

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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WIPO CONFERENCE

Twenty-Third (17th Ordinary) Session **Geneva, September 26 to October 5, 2005**

REPORT

adopted by the Conference

1. The Conference was concerned with the following items of the Consolidated Agenda (document A/41/1): 1, 2, 3, 4, 5, 6, 12, 24, 26, 28 and 29.
2. The report on the said items, with the exception of item 12, is contained in the General Report (document A/41/17).
3. The report on item 12 is contained in the present document.
4. Mr. Rigoberto Gauto Vielman (Paraguay) was elected Chair of the Conference; Mr. Guilherme de Aguiar Patriota (Brazil) and Mr. M'hamed Sidi El Khir (Morocco) were elected Vice-Chairs.

ITEM 12 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PERMANENT COMMITTEE ON COOPERATION FOR DEVELOPMENT RELATED TO INTELLECTUAL PROPERTY (PCIPD)

5. The discussion was based on document WO/CF/23/1.
6. The Chairman, in introducing the document WO/CF/23/1, recalled that it was prepared by the Secretariat and dealt with the summary of the work of the Permanent Committee on Cooperation for Development related to Intellectual Property (PCIPD) which had met in April 2005. He invited the Conference to take note and comment on the information contained in that document.
7. The Delegation of Brazil commended the Chairman for his appointment to the Chair of the Conference and thanked the Secretariat for the work done in preparing the document under consideration and for the technical cooperation carried out in the past year. However, the Delegation wished to reiterate some concerns that had already been expressed with respect to the issue of technical cooperation in intellectual property. The Delegation stressed its understanding that technical cooperation could serve as an important tool in giving effect to development-oriented policies. In the framework of the Development Agenda, Brazil put forward many proposals aimed at streamlining WIPO's technical assistance activities with a view to meeting these concerns, some of which it would be relevant to recall. Firstly, technical cooperation could contribute to implementing development-friendly national policies only insofar as flexibilities already provided by the international intellectual property system were preserved and understood and better made use of through the technical cooperation provided by WIPO. In this sense, considering that the one-size-fits-all approach was widely rejected as inappropriate to address national development needs, therefore, technical cooperation should be used to disseminate these flexibilities, and not to undermine them, taking also into account the specificities of each different national context. Secondly, technical cooperation must not be limited to legal advice directed exclusively towards putting in place the conditions for the protection of the rights of rightholders. It should also focus on intellectual property as an instrument for broader development goals leading to the establishment of effective national systems for innovation. Thirdly, technical cooperation should be delivered in a neutral and unbiased manner and above all should equally consider all requests coming from requesting countries independently of their positions on the substantive norm-setting activities of WIPO
8. The Conference took note of the information contained in document WO/CF/23/1.

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