

WIPO



SCP/11/2

ORIGINAL: English

DATE: April 21, 2005

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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STANDING COMMITTEE ON THE LAW OF PATENTS

Eleventh Session
Geneva, June 1 and 2, 2005

ACCREDITATION OF NON-GOVERNMENTAL ORGANIZATIONS

Document prepared by the International Bureau

1. The Standing Committee on the Law of Patents (SCP), at its first session, held in Geneva from June 15 to 19, 1998, approved certain organizational and procedural matters, including according observer status to a number of interested intergovernmental and non-governmental organizations (see document SCP/1/2, paragraph 6).
2. Four additional non-governmental organizations, namely, the Centre for the Management of Intellectual Property in Health Research and Development (MIHR), the Consumer Project on Technology (CPTech), Consumers International (CI) and The Fridtjof Nansen Institute (FNI), have expressed to the Secretariat the wish to obtain observer status for the future sessions of the SCP. Information concerning details of these organizations received from them is contained in the Annex of this document.
3. *The SCP is invited to take a decision on the request for accreditation of the non-governmental organizations referred to in the present document as observers.*

[Annex follows]

ANNEX

NON-GOVERNMENTAL ORGANIZATIONS WHICH HAVE REQUESTED
REPRESENTATION AS OBSERVERS IN SESSIONS OF THE
STANDING COMMITTEE ON THE LAW OF PATENTS

Centre for the Management of Intellectual Property in Health Research and Development
(MIHR)

Consumer Project on Technology (CPTech)

Consumers International (CI)

The Fridtjof Nansen Institute (FNI)

CENTRE FOR THE MANAGEMENT OF INTELLECTUAL PROPERTY
IN HEALTH RESEARCH AND DEVELOPMENT (MIHR)

Background

The Centre for the Management of Intellectual Property in Health Research and Development (MIHR) is a non-profit organisation with registered charitable status in the United Kingdom. MIHR was founded by the Rockefeller Foundation in autumn 2002 to address significant global health inequities and receives additional support from the Department for International Development in the UK, the Wellcome Trust and other public and private organisations. It is governed by an independent Board of Trustees with international expertise in intellectual property, technology transfer and health improvement.

MIHR's vision is

“To contribute to a world in which the ethical stewardship and creative management of intellectual property leads to better health for the poorest.”

Full address and contact details of the organization

The Centre for the Management of Intellectual Property
in Health Research and Development (MIHR)
Oxford Centre for Innovation
Mill Street
Oxford OX2 0JX
United Kingdom
Tel.: +44 1865 812 041
Email: rachelle.harris@mihr.org
Website: www.mihr.org

Countries in which the organization is primarily active

MIHR has worked with local partners to build capacity in South Africa, India and Latin America and is developing programmes in East Africa and South East Asia. In addition, MIHR has worked with the Association of University Technology Managers in the USA and Canada to promote licensing in universities that ensures both economic and social outcomes can be achieved.

Names and titles of the organization's representatives at the SCP sessions, should the organization be accorded accreditation

- Professor Richard Mahoney, Interim CEO
- Dr Hugh Penfold, Business Development Director
- Miss Rachelle Harris, Business Development and Research Manager

Relationship of the organization with intellectual property matters

MIHR works with governments, foundations, companies, research institutions, scientists and technology transfer professionals to promote creative management of intellectual property in both developed and developing countries. The organisation has three aims:

- Training and capacity building: To help increase capabilities to manage IP in developed and developing countries to achieve public sector benefit for health.
- Information dissemination: To develop and distribute information about IP management including case studies, key documents, and reports on recent developments.
- Research on IP: To undertake research that explores the implications of IP policies and practices for current and future availability of health technologies to the poor in developing countries. This research can support evidence-based policy formulation and implementation.

CONSUMER PROJECT ON TECHNOLOGY (CPTech)

The Consumer Project on Technology (CPTech) was founded in 1995. CPTech's work focuses on access to knowledge, new models for the development of knowledge goods, including new medical technologies, the control of anticompetitive practices, consumer protection and development. CPTech has offices in Washington, DC, Geneva and London.

CPTech conducts its work through workshops and meetings, maintaining listserves to disseminate relevant information, critical analysis of relevant government and international policies, and technical assistance to governments, UN agencies, NGOs and other stakeholders.

CPTech actively follows the discussions at WIPO. CPTech has previously been accredited in the WIPO Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore (GRTKF) and the Working Group on Reform of the PCT. With respect to the field of patents, CPTech is currently focusing on compulsory licensing, collective management of patent rights, including the use of patent pools to expand access to medical technologies, patentable subject matter and scope, problems of patents on standards, exceptions to patents on public good databases, patent transparency, management of policies of patentability, and avoiding unwarranted encroachments on the public domain.

CONSUMERS INTERNATIONAL (CI)

INTRODUCTION

Consumers International (CI) supports, links and represents consumer groups and agencies all over the world. It has a membership of over 250 organizations in 115 countries. About two thirds of member organizations are in developing countries, the other third in industrialized countries. It was founded in 1960 and is an independent, non-profit organization. It is not aligned with, or supported by, any political party or industry. It is funded by fees from member organizations and by grants from foundations, governments and multilateral agencies.

This application explains the background and structure of CI, as well as supplying details of how and why CI is concerned with matters relating to Intellectual Property (IP). Please note that full details of CI can be found on our website at: www.consumersinternational.org.

Institutional process

CI's aim is to enhance democracy and human welfare through supporting the development of a strong consumer movement in all parts of the world, and ensuring that the interests of consumers are represented to and taken into account by global decision making bodies.

To achieve the first objective, CI, through its regional offices in Malaysia, Chile, Zimbabwe and London, carries out research, facilitates partnerships and exchange of information and provides information, education, training, technical assistance, community developments, seed grants, and support in policy development.

Policy work and its relation to WIPO matters

CI has worked on projects to enable consumer groups and public health, human rights and other civil society organizations to participate in Intellectual Property Rights (IPR) debates, and to increase the participation among such groups in important trade negotiations. CI has followed IP issues for over a decade, and, for example, opposed the introduction of IP in the Uruguay Round's GATT Agreement on Trade Related Intellectual Property (TRIPS) of 1994. CI has campaigned to improve the trade regimes for intellectual property and advocated other measures to ensure that consumers, particularly poor consumers, benefit from intellectual property systems. As an illustration of CI's interest in IP, a half-day workshop on IPR-re-engineering the global regime was held at its 2003 World Congress.

In recent years CI has also coordinated work on IP through the TransAtlantic Consumer Dialogue (TACD). CI provides the secretariat for TACD, a forum of EU and US consumer organizations established to develop and agree on joint recommendations to the US government and to the European Union, and to promote the consumer interest in transatlantic trade policy.

TACD represents the consumer perspective at the transatlantic level, through regular meetings and communication with the European Commission and the United States government. TACD not only meets privately with the governments to discuss their concerns, but can also rely on the involvements of EC and US officials at its public conferences.

TACD has a dynamic IP Working Group which has the ultimate goals of: increasing the engagement of EU and US consumer interests in promoting the creation of public goods and the enhancement of the public domain; and fostering a fairer system of managing intellectual property in international and bilateral trade agreements and regimes.

TACD has organized workshops on “The WIPO work program and how to involve consumers” (October 2003, Lisbon) and “The Future of WIPO” (September 2004), just before WIPO’s General Assembly in Geneva, which have introduced complex IP issues to the consumer movement. WIPO has previously provided speakers for TACD conferences with Richard Owens (Head of Copyright, E-Commerce, technology and Management) and Philippe Baechtold (Head of Patent Law Section) both participating in our Lisbon (2003) and Geneva (2004) conference on WIPO.

CI currently has Category A Observer Status with the UN, are regularly accredited to meetings of UNCTAD, WHO, FAO, UNEP, the CSD and UNESCO. CI also has formal observer status with ISO and IEC.

THE FRIDTJOF NANSEN INSTITUTE (FNI)

The Fridtjof Nansen Foundation at Polhøgda was established in 1958 “to assume responsibility for and manage the property of Polhøgda” and “to conduct or support research in connection with interests related to those of Fridtjof Nansen.” The Foundation still holds this responsibility, but in 1984 the Board decided that the Foundation’s research organization should operate as The Fridtjof Nansen Institute (FNI). In the 1960s and 1970s, research at Polhøgda concentrated on the potential for cooperation and conflict in the polar areas. The perspective was gradually broadened, and from the mid-1980s, the common denominator of FNI research has been international environmental, resource management and energy politics, and the effectiveness of international cooperation in these fields. Within this framework the Institute has developed special competence in a wide area of themes and issues. The main aim has been to identify the interests, institutions and processes that influence the management of environmental and natural resources from the global to the local level. The Institute is engaged in academic research, in contract and consultancy work, as well as in evaluations.

The research activities are organized as three programs: *The Programme for European Environmental and Energy Studies*; *The Polar Programme* and *The Programme for Global Environmental and Resource Management Problems*.

The central theme and collective aim of *The Programme for Global Environmental and Resource Management Problems* is to study how the international community, through international regimes and organizations, is able to manage global environmental and resource management problems. An important goal is, on the basis of the analyses that are carried out at the Institute, to be able to make concrete proposals for the improvement of the system. The Institute has ongoing research projects in the field of biological diversity; also with the particular focus on the relationship between intellectual property rights and management of biological diversity. Three projects are focusing particularly on intellectual property rights: Intellectual Property Rights to Living Organisms – a path for a *sui generis* system; A Legal Analysis of Public Domain for Genetic Resources in Norway; and Legal Protection of Rights to Animal Genes, Animal Breeds and Related Novel Knowledge: The Case of Swine-Breeding.

In this respect, it is of crucial interest for the researchers in this field to follow the work of the *Standing Committee on the Law of Patents*. At the forthcoming sessions *cand. jur.* Martin Bryde and *cand. jur.* Morten Walløe Tvedt hope to participate.

[End of Annex and of document]