

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

GENEVA

## **STANDING COMMITTEE ON INFORMATION TECHNOLOGIES**

### **PLENARY**

#### **Sixth Session**

**Geneva, January 22 to 26, 2001**

#### **RESTRUCTURING OF THE SCIT**

*Document prepared by the Secretariat*

#### **INTRODUCTION**

1. At its fifth Plenary session, held in Geneva from July 10 to 14, 2000, the Standing Committee on Information Technology (SCIT) requested the Secretariat to conduct a schedule of consultations with Member States prior to presenting recommendations on the restructuring of the Standing Committee at its next Plenary session. Five main areas for study were identified:

(a) the need to define the mandate, objectives, and responsibilities of the SCIT Plenary, including its budget responsibility and the number and frequency of its meetings;

(b) the need to define the mandate (task-based) and processes for the creation and use of working groups and task forces, including their relationship with the SCIT Plenary, their size and composition, the use of electronic communication methods, the frequency of meetings and a representative membership;

(c) the need to define and accelerate the process for establishing standards, including their integration into projects;

- (d) the need to define the process for initiating new projects; and
- (e) the need to review and establish priorities, including their resourcing and a definition of where the responsibility for them lies.

2. Two rounds of consultations were held by correspondence, during which the Secretariat circulated two draft papers and received more than 45 sets of comments from Member States and one intergovernmental organization. To aid discussion of a complex issue, this paper has been divided into two main areas: the working methods to be adopted and the committee structure itself.

## WORKING METHODS

3. Pending a decision by Member States on the committee structure, a series of general working methods may be considered.

### Working Groups

4. If agreement is reached on the need for a working group it should be constituted on the following basis:

- (i) a request for the creation of a working group could be initiated either by the Secretariat or a Member State;

- (ii) a clear mandate for the group must be agreed by the parent committee in advance of its first meeting; such a document would include an “expiry or review” clause covering the continued existence of the working group and an indication of the professional/technical competencies needed by delegates attending the working group meeting;

- (iii) invitations to attend the working group meeting would include references to the target delegates (as indicated in paragraph(ii), above);

- (iv) no working group meeting would be held in conjunction with a meeting of the convening committee;

- (v) the competence of the convening committee would be to endorse (with minor amendments, if necessary) the recommendations of a working group, if the committee is unable to approve a proposal it would be returned directly to the working group for further consideration; and

- (vi) emphasis will be placed on working by electronic means. Provision of paper documents will be phased out following installation of the WIPONET connection<sup>1</sup>, and then, paper documentation will only be sent to those Member States with no recognized Internet connectivity (see document SCIT/5/4, Annex 1, on WIPONET implementation).

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<sup>1</sup> It being noted that any Member State that receives its Internet connectivity via the WIPONET, and that participates in a WIPO meeting held by electronic means, will have the connection time paid by WIPO in addition to the yearly maximum of the WIPO-funded 360 hours.

### Task Forces

5. To allow for consideration of a specific issue in a dynamic environment a task force could be constituted on the following basis:

(i) a request for the creation of a task force could be initiated either by the Secretariat or a Member State;

(ii) a clear mandate for the task force must be agreed by the convening body (be it the parent committee or a working group) in advance of its first meeting; such a document would include an “expiry or review” clause covering the continued existence of the task force and an indication of the professional/technical competencies needed by delegates attending the task force meeting;

(iii) invitations to participate in the work of the task force would include references to the target delegates (as indicated in paragraph (ii), above);

(iv) the competence of the convening body would be only to endorse (with minor amendments, if necessary) the recommendations of a task force; if the convening body is unable to approve a proposal it would be returned directly to the task force for further consideration; and

(v) emphasis must be placed on working by electronic means (please see paragraph 4 (vi) above).

### Project Task initiation

6. With the adoption by the Secretariat of Project Life Cycle there is a need for a formal mechanism whereby not only could a Member State or the Secretariat propose the creation of a new IT project or task, but that approval (or not) of the new activity is done as the end result of an informed process where issues such as priority allocation and resourcing are considered.

7. IT management currently has three separate documents guiding its work: the Program and Budget, the SCIT Work Program and the IT Strategic Implementation Plan. Although not mutually exclusive, they each present differing lists of activities and it is left to the Secretariat to determine their interrelationships and priorities. Also, the documents themselves follow differing timelines. For example, the Program and Budget being implemented in 2001 was first drafted in 1998 and the Strategic Implementation Plan has not been revised since December 1999.

8. It is recommended that the SCIT Work Program and the IT Strategic Implementation Plan be discontinued in their present form and replaced with more dynamic working tools such as a rolling IT work plan which could be used in conjunction with the IT long-term (five-year) plan, currently being drafted as an annex to the next Program and Budget document and other appropriate plans for non-IT matters.

9. It is important to recognize that the IT area must work within a financial framework that is decided on a biennial basis on a pre-determined list of activities. Therefore, the priority

setting mechanism must be responsive to a fast-changing technological environment and should become an integral part of the process for creating new tasks or projects.

10. For the process of task initiation itself, the following steps should be considered:

(i) Consideration of a new subject or activity may be initiated by any Member State or by the Secretariat by submission of a written project brief, to include:

- a clear indication of the problem or specific need to be addressed
- how the need was determined
- the objectives of the task
- options for solution
- expected benefits;

(ii) If the proposal receives support from the relevant committee the Secretariat will be asked to produce a feasibility report to include:

- cost estimates
- risks
- resource requirements
- success factors
- the implications of the task on the existing IT Work Plan for the biennium;

(iii) The Secretariat will include the feasibility report in the draft agenda of the first available session of the relevant committee;

(iv) If the new project or task is accepted:

- and it falls within the scope of the existing IT Work Plan, it will be allocated directly to the relevant area and, in the case of a committee-related project, the committee will be asked to indicate the priority of the task within the overall project scope;
- and it is not covered by the existing IT Work Plan, the committee will have two options: either to set the task a priority level above that of an existing committee-related project that would then be discontinued or reduced in scope, or to request the Secretariat to include the task in the Program and Budget for the following biennium.

### Meeting documentation

11. Although not covered under the original restructuring mandate, the issue of the amount of documentation prepared and circulated by the Secretariat is also relevant. In an attempt to reduce the amount of paper involved in this process it is recommended that the meeting documentation be handled electronically, as indicated in paragraph 4 (vi) above, with the exception of the letter of invitation and the agenda. The invitation would also indicate the meeting documents available on the WIPO web site and an address to contact should paper copies be required.

*12. The SCIT is invited to comment upon and adopt the working methods contained in paragraphs 4, 5, 10 and 11, above.*

## COMMITTEE MANDATES AND STRUCTURE

### Guiding Principles

13. In reviewing the mandate and role of the SCIT, the following general principles were taken into consideration:

(a) that the SCIT should be competent to give technical advice and policy guidance on the overall Information Technology (IT) strategy of WIPO, including matters related to the deployment of the required IT infrastructure both within and outside the Secretariat;

(b) that input from the SCIT should be taken into consideration by the Director General when formulating the WIPO Program and Budget; and

(c) that all standards, guidelines and other international cooperation of a technical nature in the area of industrial property information and documentation should be separate from the main SCIT mandate.

### IT Policy

14. The SCIT Plenary currently has the following mandate (as defined in documents A/32/3, dated February 1998, and SCIT/1/7, dated February 1999):

The SCIT will "...serve as a forum to discuss issues, facilitate coordination and provide guidance concerning the implementation of the WIPO global information network and the provision of intellectual property information services on the network. It will formulate recommendations and policies regarding the proposed network and related matters, and will submit its recommendations and policies to the WIPO General Assembly for approval. It will address issues pertinent to the process of providing intellectual property information, including both industrial property and copyright information, in a digital networked environment."

15. A continuation of this mandate would mean that reporting from the Secretariat to the SCIT would be restricted mainly to the WIPONET and Intellectual Property Digital Libraries (IPDL) Projects. In addition, the role of the SCIT to address pertinent issues raises three problem areas: firstly, the problems associated with the Secretariat being unable to accurately forecast the areas of interest arising out of the SCIT has resulted in a lack of funds and resources to follow-up new tasks; second, the resulting SCIT Work Program is not integrated into existing Secretariat work plans or priorities; and thirdly, there is no reporting mechanism for SCIT recommendations other than the WIPO General Assembly.

16. The SCIT Plenary is a subsidiary body of the General Assembly and, as such, may make recommendations to it on policy issues concerning the WIPONET and related matters. With regard to budgetary matters, the SCIT has the authority only to give guidance on the prioritization of activities within the approved financial framework for the WIPONET and IPDL Projects. The authority for the setting of budgets and the appropriation of funds rests solely with the Program and Budget Committee and the WIPO General Assembly. Although the Program and Budget Committee may receive recommendations from the SCIT it is under no obligation to act on them.

17. Mindful of the issues raised above, two options are suggested for consideration by the SCIT Plenary:

(a) Option A is to retain the present SCIT Plenary structure and its mandate.

(b) Option B is to replace the SCIT with an Advisory Group which would give technical advice and policy guidance to the Director General on the overall IT strategy of WIPO, including matters related to the deployment of the required IT infrastructure [both within and] outside the Secretariat, and priority setting within WIPO's IT work plans or other related IT activities.

18. A primary benefit of the new Advisory Group would lie in the fact that its guidance could be relayed to other Member State organs in the form of recommendations/suggestions from the Director General. In addition, the input received would allow the Director General to make informed decisions on the management of the Secretariat's internal IT resources and activities. Of particular importance would be the active role of the Advisory Group, via its input to the Director General, throughout the whole of the program and budget process, from initial estimates to performance monitoring.

19. In providing the Advisory Group on IT with the documentation necessary to carry out its mandate, the current IT Strategic Implementation Plan would be divided into two more dynamic documents, namely:

(a) a work plan for the current biennium, including information on major activities, milestones, budgets and priorities; and

(b) a medium-term plan covering the next four years which would focus on the prioritization of the business needs of Member States, the Secretariat and other members of the intellectual property community.

20. Other documentation, such as project status reports, human resource plans and feasibility studies on new project initiatives, would be made available for advice. As the Advisory Group would be created to act in an advisory capacity, it is not expected that it would maintain its own activities and will not, therefore, require an independent Work Program of Group Tasks. That being the case, the existing SCIT Work Program would be divided into those tasks that are to be taken up by the committee dealing with standards and documentation and those that can be incorporated into the scope of existing IT projects or activities.

21. Membership of the Advisory Group on IT would be open to all WIPO Member States and Observers. The Group would meet once a year at such time as to allow its recommendations to be taken into consideration by the Secretariat during preparations for the Program and Budget Committee.

*22. The SCIT is invited to consider and decide on one of the options indicated in paragraph 17, and convey its decision to the WIPO General Assembly for consideration and approval.*

### Standards and Documentation

23. As with the work on IT policy two options are presented for consideration. The first of which is retention of the current three permanent working groups under the SCIT Plenary (if retained, see Option A in paragraph 17):

The Information Infrastructure Working Group "...should review the progress made concerning the deployment of the WIPONET, formulate policies related to the network, make relevant recommendations, and propose projects concerning information systems useful to intellectual property offices."

The Standards and Documentation Working Group (SDWG) "...should address matters regarding the generation of intellectual property data suitable for inclusion in Intellectual Property Digital Libraries (IPDLs), as well as access to and dissemination of intellectual property information... WIPO standards covering provisions relevant to documentation aspects of intellectual property should be dealt with by the SDWG whenever a need arises for their updating or maintenance."

The Information Security Working Group "...should discuss technical issues in relation to the exchange of data, and to undertake pilot projects, associated with the IPDL program and using the WIPONET, in the areas of electronic filing, the exchange of priority documents and for the examination of patent applications, and other planned activities of electronic commerce."

24. Under this structure consideration of projects should be split into issues of infrastructure, standards and documentation and security. Problems associated with this approach are the lack of a holistic view of the project and that discussion of increasingly interrelated issues is fragmented. Also, as has been particularly the case with WIPONET, the project structure and approach no longer lends itself to a division of issues along these lines, for example, deployment of the network encompasses both infrastructure and security questions. Finally, as working group sessions have had to be cancelled in the past due to an insubstantial agenda, the current structure must be called into question.

25. Therefore, a replacement of the permanent working group structure with a new Standing Committee on Technical Standards and Documentation alongside with the replacement of the SCIT Plenary by the new Advisory Group (see Option B in paragraph 17) is suggested. The proposed mandate of the Committee would be to provide a forum to adopt new or revised WIPO standards, policies, recommendations and statements of principle relating to intellectual property data, global information system related matters, information services on the global system, data dissemination and documentation, which may be promulgated on the authority of the Standing Committee, to be referred to the WIPO General Assembly for approval.

26. The retention of a permanent committee for standards and documentation work recognizes the fact that the intellectual property system is reliant on close cooperation between Member States and their adoption and use of internationally agreed standards. As an initial activity, the Standing Committee on Technical Standards and Documentation would review and retain those items that fell under its mandate, from the current SCIT Work Program. This list of tasks would then form the basis for a new Standing Committee on Technical Standards and Documentation Work Program, to which new tasks could be added or priorities re-allocated according to the working methods adopted by the Standing

Committee. Such working methods could also include the possibility of the creation of working groups or task forces necessary to expedite the work of the Standing Committee.

27. Membership of the Standing Committee would be open to all Member States, and WIPO observers. In conformity with the decision taken by Member States on the increased participation in Standing Committees (documents WO/GA/23/2 and WO/GA/23/7), financial assistance would be provided to a certain number of participants for each Committee meeting. However, in order to facilitate a more effective approach to the preparation and implementation of standards, emphasis would be placed on electronic working methods.

*28. The SCIT is invited to consider and decide on options as indicated in paragraphs 23 and 25, and to convey its decision to the WIPO General Assembly for consideration and approval, in conjunction with what is set out in paragraph 22.*

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