

WIPO



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COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP)

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PROGRESS REPORT ON RECOMMENDATIONS FOR IMMEDIATE IMPLEMENTATION

prepared by the Secretariat

1. At the second session of the Committee on Development and Intellectual Property (CDIP), held from July 7 to 11, 2008, Member States requested the Secretariat to provide a progress report on the recommendations for immediate implementation (list of 19) to the third session of the Committee.
2. The Annex to this document contains a progress report for the period from November 2007 to December 2008. The progress report focuses on the strategies adopted to implement each recommendation, includes examples of activities undertaken to implement each strategy, and indicates the progress made in the implementation and main achievements. For Recommendations 1, 3, 4, 6, 7 and 11, the document is based on Annex I of the Revised Draft Report of the CDIP (document CDIP/2/4 Prov.2).
3. *The Committee is invited to take note of the information contained in this document and its Annex.*

[Annex follows]

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CLUSTER A RECOMMENDATIONS: TECHNICAL ASSISTANCE AND CAPACITY BUILDING

Recommendation 1. WIPO technical assistance shall be, *inter alia*, 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p><u>Overall Strategy</u></p> <p>During the reporting period, technical assistance was undertaken at the request of Member States and designed, formulated and implemented in close consultation and cooperation with the countries concerned in order to respond to their specific needs, level of development and priorities, particularly in respect of Least Developed Countries (LDCs).</p> <p>Countries were assisted to formulate nationally focused intellectual property (IP) plans and strategies involving all stakeholders. The overall objective of these plans and strategies was to contribute to the economic, social, cultural and technological development of beneficiary countries by effectively using the IP system.</p>	<p>IP national strategies and IP development plans adopted in a number of countries preceded by needs assessment through a national audit exercise conducted in cooperation with national /regional entities.</p> <p>IP policies, strategies and IP development plans are under implementation in Ethiopia, Ghana, Kenya, Mozambique, Philippines and Rwanda.</p> <p>IP development plans and special national projects are being formulated and/or implemented in Afghanistan, Democratic People's Republic of Korea (DPRK), India, Maldives, Nepal and Sri Lanka, assisting these countries in addressing their specific needs and requirements while taking into account their level of development of IP.</p> <p>The elaboration of IP strategies and plans are underway in Cameroon, Côte d'Ivoire, Comoros, Democratic Republic of Congo, the Gambia, Guinea, Liberia, Malawi, Mauritius, Morocco, Namibia, Nigeria, Senegal, Sierra Leone, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe.</p>	<p>National IP plans and strategies are being formulated in some countries and under implementation in others.</p> <p>Needs evaluation exercises undertaken for the formulation of IP national plans and strategies, involving all stakeholders.</p> <p>Review/evaluation mechanisms included in IP plans involving national authorities and other stakeholders.</p> <p>Enhanced coordination among various national institutions with regard to IP policy-making.</p>

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<p>The primary responsibility for the process as well as the plans, programs and activities rested with the countries concerned, with WIPO's full commitment in providing all the necessary technical assistance and cooperation in an efficient, timely and cost effective manner. Some examples and highlights of the implementation of this strategy are provided in the "Activities" column.</p>	<p>A comprehensive three-year national project on the modernization of the IP system of Bangladesh developed and formulated in close consultation with the national authorities concerned, and based on a thorough needs assessment made is being jointly implemented by the European Commission and WIPO.</p>	<p>The implementation of the project is in progress. A number of needs assessment and expert missions have been undertaken under the project. A meeting of the Project Steering Committee (PSC) was held in Dhaka in January 2009, to review and monitor the implementation process.</p>
	<p>Implementation of National Projects in Brazil, Colombia, Mexico, Peru, Costa Rica, Uruguay and Barbados. Programming missions to Dominica to establish a plan of action for the development of its newly established IP Office.</p>	<p>Providing policymakers with a methodological approach to design country specific policies in support of IP for development.</p>
	<p>High Level Forum on IP for LDCs organized in Geneva, in December 12, 2007. The recommendations of the Forum have been developed and implemented in various LDCs.</p> <p>Inter-Regional Forum on Development and Service-Oriented IP Administration held in Geneva. The meeting aimed at addressing the development of a service-oriented IP administration for economic, cultural and social development.</p>	<p>Outlining priority areas for WIPO's technical assistance and partnership with LDCs.</p> <p>Fostered exchange of information and best practices among representatives of IP administrations.</p>
	<p>Regional Workshop on the formulation and implementation of IP development plans organized by WIPO in cooperation with the Government of Singapore in June 2008, in Singapore.</p> <p>Interregional Seminar on Methodologies, Best Practices and Lessons Learnt for the Development of National IP Strategies, for economies in transition (Romania, Serbia).</p>	<p>Enhanced the understanding of the participants of the usefulness of having an IP development plan.</p> <p>Improved the capacities of the participant countries to formulate and implement IP development plans.</p>
	<p>Needs assessment missions in certain countries of Europe and Asia, including the Russian Federation, Moldova, Belarus, Kazakhstan, Azerbaijan, Serbia, Poland, and Latvia for the elaboration of a series of IP Tools for countries in the region. The IP tools are being elaborated on the basis of the answers received to a questionnaire from more than 20 countries.</p>	<p>IP Tools being elaborated to raise awareness among all sectors in countries in transition regarding the role of IP in national development.</p>

	<p>Modernization of IP Office infrastructure undertaken at the request of Member States and in collaboration with IP Offices. For example, the IPAS, a WIPO software for modernizing IP Office business procedures, is customized according to specific needs and priorities determined by the requesting country.</p>	<p>Needs and priorities of target beneficiaries have been fully reflected in the customized designs of tools and business solutions in the form of IPAS specification, and IP institutions have started to benefit from the automated, rationalized and simplified procedures and enhanced the capacity of IP offices to provide analytical information to policy makers and delivery of services to users of the IP system and IP institution.</p>
<p><u>Mainstreaming Principles</u></p> <p>As agreed during the second session of the CDIP, special efforts have been made to mainstream the principles contained in this and other recommendations of the Development Agenda into WIPO's work.</p>	<p>An internal memorandum issued in November 2007, to all divisions concerned requesting them to ensure that the recommendations, including the principles contained therein, were implemented immediately.</p> <p>The DA recommendations, including the principles such as those included in this recommendation, were included and mainstreamed into the Revised Program and Budget for 2008/09.</p> <p>The DA recommendations and principles have been included in other publications and information materials describing the work of the organization, such as the new edition of publication No. 1007E "WIPO: An Overview", which is currently being finalized.</p>	<p>Mainstreamed the principles contained in the Development Agenda recommendations into the internal administration of the organization, strategic policy documents (such as the P&B document) and outreach brochures describing the work of the organization.</p>

Recommendation 3. Increase human and financial allocation for technical assistance programs in WIPO for promoting a, *inter alia*, development-oriented IP culture, with an emphasis on introducing intellectual property at different academic levels and on generating greater public awareness on IP

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p><u>Promoting a Development-oriented IP Culture and Generating Greater Public Awareness about IP</u></p> <p>Raising awareness among all sectors of society regarding the important role that intellectual property plays in national development, and promoting an informed and balanced discussion and dialogue about IP issues, continue to be an integral part of WIPO program and activities. As part of the process of imparting a development-oriented IP culture, WIPO promotes involvement of all national stakeholders through various programs and activities. Specific programs are tailored for public institutions, IP stakeholders and users, and are targeting different sectors of society, including universities and research centers, SMEs, cultural industries, diplomats, the judiciary, government officials and civil society.</p> <p>Activities for universities, research centers and SMEs are included under recommendations 4 and 11.</p>	<p>Assistance in the translation and printing of IP information and outreach materials. Such assistance was extended to Afghanistan, Myanmar, Nepal, and Thailand.</p>	<p>These IP information and outreach materials are used to educate and build awareness among the general public about IP.</p>
	<p>Program for diplomats organized in Indonesia and in Egypt.</p>	<p>Increased awareness and knowledge for diplomats from the region on various IP issues. Also, enhanced their ability to help in formulating national positions on IP and in making informed policy choices.</p>
	<p>Production of short documentaries (DVD) on IP in Japan and Sri Lanka to: communicate real-life stories on IP that can serve as models and inspiration to other would-be innovators and creators in developing countries to foster greater respect and encouragement for creators/inventors by increasing the understanding of their work and its value to society and to increase awareness of the IP system as a key component of human creativity and development.</p>	<p>Still in production, the said documentaries, once completed, will be used to enhance the understanding of the role of IP through real-life stories and will be widely disseminated and aired in the two countries.</p>
	<p>Support to the National IP Office of Sri Lanka in running six television programs to raise awareness among the general public about the importance of IP rights for socio-economic development.</p>	<p>Increased awareness and knowledge of the general public on topical IP issues of interest as well as greater appreciation of the need to respect the IP rights.</p> <p>A large number of viewers participating in the shows and posing many questions to the panelists during the program.</p>
	<p>Regional Event in Asia on IP education, training and research, in November 2008.</p>	<p>Improved knowledge and skills of the participants in designing courses and curricula in IP teaching.</p> <p>Enhanced understanding of elements of IP policies in educational IP institutions and universities.</p>

	<p>Sub-regional Symposium on IP Education and Training, for participants from Belarus, Estonia, Latvia, Lithuania, Romania, Russian Federation, Ukraine, Kishinev.</p>	<p>Several project-based training program tailor-made for each participating country.</p>
	<p>22 Sessions of Regional and Interregional Seminars on Industrial Property and Copyright and Related Rights were offered to IP professionals and government officials from developing countries and LDCs in English, French and Spanish.</p>	<p>Provided theoretical and practical training in IP protection and administration to improve their service to users of the IP system.</p>
<p><u>Introducing IP at Different Academic Levels</u></p> <p>WIPO offered and developed joint programs with academic institutions leading to the award of degrees/diplomas. It developed strategic partnerships with academic institutions, in particular in developing countries and countries with economies in transition. Partnerships with academic institutions also involved the development of teaching and training materials and curricula on IP. New Distance Learning courses were developed and included in the curricula of institutions. A special emphasis was given to further including development-oriented aspects of the IP system in the Programs of the WIPO Academy.</p>	<p>Master of IP Law (LLM) program offered at the University of Turin, Italy; Masters in Human Rights Law and IP Law with Raoul Wallenberg Institute, University of Lund, Sweden; Master of IP with Africa University and ARIPO; Post-Graduate Program in IP Management with INPI Portugal and Lisbon School of Economics and Management; and Specialization Certificate in IP with University of South Africa (UNISA).</p> <p>Developed curriculum on IP teaching for several universities.</p>	<p>Introduced IP teaching in universities and other higher learning institutions; trained trainers in IP from developing countries and LDCs through the master level programs. Awarded 100 Degrees and Certificates to graduates who successfully completed the programs.</p>
	<p>WIPO-WTO Colloquium for Teachers of IP, jointly with the World Trade Organization (WTO).</p>	<p>Enhanced the knowledge and expertise of teachers and researchers on IP, in particular new developments at the international level. 23 participants benefited from the Colloquium.</p>
	<p>IP education to more people through Distance Learning Courses. 34 Sessions on-line of the Primer on IP, and General Course on IP, were offered in Arabic, Chinese, English, French, Portuguese, Spanish and Russian.</p>	<p>23,500 people participated in the on-line courses.</p>
	<p>Scholarship to about 700 government officials and staff from IP Offices from developing countries and LDCs, to enable them to take the fee-charging DL courses.</p>	<p>Increased and updated their level of knowledge of IP.</p>
	<p>Three training programs organized on strategic management of IPRs under the Executive and Research Program of the WIPO Academy for developing and strengthening IP management competencies among senior management in business organizations.</p>	<p>Fifty-two participants from developing countries participated in the programs. The programs were evaluated as “outstanding”.</p>

	WIPO's contribution to the IX Intensive Post-Graduate Course on Copyright and Related Rights of the Universidad de Buenos Aires (UBA) of Argentina.	
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Recommendation 4. 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p><u>Strategy for SMEs</u></p> <p>Technical assistance to enhance the capacity of SMEs and SME-support institutions in various regions and countries, focusing on concrete and practical activities involving the enterprise sectors, particularly SMEs, with a high potential for generating and exploiting intellectual property assets. A particular effort was made to support developing countries forging stronger links among research institutions, local industry and SMEs, so as to develop partnership among the public and private institutions in maximizing the value of IP assets and develop synergies between science, business, cultural and government support agencies.</p> <p>In addition and through various activities WIPO continued to build general awareness on the importance of IP for business competitiveness and create local capacity by training the trainers through workshops and seminars and other face to</p>	<p>Contribution to/or organization of activities for creating greater awareness on the importance of IP for business competitiveness for the benefit of companies, particularly SMEs, in Cameroon, Estonia, India, Mongolia, Peru, Poland, Republic of Korea, Romania, Syrian Arab Republic, Russian Federation, Sudan, Thailand, Uruguay and Vietnam.</p> <p>Train the trainers programs, for strengthening the capacity of SME support institutions, to provide IP related support to SMEs, and to teach business aspects of IP to undergraduate and graduate students in various countries.</p> <p>Participated in activities highlighting the importance of IP for specific sectors (handicrafts, franchise, tourism, artisan and visual arts, agribusiness and finance) for the benefit of Albania, Dominican Republic, Egypt, Malaysia and Uruguay.</p> <p>Sub-Regional Forum to Promote the Use of the IP Protection System among SMEs in the Agribusiness Sector.</p> <p>Sub-Regional Conference on Intellectual Capital Readiness (ICR): The Relevance of Intellectual Capital for Accessing Finance by SMEs, Buenos Aires, Argentina.</p> <p>WIPO National Workshop on IP for SMEs as a Support Tool for the Innovation and the Entrepreneurial Administration, Santo Domingo, Dominican Republic.</p>	<p>Increased knowledge and awareness of SMEs on the benefits that they can derive from effectively using and managing their IP assets, as well as on how to utilize the IP system to enhance business competitiveness and growth.</p> <p>Enhanced capacity of SME support institutions to advise their clients/members on issues relating to IP.</p> <p>Increased use of the WIPO SME website and increase in readership of the monthly SME newsletter.</p> <p>A survey was initiated through a needs assessment questionnaire distributed to all the Member States of WIPO, with 68 of these having responded by December 2008. The survey results provide a more precise understanding of the reality on the ground about the IP services to SMEs by IP offices.</p> <p>Two new modules of IP PANORAMA on Valuation of IPRs and on Trademark Licensing were developed.</p>

<p>face activities as well as through the creation and dissemination of material (print and online content and publications, multimedia products, etc) on IP for Business.</p>	<p>Participation in Regional Meeting of Latin American Chambers of Commerce in Lima, Peru.</p>	
	<p>Translation and/or customization of IP for the Business Series Guides.</p>	<p>Agreements signed for the creation of translated/customized versions of IP for Business series of guides.</p>
	<p>Needs assessment missions in 12 CIS countries conducted by experts.</p>	<p>Elaboration of the questionnaire for SMEs in CIS countries.</p> <p>Preparation of special IP Tools for the needs of SMEs on Strengthening the Role of Innovative SMEs in CIS and promoting the relevant IP policies.</p>
<p><u>Strategy for Creative Industries</u></p> <p>Studies were taken up on the “Economic Contribution of Copyright-Based Industries”. The main objective of the studies were to enable countries to identify copyright based industries and make a comparative analysis of economic contribution of such industries <i>vis-à-vis</i> other sectors of the economy or similar industries in other countries. The studies also enable policy makers to identify suitable policy options.</p>	<p>Studies on the economic contribution of creative industries were initiated, on request, in a number of countries, including Bhutan, Brazil, Brunei, Bulgaria, China, Colombia, Croatia, Jamaica, Kenya, Lebanon, Peru, Malaysia, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Romania, Russia Federation, Tanzania, Thailand, Ukraine, South Africa. In addition, three international meetings on improving methodologies for analysis and data collection on creative industries were held in Singapore, Bangkok and Paris.</p>	<p>Use of the studies on the economic contribution of copyright-based industries for policy making and analysis of the creative sector.</p>
	<p>Training tools on specific creative sectors:</p> <ul style="list-style-type: none"> - Managing creative enterprises; - Managing IP by musicians; - Managing rights and the film-making process; - Managing IP in the advertising industry. 	<p>WIPO publications for management of IP in specific creative sectors have been issued.</p>

<p>Practical tools for selected creative sectors were also developed to meet sector-specific needs and used in seminars in a number of countries.</p> <p>Partnerships with interested governments and international organizations were sought and strengthened.</p>	<p>Five international events on IP in the creative industries in China, Indonesia, Lesotho and United Arab Emirates.</p> <p>Six national events on: (a) management of IP in the film industry in Egypt, Nigeria and the Philippines (b) management of IP in the book publishing industry in Ghana; (c) management of intellectual property for musicians in Jamaica, and (d) managing creative enterprises in Sri Lanka.</p>	<p>Better understanding of the role of IP in the creative sectors by creators and policy makers.</p> <p>Improved tools for creators on understanding, identifying and managing their IP assets in specific creative sectors.</p>
	<p>Contribution to the UNDP/ UNCTAD Creative Economy Report.</p> <p>Cooperation with UNESCO, and the UNESCO Institute of Statistics, on data collection on creative industries and on economic analysis and capacity building in developing countries.</p> <p>Hosting the annual congress of the Society for Economic Research on Copyright (SERCI).</p>	<p>Higher involvement of WIPO in international cooperative efforts to highlight the importance of the creative sector.</p> <p>Contribution to the new UNESCO framework for cultural statistics.</p> <p>Enhanced cooperation with SERCI.</p>
	<p>Cooperation with the China Research Center for Cultural and Creative industries and with the International Cultural and Creative Industries Forum, in organizing their annual events for Chinese creators (October 2008).</p> <p>Cooperation with the Copyright Offices of Jamaica, Malaysia, China, Bulgaria, the Philippines, Lebanon, Croatia, Mexico, Thailand and Indonesia in designing capacity building programs for creators.</p>	<p>Adding intellectual property on the agenda of creative industries support institutions, promoting a better understanding of its relevance for development.</p> <p>Planning for specific events in support of local creative industries and in shaping creative industries strategies.</p>

<p><u>Strategy for Universities and Research Institutions</u></p> <p>WIPO's activities in support of research institutions (including universities) have intensified significantly as a result of increasing requests from Member States. Support focused on three main types of activities. Firstly, R&D institutions and universities were supported to develop institutional IP policies to facilitate IP asset management in line with their missions and mandates. Secondly, WIPO supported the creation of networks of R&D institutions with IP Hubs as a means for Member States to build cost-effective innovation infrastructure. Thirdly, WIPO provided practical and customized training programs in technology licensing, patent valuation, patent drafting, and technology management and marketing to R&D institutions and universities, upon request.</p>	<p>Two national workshops on licensing and technology transfer organized in Indonesia and Malaysia.</p> <p>Sub-Regional Workshop on Institutional IP Policy, IP and Technology Management for University IP Coordinators, Nigeria.</p> <p>Regional Workshop on Institutional IP Policy, IP and Technology Management for University IP Coordinators, Hungary.</p> <p>Contribution to the organization of a Special Edition of the STL Program for the Biotechnology Sector of Brazil.</p> <p>Regional Forum on IP and Technology Management for Universities and R&D Institutions in Asian Countries, in Vietnam.</p> <p>Development of a booklet on "IP Policies and Procedures for Universities and R&D Institutions".</p> <p>Workshop with stakeholders for the finalizing of a national chapter in the training manual "Exchanging Value", Uganda.</p> <p>Additional activities mentioned under recommendation 11.</p>	<p>Enhanced understanding of key issues concerning IP and technology management in universities and R&D institutions.</p> <p>Enhanced understanding of critical issues for developing IP policies and managing technology transfer in universities and R&D institutions, as well as a better understanding of university – industry collaborations with regard to technology transfer.</p> <p>Strengthened the capacity and skills of the participants to manage IP assets and technology transaction contracts.</p>
<p><u>Strategy for Supporting the Development of National IP Strategies</u></p> <p>Support in integrating IP strategies into national economic development planning. This involved the development of practical tools that stress the importance of national choices in the development and implementation of IP strategies. One important methodology which has already been applied as a first step in the process of constructing strategies is the IP Audit Tool. The needs of SMEs and institutions dealing with scientific research and</p>	<p>Technical assistance and/or advice to Member States regarding the process of National IP Strategy formulation and according to their particular requests, backed in their processes of conducting national IP assessments using the WIPO IP Audit Tool (publication No. 927E) and in designing and implementing National IP Strategies and policies to enhance the development, management, protection, accumulation and exploitation of domestic IP assets. More information on this under recommendation 1.</p>	<p>In 2008, a large number of Member States benefited from WIPO's assistance regarding their processes of conducting national IP assessments/audits or/and in the formulation of national IP strategies. More information on this under recommendation 1.</p>

cultural industries are taken into account while developing national IP strategies.		
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Recommendation 6. 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
Incorporate the UN Standards of Conduct for the International Civil Service in contracts with all WIPO employees including consultants hired by WIPO.	<p>The Standards of Conduct for the International Civil Service, adopted by the International Civil Service Commission (ICSC) in 2001, and approved by the WIPO Coordination Committee in 2002, expressly incorporated into all types of contracts, as are the WIPO Staff Regulations and Staff Rules, and Policies relevant to conduct and obligations. Contracting employees are reminded of their obligations under WIPO Staff Regulation 1.6, on “Activities and Interests Outside the International Bureau”.</p> <p>Internal memorandum issued instructing that all new employment contracts, including for short-term employees and consultants, shall contain a provision referring to the above-mentioned standards of conduct.</p>	
Improve awareness and enhance understanding of the importance of the ethical and integrity systems.	The WIPO Integrity and Ethics Systems has been reviewed and recommendations have been made.	A review related to the general WIPO Integrity and Ethics system has been submitted for internal discussion.
Develop WIPO capacity to investigate wrongdoing in WIPO.	Where required, investigations are being carried out.	A senior Investigator was recruited in March 2008, among other things, to address this recommendation.
Design and make available a roster of WIPO consultants for technical assistance.	Creation of a database containing all consultants who were still under a WIPO Special Service Agreement (SSA) contract agreement between 01/01/05 and 12/12/08, and that are neither based in WIPO Headquarters, nor in a coordination office of WIPO.	Roster completed and has been made available to Member States in Document CDIP/3/2. Database structure will the facilitate updating of the roster.

Recommendation 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>WIPO provides, on request, legislative assistance and advice aimed at preventing and/or resolving IP-related anti-competitive practices. This comprises consideration of the proper scope of exclusive IP rights, including appropriate exceptions and limitations to those rights, as well as the use of legal options such as compulsory licenses and other measures allowed under international norms. Advice is also provided, on request, on matters related to business-restrictive clauses and other contents of IP licensing contracts that may have an adverse effect on competition.</p> <p>More information on the implementation of this recommendation in document CDIP/2/INF/5.</p>	<p>At the invitation of the WTO, WIPO participated in National and/or Regional Seminars on IP and Competition Policy held in different regions.</p> <p>In collaboration with the International IP Training Institute, organized jointly with KIPO, an Asia-Pacific Regional Seminar on IPRs and Competition Policy, Daejeon, October 2008.</p>	<p>Enhanced the knowledge and competence of the participants in dealing with various issues related to the interface between intellectual property rights and competition policy. Also, shared national experiences and best practices in the effective application and use of these policy tools to promote economic growth and competitiveness.</p>

Recommendation 11. To assist Member States to strengthen national capacity for 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>Training courses on patent drafting for scientists, researchers, technology managers, inventors and attorneys to improve the quality of patent applications in developing countries and LDCs.</p>	<p>Modification and improvement of the Patent Drafting Program in 2008 to include a "distance learning" module using the electronic platform established by the WIPO Academy.</p> <p>Six National Patent Drafting Workshops in Argentina, Brazil, the Dominican Republic, Jordan, Mexico, Tunisia; one Sub-Regional Patent Drafting course in Ivory Coast and two Regional Patent Drafting Workshops in Ethiopia and Singapore.</p>	<p>Development of human resources skilled in patent drafting.</p> <p>Enhanced understanding of scope of patents and patent systems.</p> <p>Better understanding of patent documents and patent application procedures.</p> <p>Development of claim designing and drafting skills.</p>
<p>Development of R&D networks with IP shared services (IP Hubs) in order to support local IP-related capacities and infrastructure to deal with the protection, management and commercialization of research results and IP assets in public research institutions and universities.</p>	<p>A three-year demonstration project based on in-depth research, audit and analysis of the particular circumstances, needs and priorities of developing country R&D institutions. The project consisted in the development and testing of a model, based on networks of R&D institutions in the health sector with IP Hubs. In 2008, the model was presented to a large number of policy-makers and representatives from developing countries and LDCs.</p>	<p>The WIPO-model "R&D Network with IP Hub" is available for Member States as a strategy based on economies of scale for sharing IP costs and expertise, can support developing country R&D institutions in managing, protecting, owning and exploiting their research results.</p>
<p>Developing practical tools to assist Member States and their R&D institutions to set up and implement efficient technology transfer systems.</p>	<p>WIPO Successful Technology Licensing (STL) Training Program organized in Cuba, Egypt and Brazil and Advanced National STL Training Program organized in Senegal.</p> <p>International Training Program on "Innovation Promotion, Technology Transfer and STL in Energy Sector" organized for the National Atomic Energy institutes in cooperation with International Atomic Energy Agency (IAEA).</p> <p>Training Course on IP Commercialization and Marketing Practices in the Health and Pharmaceutical Sector in Colombia.</p>	<p>About 400 participants, mainly scientists, got a global vision of the technology transfer process and the necessary preconditions, as well as the role of technology licensing.</p> <p>Participants acquired knowledge to identify business opportunities and risks in licensing agreements, successfully participated in licensing negotiations and gave valuable contributions to the content of the agreement.</p>

		Programs strongly influenced culture and the changing attitudes of scientists towards protection and IP commercialization of the research results.
Raising awareness on practical and theoretical aspects of collective management of various categories of copyright protected works and for performers.	<p>Seminars and workshops on copyright and related rights including specific focus on collective management of those rights intended for CMOs, decision makers at governmental level, and for various categories of creators, performers and visual artists in Guatemala, Malaysia, Mexico, Papua New Guinea, Samoa, Sri Lanka, Tonga, Uruguay and Vietnam.</p> <p>Regional Training Course on Collective Management of Performers' IPRs for New or Emerging Latin American Societies in Chile.</p> <p>Contribution to the development and reinforcement of the Caribbean Copyright Link (CCL) in providing training and support to society members of the CCL and in the Caribbean region.</p>	<p>Better knowledge on emerging issues related to collective management, in particular documentation and distribution of royalties in the digital context.</p> <p>Strengthening of CMOs activities and promotion of creativity and contribution to cultural prosperity.</p> <p>Increased number of CMO members of the CCL and an increase of royalties distributed in the region.</p>
Enhancing the use of and access to patent information	<p>WIPO has been assisting Mexico and South Africa with digitization and dissemination of patent documents during 2008. Patent information from these countries, and several others, will be searchable in PatentScope[®] for national and foreign users in mid-2009.</p> <p>Project to Promote the Exchange of Patent Information and to provide Latin American Industrial Property Offices with Electronic Publication Systems (LATIPAT Project).</p> <p>IV WIPO/EPO/OEPM Training Course in the framework of the LATIPAT Project for Information Technology Specialists of Latin American Countries, in Panama City, Panama.</p> <p>National Roving Seminars on the Use of Technological Information for Technology Transfer and the Management of Innovative Enterprises, held at four venues in Argentina.</p> <p>A project for the digitization of patent documents in the Philippines undertaken in 2008. A special project launched in Mongolia to establish an IP information center with essential facilities and</p>	<p>Ensured dissemination and public use of the information contained in the patent system.</p> <p>Enhanced the capacity to use patent information.</p> <p>Ensured adequate quality standard of patent and examination in the LAC region.</p> <p>Increased capacity of IP officials and users in the handling of the patent classification systems administered by WIPO.</p> <p>Improved access to patent information through the Lusophone Portal and Lusopat interface.</p> <p>Facilitated the exchange of best-practices between Member States in the LAC region.</p>

	<p>resources to provide IP information to the user community. Training Program for officials of the newly established IP Advisory Services and Information Center Skills Development Program (for officials from Cambodia and Ethiopia). XXVIII Edition of the WIPO-INPI Seminar on Industrial Property for Latin American Countries, in Rio de Janeiro, Brazil.</p>	
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Recommendation 12. To further mainstream development considerations into WIPO’s substantive and technical assistance activities and debates, in accordance with its mandate.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>In order to further mainstream development considerations into all areas of WIPO’s work, and in particular in its substantive and technical assistance activities, the revised Program and Budget for 2008/09 has ensured that the adopted recommendations under the WIPO Development Agenda are duly reflected in all the relevant programs.</p> <p>In particular, references to specific development agenda recommendations have been included in the narratives of individual programs and a new section on “Development Agenda Links” has been created for all programs. This has enabled the Development Agenda to be suitably integrated into WIPO’s regular programming process across the organization to ensure effective implementation (see Revised Program and Budget 2008/09 for details on how the Development Agenda has been mainstreamed into WIPO’s activities).</p>	<p>The Development Agenda Coordination Division (DACD) has been established to effect the mainstreaming of the development dimension into all areas of WIPO’s activities. The Division is responsible among other things, for coordination with the different Sections/Divisions in WIPO to facilitate the integration of the development dimension in the programs of the different sectors in the organization, including in WIPO’s technical assistance and capacity building programs.</p>	<p>Revised Program and Budget for 2008/09, which includes references to the Development Agenda under all the relevant programs approved by Member States.</p>

Recommendation 13. WIPO's legislative assistance shall be, *inter alia*, 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 which should include time frames for completion.

IMPLEMENTATION STRATEGIES	ACTIVITIES (FOR ILLUSTRATIVE PURPOSES – NOT EXHAUSTIVE)	PROGRESS / ACHIEVEMENTS
<p>WIPO's legal and legislative assistance continues to be provided on specific request, and in confidence, through various means: high level consultations and discussions; preparation of draft laws; review of, and advice on, draft laws and regulations; participation in meetings; expert missions; study visits; training of draftsmen, etc. All requests for legal advice are treated on an urgent basis, within the constraints of resources. Such assistance enables policy-makers and legal experts from developing and least developed countries to make informed decisions on the use of legal options and flexibilities, available in the international legal framework, including the TRIPS Agreement, in their national laws. Countries are also advised, on request, with regard to accession to and implementation of international treaties, including regional agreements, taking into account their development priorities and objectives. Particular provisions applicable to LDCs and their special needs are given full consideration. Legislative assistance on flexibilities is always demand-driven, and takes into account the priorities and needs designated by requesting countries.</p>	<p>Legislative and legal advice provided upon request to many countries including: Afghanistan, Andorra, Angola, Bangladesh, Bhutan, Botswana, Costa Rica, Djibouti, Ethiopia, Ghana, Grenada, Kuwait, Lebanon, Malawi, the Maldives, the Marshall Islands, Morocco, Myanmar, Nepal, Paraguay, Peru, Rwanda, Seychelles, Tanzania, Thailand, Turkmenistan, Uruguay.</p>	<p>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>Compilation of copyright case laws in the music field from some selected countries in Asia and the Pacific region. The final product will be a WIPO publication.</p>	<p>The publication is being finalized and will be made available in the course of 2009.</p>
	<p>Two regional Seminars on the Issues and Recent Developments of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), held in Egypt and Malaysia.</p>	<p>Understanding of the application of international copyright law, including flexibilities, and developments in the area.</p>
	<p>Database on legislation and legislative measures to protect TK, TCEs and genetic resources.</p> <p>Consolidated analyses and other resources on different approaches of protection to support assessment of options.</p> <p>Specific studies, expert missions and tailored advice undertaken for Member States and regional bodies upon request and in line with priorities and needs expressed.</p>	<p>Tailored database already implemented and being updated, TCE consolidated analysis complete, and TK analysis due to be finalized.</p> <p>Advice provided to several Member States upon request.</p> <p>Support for regional programs in Latin America, Asia, the Caribbean, Pacific and Africa, developing regional or sub-regional approaches to protection.</p>

Recommendation 14. 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>WIPO provides assistance on flexibilities under various modalities:</p> <ul style="list-style-type: none"> - organization of and participation in meetings; - preparation of draft laws; - elaboration of comments on drafts prepared by Members; - technical visits to capitals; and - technical visits of government officials from capitals. <p>Within the framework of the WIPO/WTO Agreement, WIPO, on a confidential and neutral basis, provides technical cooperation and legal and legislative advice to developing countries and LDCs for the implementation of the TRIPS Agreement, taking into account the available legislative options. In this context, joint meetings and joint consultations have been held with WTO to strengthen mutual cooperation.</p> <p>Advice is also provided on the operationalization of the TRIPS Doha Declaration on Public Health, as well as in relation to ongoing discussions on various TRIPS related matters in WTO.</p>	<p>In addition to the legislative advice provided under recommendation 13 above, advisory missions were undertaken in Pakistan, Peru, Rwanda and Uruguay, to discuss with government authorities new or revised legislation and consult on specific topics of IP law, in particular the protection of works under copyright and related rights, trade secrets and test data, trademarks and geographical indications.</p> <p>At the invitation of the WTO, WIPO participated in seminars on the TRIPS Agreement in Angola and Oman.</p> <p>National Seminar on the Use of Flexibilities of the Industrial Property System to implement Public Policies in the Health Sector, followed by a Round Table on Public Policies on Industrial Property, Quito, Ecuador.</p> <p>National Forum on Industrial Property and Public Policies, Panama City, Panama.</p> <p>Elaboration of a discussion paper with concrete examples on the flexible implementation of certain aspects of the TRIPS Agreement and other international obligations, in order to implement national public policies.</p> <p>Seminar for Certain Asian Countries on Flexible Implementation of the TRIPS Provisions in Singapore.</p> <p>WIPO/IDB Seminar on the use of flexibilities provided for in the TRIPS Agreement for African speaking countries (Morocco).</p> <p>National Seminar on Industrial Property and on the Implementation of TRIPS Obligations in Pursuance of National Public Policies and Goals (Syria).</p>	<p>Enhanced the capacity to understand the use of existing flexibilities in international treaties.</p> <p>Developed a better understanding, by way of practical, concrete examples, of how to identify a vast array of flexible means of TRIPS implementation in different areas of public policy.</p> <p>Enhance the knowledge of representatives of IP and health agencies on various manners of implementing international IP obligations so as to facilitate access to medicines.</p> <p>Participants were fully informed about the obligations under the TRIPS Agreement and the flexibilities built in under that Agreement. They were also informed about other conventions and treaties on copyright and related rights, including the rights, obligations and flexibilities contained therein.</p> <p>Debate with representatives from several governmental agencies and Ministries involved in implementing and operating IP rules.</p>

	<p>National Seminar on Intellectual Property and the Protection of Pharmaceutical Products (Tunisia).</p> <p>WIPO Sub-regional Seminar on Intellectual Property and public policy (Oman).</p>	
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CLUSTER B RECOMMENDATIONS: NORM-SETTING, FLEXIBILITIES, PUBLIC POLICY AND PUBLIC DOMAIN

Recommendation 15. Norm-setting activities shall: 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>With respect to patents, the recommendation has been implemented in the framework of the various activities conducted in connection with the Standing Committee on the Law of Patents (SCP).</p>	<p>At the 12th session of the SCP, held from June 23 to 27, 2008, the work was conducted in an inclusive and member driven manner. The discussions took into consideration the interests and priorities of all WIPO Member States and the viewpoints of other stakeholders such as intergovernmental organizations and non-governmental organizations which participated in the meeting as observers. The debate took into account different levels of development and considered a balance between cost and benefits. The principle of neutrality of the WIPO Secretariat was respected.</p>	<p>At the 12th session of the SCP, the Report on the International Patent System was recognized as a good basis for further discussion. Working towards an establishment of its work program, the SCP identified a non-exhaustive list of issues for further elaboration and discussion, and asked the WIPO Secretariat to establish preliminary studies on four issues. Also, originating from a request by the SCP, a Conference on IP and Global Challenges will be held on July 13 and 14, 2009.</p>
<p>With respect to copyright, WIPO's normative activities in the field of copyright and related rights (CRR), which take place primarily under the framework of the SCCR, are characterized by the following:</p> <p>Member-driven process: WIPO's objective is to support its constituents, whether they are creators, businesses or consumers, but its duty is to ensure that Member States' national interests fit into the global agenda.</p> <p>Balance-oriented process: WIPO's CRR normative processes aim at balancing the interests of producers and users, and the broad objectives of development. This is not a straightforward process when it comes to the digital uses of works. This concern is reflected by the inclusion of the issue of exceptions and limitations to copyright and related</p>	<p>Organization of two sessions of the SCCR (16th and 17th sessions).</p>	<p>Provision of a balanced forum for discussion and support for the progressive development/updating of the international legal framework for copyright and related rights, including the issues of limitations and exceptions, audiovisual performances and broadcasting organizations.</p>

<p>rights for the purposes of education, libraries and disabled persons, in the current agenda of the SCCR, with a view to strengthening international understanding of the need for adequate limitations, exploring existing and proposed models of protection, and moving towards agreement regarding these exceptions.</p> <p>Flexible process: Since 1996, international copyright policy making has considerably evolved and the digital environment requires both speed and flexibility. This implies that while legal and normative activities remain crucial to the work of the Organization in the copyright area, soft law approaches, the development of new business models and flexible licensing practices will have to be increasingly explored where appropriate.</p>		
<p>With respect to the IGC, the norm-setting work of the WIPO IGC is driven by Member State requirements and its resultant decisions, within the mandate established by the General Assembly. Significant Secretariat resources and expertise are made available at the request of Member States to support development of IGC materials and positions.</p>	<p>IGC-related initiatives to ensure full inclusiveness of indigenous and local communities include support for the indigenous Forum, implementation of the Voluntary Fund, the indigenous Panel at each IGC, launch of the Indigenous Fellowship program, and support for and input to other international and consultative processes.</p> <p>Logistical, financial and technical support for regional consultations relating to IGC issues established at the request of Member States and partner regional organizations.</p>	<p>A series of practical workshops and regional consultations leading to coordinated regional positions.</p> <p>Successful implementation of the Voluntary Fund, Indigenous Fellowship and successive Indigenous Consultative Forums and Indigenous Panels.</p>
<p>In the field of trademarks, the work plan for the SCT and its agenda is determined by the Committee. All WIPO Members are invited to participate as Members in sessions of the SCT. Permanent and <i>ad hoc</i> observers are invited to attend sessions of the SCT. Offers for participation of representatives of 26 Member States from developing and transition countries per session at the expense of WIPO.</p>	<p>Holding of two sessions of the SCT (i.e., SCT/19, July 21 to 25, 2008, and SCT/20, December 1 to 5, 2008). Issues addressed by the SCT: Representation and description of new type of marks; trademark opposition procedures; industrial design law and practice; Article 6ter of the Paris Convention; Trademarks and Non-proprietary names for pharmaceutical substances (INNs).</p>	<p>Agreement by the SCT on areas of convergence concerning the representation and description of new types of marks, and concerning trademark opposition procedures, creating a body of legal reference, which can be used flexibly and in accordance with the needs and the level of development of individual Member States.</p> <p>Continued cooperation with the WHO Secretariat aiming at improving the access, for Member States' IP</p>

		<p>administrations, to WHO lists of INNs. Identification by the SCT of new areas of work, in particular concerning the protection of country names, grounds of refusal for trademarks, and certification and collective marks.</p>
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Recommendation 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>Improve awareness of the role of digital technologies in the process of documentation and preservation of creative works, including those fallen in the public domain.</p>	<p>The International Workshop on Digital Preservation (Geneva, July 2008).</p>	<p>Broader understanding of the challenges faced by stakeholders and policy makers, in relation to development of policies and practices that support digital preservation of creative content.</p>
<p>Inform and survey, from a multi-stakeholder perspective, existing technologies for identifying digital content, as well as ways that digital identifiers can facilitate access to content, including content in the public domain.</p>	<p>The WIPO Workshop on Digital Identifiers and IPRs: Enabling Access to Content (Internet Governance Forum, Hyderabad, December 2008).</p>	<p>Increased practical capacity to find solutions on the issues arising from the use and misuse of the Internet, of particular concern to everyday users.</p>
<p>Assist Member States and stakeholders to develop capacity to support both economic exploitation of copyright and public domain content and at the same time promote the public interest.</p>	<p>Attendance to a series of conferences organized by COMMUNIA (EU founded project) aiming to provide policy guidelines on issues related to public domain and IP.</p>	<p>Informed discussions on issues concerning the public domain, from the perspective of WIPO activities in the field.</p>
<p>Identify, where considered as appropriate by the SCT, work areas concerning the preservation of the public domain.</p>	<p>Cooperation with the WHO Secretariat in order to create improved access for trademark offices to INN-related information.</p>	<p>Agreement by the SCT to request the Secretariat to circulate information concerning the publication of new lists of proposed and recommended INNs by way of paper circular and, in addition, by an e-mail alert to all offices of SCT Members and to SCT and to explore together with the WHO Secretariat the possibilities of developing a publicly searchable database for INNs.</p>

<p>Combine practical and legal measures to ensure that traditional knowledge that is clearly in the public domain, is not the subject of incorrectly granted patents.</p>	<p>Development of draft provisions on TK protection to reinforce legal basis.</p> <p>Guidelines for patent examination to enhance practical efforts to ensure accuracy of grant decisions on TK-related patents.</p> <p>Development of information resources for patent search and examination to disclose relevant TK and avoid incorrect patenting.</p> <p>Studies on patent disclosure mechanisms in dialogue with CBD.</p>	<p>Extensive consultation on TK protection provisions.</p> <p>Publication of consultation draft of TK related patent examination.</p> <p>Development of web portal for TK related search and examination information.</p>
<p>The recommendation has also been implemented in the framework of the SCP, and of improving the IPC and the PCT minimal documentation.</p>	<p>At the 12th session of the SCP, which was held from June 23 to 27, 2008, the Committee asked the Secretariat to prepare a preliminary study on the dissemination of patent information and include a section on the public domain.</p> <p>The preliminary study will be submitted to the 13th session of the SCP for further consideration.</p>	<p>The public domain has been taken into consideration in the activities of the SCP.</p>

Recommendation 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>The recommendation has been implemented in the framework of the SCP, SCT, SCCR and IGC.</p> <p>Norms that can be implemented in a flexible manner are taken into account when providing information and legislative advice for Member States, taking into consideration social or economic needs of each country.</p>	<p>At the 12th session of the SCP, which was held from June 23 to 27, 2008, the Committee asked the Secretariat to prepare a preliminary study on exclusions from patentable subject matter and exceptions and limitations to the rights. The preliminary study will be submitted to the 13th session of the SCP for further consideration.</p> <p>A Conference on IP and Global Challenges will be held on July 13 and 14, 2009, which will also include aspects relating to the issue in question.</p>	<p>The flexibilities in international IP agreements have been taken into account in the activities relating to patents.</p>
	<p>Work by the SCT on areas of convergence concerning the representation and description of new types of marks and concerning opposition procedures.</p>	<p>The agreed areas of convergence concerning the representation and description of new types of marks and concerning opposition procedures serve as a reference to be used by Member States in accordance with the individual development of their national law and procedures.</p>
	<p>Discussions on the issue of limitations and exceptions to copyright and related rights at the SCCR. Organization of the International Workshop on Digital Preservation (Geneva, July 2008).</p> <p>A study on exceptions and limitations for the benefit of libraries (August, 2008).</p> <p>Informative Sessions on Limitations and Exceptions and presentation of four studies, commissioned by WIPO on exceptions and limitations before the SCCR (November, 2008).</p>	<p>Increased understanding and support for discussions on exceptions and limitations to copyright and related rights.</p> <p>Understanding of the special needs of visually impaired persons and other reading-disabled persons, and of possible ways and means for facilitating and enhancing access to protected works.</p>

Recommendation 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>The IGC is driven by Member State requirements and its resultant decisions, within the mandate established by the General Assembly. Significant Secretariat resources and expertise are made available at the request of Member States to support development of IGC materials and positions.</p>	<p>Convening of regular IGC sessions.</p> <p>Convening and supporting regional seminars and workshops at the request of Member States and cooperating organizations.</p> <p>Briefings for missions, IGOs, NGOs, and indigenous and local communities.</p> <p>Range of measures for enhancing involvement of indigenous peoples, local communities and other TK holders.</p>	<p>Full range of information materials and analysis of policy, legal and diplomatic options to support Member State choices.</p> <p>Comprehensive analysis of mechanisms for IGC to conclude substantive outcomes.</p> <p>Full documentation of substantive issues requiring political decisions by Member States.</p> <p>Direct support for several regional processes and consultative mechanisms.</p> <p>Successful implementation of a Voluntary Fund and other initiatives to support direct TK holder involvement.</p>

Recommendation 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>Improve awareness of the role of digital technologies in the process of documentation and preservation of creative works, including those fallen in the public domain.</p>	<p>Organization of the International Workshop on Digital Preservation (Geneva, July 2008).</p> <p>Participation in the International Conference and Exhibition on Knowledge Parks (Doha, March 2008).</p>	<p>Broader understanding of the challenges faced by stakeholders and policy makers, in relation to development of policies and practices that support digital preservation of creative content.</p>
<p>Inform and survey, from a multi-stakeholder perspective, existing technologies for identifying digital content, as well as the ways that digital identifiers can facilitate access to content, including content in the public domain.</p>	<p>The WIPO Workshop on Digital Identifiers and IPRs: Enabling Access to Content (Internet Governance Forum, Hyderabad, December 2008).</p>	<p>Increased practical capacity to find solutions to the issues arising from the use and misuse of the Internet, of particular concern to everyday users.</p>
<p>Identify policy issues related to, or affecting copyright and related rights that public authorities, including Governments of WIPO Member States, may be called upon to address at some point in the future.</p>	<p>Preparation of a study on exceptions and limitations for the benefit of libraries (August, 2008).</p> <p>Presentation of four studies, commissioned by WIPO on exceptions and limitations before the SCCR (November, 2008).</p>	<p>Strengthening of international understanding of proposed models of protection and adequate limitations.</p>
<p>Provide Member States with opportunities of discussions and exchange of views on the use of patent information for formulating policies and facilitating business partnerships which should promote the transfer of technologies and knowledge.</p>	<p>Numerous bilateral consultations were undertaken at the request of Member States to discuss the use of patent information. Preparatory work has started to organize WIPO global symposium of IP authorities on September 17 and 18, at CIG where Member States and stakeholders could discuss various matters for narrowing a knowledge gap.</p>	<p>A first step has been taken to provide an opportunity to stakeholders to discuss in depth on the best practices and strategies of Member States with regard to the use of IP for narrowing a knowledge gap.</p>
<p>The recommendation has also been implemented in the framework of the SCP. Targeted meetings to address and clarify the issues are envisaged.</p>	<p>At the 12th session of the SCP, which was held from June 23 to 27, 2008, the Committee asked the Secretariat to prepare preliminary studies on exclusions from patentable subject matter and exceptions and limitations to the rights and on dissemination of patent information. They will be submitted to the 13th session of the SCP for further consideration.</p>	<p>Enhanced understanding and further clarification of the legal principles and practices of the patent system in facilitating access to knowledge and technology are expected.</p>

	A Conference on IP and Global Challenges has been scheduled for July 13 and 14, 2009.	
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Recommendation 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.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
WIPO finances the participation of nominated participants from developing countries for its norm-setting activities. These activities are generally a member-driven process and the process is balance-oriented, flexible and inclusive.	An open and balanced consultation mechanism has been maintained throughout the processes for establishing the future work program of the SCP, SCT, SCCR and IGC.	Through participation of experts from developing countries and LDC's in norm-setting activities, a member- driven and balance-oriented process is promoted. Provision of a balanced forum for discussion and support for the progressive development/updating of the international legal framework for intellectual property.

CLUSTER D RECOMMENDATIONS: ASSESSMENT, EVALUATION AND IMPACT STUDIES

Recommendation 35. To request WIPO to undertake, upon request of Member States, new studies to assess the economic, social and cultural impact on the use of intellectual property systems in these States.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>One of the new Strategic Goals of WIPO (as per the Revised Program and Budget 2008-09) is to be a “World Reference Source of IP Information and Analysis” under which a new program has been established on Economic Studies, Statistics and Analysis. The new program will, <i>inter alia</i>, respond to the demand for empirical economic analysis and impact studies in the context of the Development Agenda.</p>		<p>Creation of a new Division entirely devoted to Economic Studies, Statistics and Analysis Division and creation of a new position of “Chief Economist” within WIPO.</p>
<p>Development of reference papers that provide an overview of the existing empirical economic research on intellectual property rights, identify research gaps and suggest possible avenues for future research.</p>	<p>A series of six papers on selected themes in the economics of IP. Papers were discussed at the WIPO International Roundtable on the Economics of IP (November, 2007).</p> <p>A publication containing the six commissioned papers was prepared including comments from a number of renowned economists from all regions.</p>	<p>Publication issued (Publication No. 1012(E) “The Economics of Intellectual Property. Suggestions for Further Research in Developing Countries and Countries with Economies in Transition”). The publication provides a thorough analysis of the available empirical research on the six selected themes and provides useful suggestions for future empirical research. It is hoped that the papers will help to guide future researchers in developing countries, and countries with economies in transition, in undertaking empirical economic research on IP.</p>
<p>Enhance the capacity of economists, primarily in developing countries and countries with economies in transition, to undertake empirical economic research on intellectual property.</p>	<p>Organization of four two-day WIPO National Roundtables on the Economics of Intellectual Property in partnership with renowned academic institutions with the participation of national economists, policy-makers and international experts (in India, South Africa, Mexico and the Republic of Korea).</p> <p>Issued a call for research proposals from economists in those countries followed by a peer review process and selection of best proposals for WIPO funding.</p>	<p>The publications are currently in the pipeline, to be issued in the course of 2009. The main achievements so far are: (a) enhanced understanding on possible methodological approaches for undertaking empirical studies in this field by economists in the countries; (b) attracted a number of new economists from developing countries to work on empirical research in the field of IP; (c) identified interesting research areas for undertaking empirical research; (d) established informal networks of national</p>

	Preparation of the research papers by national economists for inclusion in a WIPO publication.	economists working on IP in the countries concerned. In some cases, research papers being prepared address issues that have rarely been addressed in the available economic literature, particularly in developing countries, and may provide useful insights for policy-makers.
Prepare, commission and assist in the implementation of national studies on the economic impact of creative industries.	Prepared terms of reference in consultation with interested governments, assessed the feasibility of such studies, commissioned studies on the economic contribution of the copyright-based industries, and monitored and assisted in their implementation in Bhutan, Brazil, Brunei, Bulgaria, China, Colombia, Croatia, Jamaica, Kenya, Lebanon, Peru, Malaysia, Mexico, Morocco, Nigeria, Pakistan, Panama, Peru, Romania, Russian Federation, Tanzania, Thailand, Ukraine, South Africa.	Studies have been completed and results have been published in Bulgaria, Jamaica, Lebanon and Mexico. Studies have been completed and are in the process of being published in Colombia, Croatia, Romania, Russian Federation and Ukraine. Ongoing studies in Peru, Brazil, China, Kenya, Malaysia, Nigeria, Morocco, and Tanzania. Preparatory work ongoing in Brunei, Bhutan, South Africa, Thailand and Indonesia.
	A study on measuring the multiple effects of copyright piracy.	Draft guidelines for the implementation of a methodology for surveying the multiple effects of copyright piracy in a specific country were developed.
	Guidelines on Assessing the Economic, Social and Cultural Impact of Intellectual Property in the Creative Industries.	Stage one of the project has been completed. Launching of a second phase focusing on the practical implementation of a multidisciplinary approach.

Recommendation 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 and development.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
See information provided for recommendation 35 above.	See information provided for recommendation 35 above.	See information provided for recommendation 35 above.

CLUSTER E RECOMMENDATIONS: INSTITUTIONAL MATTERS INCLUDING MANDATE AND GOVERNANCE

Recommendation 42. To enhance measures that ensure a wide participation of civil societies at large in WIPO activities, in accordance with its criteria regarding NGO acceptance and accreditation, keeping the issue under review.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
<p>The current procedures and requirements concerning the granting of observer status to WIPO, both to NGO's and IGOs seems to be in line and consistent with this recommendation. The review process concerning the granting of observer status to an organization is a way to guarantee the seriousness and credibility of the applicant, as well as the relevance of their activities in the IP field, and this needs to be continued. In addition, in the case of applications of NGO's, the practice of having consultations with the State concerned has been also very important and useful and it should be maintained in order to ensure the participation of organizations which are relevant to WIPO activities and the Development Agenda recommendations as well.</p> <p>The recommendation has been implemented in respect of the participation in the Assemblies of WIPO and relevant subsidiary bodies as well as in various meetings organized by WIPO, such as the SCP, SCCR, SCT, IGC and CDIP.</p>	<p>A large number of accredited NGO's representing civil society participated on the work of the SCP, SCT, SCCR, IGC and CDIP.</p> <p>Invitation letters to various meetings and informative sessions organized by WIPO, such as the Conference on IP and Global Challenges, are being sent to all NGOs having observer status in WIPO.</p> <p>Sessions of the Indigenous Consultative Forum and associated capacity building and briefing initiatives, the IGC Indigenous Panel, implementation of the Voluntary Fund, and participation in related activities and briefings associated with other multilateral processes.</p>	<p>In the area of patents, all requests for accreditation of NGOs have been accepted by the SCP.</p> <p>In the area of Trademarks, accreditation of one new <i>ad hoc</i> SCT observer.</p> <p>For the IGC, high level of engagement with WIPO processes, including the accreditation of over 200 organizations specifically to the IGC, the majority representing indigenous and local communities, and many also representing diverse civil society perspectives. Consolidation of the extensive consultation and participation of indigenous/local community and civil society in the form of specific information documents and studies, regional processes, and working texts of the IGC.</p> <p>Eight IGOs and 37 NGOs participated in the First and Second Sessions of the Committee on Development and Intellectual Property (CDIP).</p>

Recommendation 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 informed through official channels, well in advance, and consulted on the draft agenda and program.

IMPLEMENTATION STRATEGIES	EXAMPLES OF ACTIVITIES	PROGRESS / ACHIEVEMENTS
The recommendation has been implemented in the framework of the SCP, SCT, SCCR and IGC.	The following sessions were held in Geneva in an open and transparent manner: 12th session of the SCP; 19th and 20th sessions of the SCT; 16th and 17th sessions of the SCCR; 12th and 13th sessions of the IGC. A Conference on IP and Global Challenges will be held in Geneva, involving Member States in an open and transparent manner.	Provision of a balanced forum for discussion and support for the progressive development/updating of the international legal framework for intellectual property. Full documentation of all substantive positions on norm-setting issues discussed.

[End of Annex and of document]