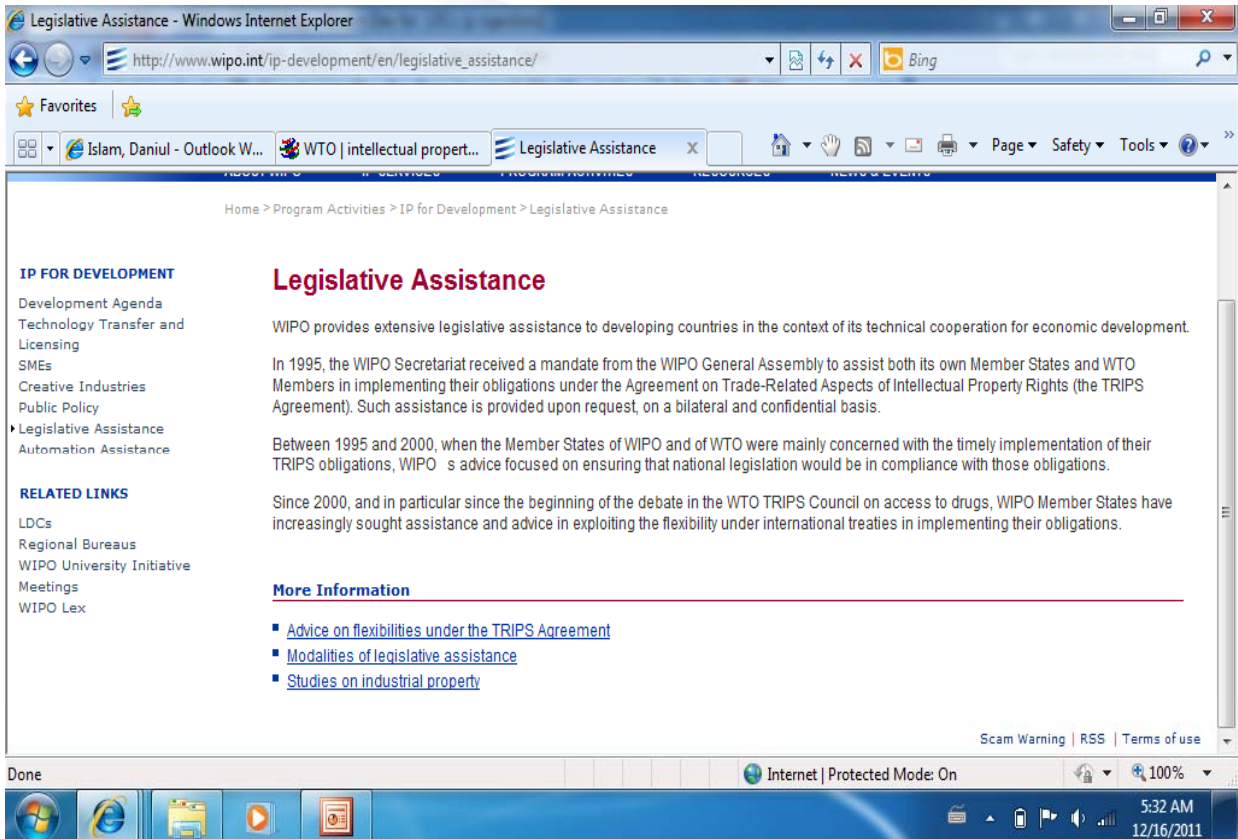


■ Policy dialogue at the national level on the use of IP as a tool for economic growth and development

Example: The role of intellectual property system in strengthening trade opportunities/capacity.

- examination of experiences of developing countries and LDCs (e.g. Republic of Korea, Malaysia and Ethiopia).

- sharing experience in the strategic use of industrial property for the promotion of invention, innovation and technology transfer, its adoption and development to facilitate economic growth and development and backing it up by focused skills development program



Building IP Capacities: Training and Skills Development

- Assistance broadly focuses on the needs in areas like human resources development, IP institutions and support infrastructure, preparing resource materials, operational process and administration of IP organizations

- Training program:
Practical approach

Applying training knowledge through formulation of country specific project by the participants. In 2009, a total of 21 individual country project proposals on issues like training of human resources, IP awareness raising, formulation of IP policies and strategies, technological capacity building, IP project formulation, transfer of technology using various IP tools were prepared for implementation under the close guidance of national and international experts.

Joint WIPO-Sida Training and Advisory Program on IP Rights in the Global Economy for LDCs

Skills development Program: specific IP areas

Building IP capacities: Training/Information material

- Preparation of customized IP resource material/information tools for LDCs

National chapter on the legislative, regulatory and institutional mechanisms in support of technology licensing.

It is expected that as a result of the preparation of customized national chapter on licensing, capacity in the application of IP tools like licensing for technology, acquisition, transfer and use will be further facilitated.

WIPO

WORLD

Asia: ~~Nepal - completed~~
Bangladesh - on going

Africa: Ethiopia – completed
Tanzania- completed
Uganda - completed

Strengthening IP institutions and infrastructure

- Establishing **Technology and Innovation Support Centers (TISCs)** to strengthening the role of IP support institutions in LDCs

WIPO Context:

“Opportunity exists for the Organization to construct a global knowledge infrastructure, comprising public, freely available databases of technological and scientific information and operating on common standards for data interchange. Such an infrastructure would contribute in a practical way to sharing the social benefit of intellectual property systems”.

Dr. Francis Gurry, Director General, WIPO

- Recommendation 8:
“...facilitating the national offices of developing countries, especially LDCs, as well as their regional and sub-regional intellectual property organizations to access specialized databases...”

Promoting innovation:

One of the major focuses of WIPO's IP capacity building programs for LDCs is to facilitate access to IP information database such as patent information, IP statistics, classification tools etc., to contribute in building knowledge base for invention and innovation process in LDCs

- Accessing Technical and scientific information
 - TISCs
 - aRDi
 - ASPI

Intellectual Property and Wealth Creation

WIPO

WORLD INTELLECTUAL PROPERTY ORGANIZATION

- LDCs traditionally rely on the export of unprocessed agricultural products, which has over time declined in real value as prices of agricultural raw materials have continued to fall in the world market. The IP system provides a range of tools through trademarks, industrial designs and geographical indications to re-invent the market for agricultural and other products of LDCs. LDCs would greatly benefit from international cooperation initiatives to build their capacity in using relevant IP tools for generating economic gains in their favor.
- A case study on the Ethiopian experience of using IP tools for economic growth and development by trade marking and licensing of specialty coffee designations of the country.
- A number of other LDCs have already expressed interests to follow the lead and undertake similarly case study for their own products of interest with the assistance from WIPO.

Traditional Cultural Expressions and Traditional Knowledge:

Identification, Valuation and Intellectual Property Protection of Traditional Cultural Expressions of Bangladesh

WORLD INTELLECTUAL PROPERTY ORGANIZATION

Published in July 2010.

The Study covers:

- LDCs' request for technical assistance, in the form of guidelines, model provisions and strategies for more effective protection of traditional cultural expressions (TCEs) in their respective countries, WIPO provides support in undertaking country-specific national studies on TCEs.
 - The purpose of these studies are to enable LDCs to develop and formulate appropriate national IP strategies.
- identification of TCEs and creation of inventories and registers;
 - documentation and/or recording of TCEs as part of an IP strategy for economic growth and development; and
 - development of appropriate IP strategies for their protection (such strategies may include "positive" and/or "defensive" protection).

Partnership

- WIPO seeks to provide assistance to LDCs to facilitate building partnerships amongst government entities, universities, research and development institutions, as well as business and industries.
- WIPO's cooperation for development with LDCs received support from a number of donor countries

- WIPO assisted in the establishment of closer cooperation between government agencies and other stakeholders in a number of countries in Africa and Asia. (Bangladesh, Ethiopia, Tanzania and Uganda)
- The governments of Japan, Republic of Korea and Sweden support training programs for LDCs by making provisions for technical experts and funding support. WIPO in partnership with the Swedish Patent and Registration Office (PRV) and Sida (Swedish International Development Agency) of Sweden, prepare annual training programs for senior officials from LDCs. The governments of China and France contribute to the training program for LDCs.

Development Agenda: new frontier for cooperation

Development Agenda Project

- Capacity-building In the Use of Appropriate Technology-specific Technical and Scientific Information as a Solution for Identified Development Challenges
 - Pilot phase: implementation in LDCs only.
- IP and product branding for business developing in developing and LDCs

- The project on appropriate tech. seeks to providing access to knowledge and explore the possibilities of effectively delivering appropriate technologies to the people, communities and organizations in LDCs who need them by coordinating not only the access and retrieval of technical information, but also in providing effective and practical implementation of such technology through appropriate know-how.

Recent Developments



WIPO Deliverables for the Least Developed Countries

- Background
- Deliverables
- Significance
- Implementation

Background



WIPO undertook a well structured preparatory process at level of national, regional, inter-regional and the United Nations

- **Multi-stakeholder**
- **LDC ownership**
- **Highest political endorsement**
- **Clear and agreed outcome and mandate**

Deliverables



- IP AND INNOVATION POLICIES AND STRATEGIES
- ENHANCED HUMAN TECHNICAL SKILLS
- IMPROVED ACCESS TO KNOWLEDGE AND STRENGTHENED KNOWLEDGE INFRASTRUCTURE
- ESTABLISHMENT OF TECHNOLOGY AND INNOVATION SUPPORT CENTERS
- STRATEGIC USE OF BRANDING
- NATIONAL CAPACITY BUILDING BASED ON NEEDS ASSESSMENT
- ENHANCED SUPPORT FOR DOCUMENTATION, DIGITIZATION, PROTECTION AND COMMERCIALIZATION OF IP ASSETS INCLUDING TRADITIONAL KNOWLEDGE, TRADITIONAL CULTURAL EXPRESSIONS AND GENETIC RESOURCES



- IP and Innovation Policies and Strategies
 - Enabling national policy and strategic framework in the area of IP
 - key to promote a sustainable and beneficial innovation and creative process to contribute in meeting national development goals
 - a set of measures formulated and implemented by a government to encourage and facilitate effective creation, development and management of intellectual property.
 - It outlines how to develop infrastructures and capacities to support inventors of IP to protect, develop and exploit their inventions.
 - As a comprehensive national document it outlines how all the policy developments and implementation take place in a coordinated

Why an IP and innovation strategy?

- Increased importance of IP
 - International treaties (TRIPS,...)
 - Increased strategic use of IP
 - Relevance of IP to many economic & social challenges
- IP system involves many elements
 - Laws
 - Institutions (administration & enforcement)
- Many different government are responsible
- Need to prioritize (including demands for technical assistance)

IP strategy

- IP is not an end in itself
- IP strategy should be derived from broader economic development strategies
- Content:
 - Medium to long term vision of where IP policy and institutions should go
 - Prioritization
 - Strategy is not a workplan, developing a workplan follows a strategy

Strategy matrix (example)

	National Development goals	Key indicators	Relevance of IP	IP policy levers	Key elements of enabling environment
Public health & IP					
Agriculture & IP					
Culture & IP					
Environment, energy, & IP					
Industry, Development & IP					
Trade and IP					
Education and					

■ Enhanced Human Technical Skills

In LDCs, the profitable use of the IP system for economic, social, cultural and technological development is severely hampered by the lack of awareness, knowledge, tools and techniques in this field. The importance of IP has not been realized in the day-to-day lives of many people in LDCs. These conditions limit the contribution of the IP system in LDCs' economic growth and competitiveness. The establishment of national IP offices in LDCs is an important step towards building an IP system in LDCs. Technically skilled human resources base is important for efficient functioning and use of this system as a tool for development.

■ Improved Access to Knowledge and Building Knowledge Knowledge Infrastructure

As economic activities become more knowledge-based, universities and research institutions play an increasingly important role in agricultural, industrial and service sectors activities. Interactions, coordination and collaboration amongst various national institutions and sectors having a role in the generation of new ideas, invention and innovation and its use is important for the knowledge building process in LDCs which would benefit from efforts at national level as well as international cooperation for facilitating and building knowledge infrastructure.

■ Establishment of Technology and Innovation Support Centers

Technology and Innovation Support Centers (TISCs) is an institutional and infrastructural response to the need of accessing technical and scientific information. It provides the local research and business community with expert assistance in the effective retrieval of technological information. Resources such as online access to patent, scientific and technical journal databases are supported by staff capable of assisting local users in identifying and searching often vast and complex databases, some of which contain tens of millions of documents.

■ Strategic Use of Branding

LDCs would greatly benefit from international cooperation initiatives to build their capacity in using relevant IP tools for development through achieving trade gains in their favor. The development and commercialization of products benefit from the strategic use of IP rights, such as geographical indications, trademarks, certification marks and collective marks. An appropriate branding strategy which makes use, for example, of a geographical indication, a trademark and a fair trade label, adds value to the product, helps raise its market demand and increase economic return for its producers. Such strategy can be a key feature of national development due to the benefits it can generate to a large number of producers or farmers who have formed a strategic marketing alliance. LDCs stand to benefit from the strategic use of IP tools to generate added economic, social and cultural benefits for their local communities, and especially small enterprises, farmers and producers, can benefit from a successful branding strategy.

■ National Capacity Building Based on Needs Assessment

To strengthen IP institutions, it is essential to identify the factors, interactions and relationships that are crucial to creating an environment conducive to innovation, creativity and the commercialization of IP products and services. To enable the LDCs' IP system to meet the above-mentioned needs fully and effectively, the governments of LDCs will benefit from a holistic IP needs assessment which will enable them to build on their strengths and comparative advantages in the different areas of IP.

■ **Enhanced Support for Documentation, Digitization, Protection and Commercialization of IP Assets including Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources**

LDCs should get assistance to explore the ways in which the protection of creativity and innovation can be made available to holders of traditional knowledge and folklore by means of the IP system. As far as LDCs are concerned, the focus should be on new opportunities for the identification, conservation, protection and dissemination of the traditional knowledge and folklore assets of LDCs in the global economy.

Success of LDCs' efforts to protect, promote, manage and commercially exploit their rich traditional knowledge and folklore could also emanate from their documenting and recording them.

A national database of traditional knowledge, genetic resources and folklore is an important step for articulating a national policy and legal framework for their protection, promotion and exploitation. It may also assist LDCs' traditional knowledge holders to prevent unentitled applicants from obtaining patents based on their knowledge.

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

■ **Conclusion**

Common goals and shared responsibilities

Governments role to introduce measures and action programs encourage the modernization and development of national IP offices, research centers and institutions of higher learning to facilitate access to knowledge and developing their technical skills and capacity

encourage partnership building between university, industry and business to facilitate sharing of knowledge to promote innovation and creativity

provide incentive package for scientists, inventors and entrepreneurs to encourage them involve in technological progress

WIPO would continue to work with LDCs to provide its support to their efforts to integrate into and benefit from global knowledge system

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

- Support to facilitate building and strengthening IP institutions and systems that suites to individual needs and level of development

- Tailored assistance program to respond to specific needs in order to develop and enhance their capacity in important areas of IP such as
 - awareness building;
 - human resource development;
 - strengthening relevant institutions and infrastructure;
 - Studies
 - IP as a tool for wealth creation
 - formulation of legislation

Thank you