

Committee on Development and Intellectual Property (CDIP)

Twentieth Session
Geneva, November 27 to December 1, 2017

MEASURES UNDERTAKEN TO DISSEMINATE THE INFORMATION CONTAINED IN THE DATABASE ON FLEXIBILITIES

prepared by the Secretariat

1. It is recalled that while discussing the Revised Proposal for a Mechanism for Updating the Database on Flexibilities (document CDIP/18/5), the eighteenth session of the Committee on Development and Intellectual Property (CDIP), requested the Secretariat to, *inter alia*, “undertake measures to ensure a better dissemination of the information contained in the Database and inform the Committee at a future session on those measures.” (Paragraph 7.2 of the Summary by the Chair of the eighteenth session of the CDIP refers.)
2. Accordingly, a report responding to the above mentioned decision is contained in the annexes of this document.
3. *The CDIP is invited to consider the information contained in the Annexes to this document.*

[Annexes follow]

I. BACKGROUND

1. The Database on Flexibilities in the Intellectual Property System (hereinafter, the “Database”) was established in June 2013, as agreed by the Committee at its sixth session: <http://www.wipo.int/ip-development/en/agenda/flexibilities/database.html>.

2. Upon request by the Committee at its fifteenth session, the Database was updated in 2015 and currently holds 1,371 provisions from 202 selected jurisdictions drawn from Documents CDIP/5/4 Rev., CDIP/7/3 Add., CDIP/13/10 Rev. and CDIP/15/6 Corr. on Patent Related Flexibilities in the Multilateral Legal Framework and their Legislative Implementation at the National and Regional Levels¹.

3. At its eighteenth session, while agreeing upon a mechanism to periodically update the Database², the Committee decided that the Secretariat would undertake measures to ensure a better dissemination of the information contained in the Database and inform the Committee at a future session on those measures, as reflected in paragraph 7.2 of the Summary by the Chair of the eighteenth session.

II. MEASURES UNDERTAKEN TO DISSEMINATE THE INFORMATION CONTAINED IN THE DATABASE

4. In accordance with the Committee’s decision, the following series of measures was undertaken by the Secretariat to ensure a better dissemination of the content of the Database:

(i) An internal meeting was held in November 2016 with the participation of relevant divisions informing them of the Committee’s decision and inviting them to increase the dissemination of the information contained in the Database.

(ii) To facilitate this work, the Development Agenda Coordination Division elaborated a leaflet describing the major elements of the Database, i.e. the information contained therein, its structure and functionalities, search categories, target beneficiaries and the agreed mechanism for Member States to provide the Secretariat with updates of their national provisions related to the flexibilities (according to the Committee’s decision mentioned in paragraph 3).

(iii) In February 2017, a direct link to the Database was placed under the Development Agenda webpage: <http://www.wipo.int/ip-development/en/agenda/>, improving its accessibility.

(iv) In March 2017, the Database was migrated to a new platform holding new search facilities and including information on its updating mechanism.

¹ These provisions deal with the following fourteen flexibilities: (i) compulsory licenses and government use; (ii) exhaustion of rights; (iii) regulatory review exemption; (iv) research exemption; (v) exclusions from utility model protection; (vi) transition periods; (vii) patentability of substances existing in nature; (viii) disclosure related flexibilities; (ix) substantive examination; (x) ex-officio IP office control of anti-competitive clauses in licensing agreements; (xi) the scope of the exclusion from patentability of plants; (xii) the patentability or exclusion from patentability of software-related inventions; (xiii) the flexibility whether to apply criminal sanctions in patent enforcement; and (xiv) measures related to national security (so-called “security exception”).

² Upon a request by the sixteenth session of the Committee, proposals for a mechanism to periodically update the Database, contained in documents CDIP/17/5 and CDIP/18/5, were discussed by the seventeenth and eighteenth CDIP sessions, respectively.

(v) The information contained in the Database, as well as its availability, was disseminated in the activities listed in the table contained in Annex II of this document. These included different international conferences, workshops and related meetings; and dissemination through social media. Data compiled in the table includes activity dates, venue, audience, number of participants or online viewers, as well as the language in which the activity was conducted (where applicable).

5. According to the following statistics provided by the Web Communications Section, from September 2016 until August 2017, the page views increased significantly in comparison with the preceding year reaching up to 2207 viewers, 1359 of which were unique or first time page viewers. These statistics clearly show the effectiveness of the dissemination measures undertaken by the Secretariat in different fora.

Database views	September 2015 - August 2016	September 2016 - August 2017
Page views	310	2207
Unique views	151	1359

6. The Secretariat will continue its efforts to promote the content of the Database as a source to policy and law makers, IP experts, academicians and researchers to get to know how flexibilities could be implemented in domestic and regional legislations.

[Annex II follows]

Activities where the content of the Database was disseminated

Activity	Date	Venue (if applicable)	Audience	Number of participants (if onsite) / viewers (if online)	Language
“Jornadas Expo Ingenio” convened by the Mexican Institute of Industrial Property (IMPI)	September 20 and 21, 2017	Tijuana, Baja California, Mexico,	Researchers, students, SMEs, officials from government agencies and the private sector	Approximately 500 participants	ES
Sub-regional seminar on intellectual property and technology transfer: opportunities, challenges and strategic partnerships between the public sector, universities and the private sector, co-organized by WIPO and the Administrative Registration Tribunal of Costa Rica	August 22, 2017	San José, Costa Rica	High level forum for representatives of the public sector, academic sector and entrepreneurial sector.	Approximately 10 participants	ES
WTO National Workshop on Intellectual Property and Public Health	July 18 and 19, 2017	Lomé, Togo	Government officials, private practitioners and representatives of national corporations/associations	Approximately 40 participants	EN
Social media promotion (twitter)	May 25, 2017	-	Public in general	6 802 views / 125 interactions with the content published	EN

Activity	Date	Venue (if applicable)	Audience	Number of participants (if onsite) / viewers (if online)	Language
Regional Workshop on Patents and Electronic Filing Systems, organized by the Agency on Intellectual Property of the Republic of Uzbekistan, in cooperation with WIPO	May 17 and 18, 2017	Tashkent, Uzbekistan	Government officials, legal practitioners, business, academia, etc.	50	RU / EN
Social media promotion (twitter)	May 15, 2017	-	Public in general	5 163 views / 61 interactions with the content published	EN
WTO National Seminar on Trade, Intellectual Property and Public Health	May 11 and 12, 2017	Santiago, Chile	Government officials involved in the IP and health systems	Approximately 100 participants	ES
WIPO Regional Seminar on Innovation and IP Commercialization and Innovation: Policy Options and Practical Instruments (25th Anniversary of the national IP system of Belarus)	May 4 and 5, 2017	Minsk, Belarus	Government officials, legal practitioners, business, academia, etc.	Approximately 150 participants	RU / EN
IP Regional Conference organized and hosted by the League of Arab States on the occasion of World IP Day.	April 26, 2017	Cairo, Egypt	Some National IP Offices, representatives of some Permanent Missions accredited to LAS, Director of the Cooperation Council for the Arab States of the	Approximately 100 participants	AR

Activity	Date	Venue (if applicable)	Audience	Number of participants (if onsite) / viewers (if online)	Language
			Gulf , IP Training Center, some relevant stakeholders in the region including representatives of universities, research institutions, private sector and NGOs		
Social media promotion (twitter)	April 11, 2017	-	Public in general	4,697 views / 95 interactions with the content published	EN
WIPO Information session on Patent Related Flexibilities in the Multilateral Legal Framework and their Legislative Implementation at the National and Regional Level	March 16, 2017	WIPO Headquarters	Economic Counsellor of the Permanent Mission of Comoros in Geneva	N/A	FR
WIPO Workshop on Patent Law: the Multilateral Legal Framework and its National Implementation	February 21, 2017	Ulaanbaatar, Mongolia	Government officials, private practitioners and representatives of national corporations/associations	Approximately 20 participants	EN
WTO National Seminar on the TRIPS Agreement	February 7 to 9, 2017	Kingstown, St. Vincent and the Grenadines	Government officials, private practitioners and representatives of national corporations/associations	30 participants	EN
Conference “Intellectual property in biomedicine”, organized by the State Patent Bureau of the Republic of Lithuania (SPB) in cooperation with	November 10, 2016	Kaunas, Lithuania	Government officials, professionals in the fields of medicine, biochemistry, pharmacy, academia, and	Approximately 100 participants	Lithuanian/ EN

Activity	Date	Venue (if applicable)	Audience	Number of participants (if onsite) / viewers (if online)	Language
the European Patent Office; the Lithuanian University of Health Sciences and the Hospital of Lithuanian University of Health Sciences Kauno klinikos			students		
First Regional Forum on IP for Specialized IP Tribunals in Latin America, organized by WIPO, in cooperation with the Industrial Property Tribunal of Chile and the Administrative Registration Tribunal of Costa Rica	November 9 to 11, 2016	Santiago, Chile	Judges from Specialized Intellectual Property Tribunals of Latin American countries.	Approximately 30 participants.	ES
Regional Seminar on Current Trends in Patent Law, co-organized by WIPO-PCT and the Eurasian Patent Organization (EAPO)	October 25 and 26, 2016	Baku, Azerbaijan	Government officials, legal practitioners, business, academia etc.	60 participants	RU / EN

[End of Annex II and of document]