

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

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STANDING COMMITTEE ON THE LAW OF PATENTS

Fourteenth Session

Geneva, January 25–29, 2010

CONFERENCE ON INTELLECTUAL PROPERTY
AND PUBLIC POLICY ISSUES

Report by Maximiliano Santa Cruz, Chair of the SCP

1. At its twelfth session (June 23 to 27, 2008), the Standing Committee on the Law of Patents (SCP) recommended asking the Director General to consider including, in the revised Program and Budget for 2009, an allocation for a conference on matters relating to the implications of patents, including those pertaining to public policy in certain specific areas, such as health, the environment, climate change and food security.
2. Following consultations with the Member States, on July 13 and 14, 2009 the Conference on Intellectual Property and Public Policy Issues was held at the Geneva International Conference Centre (CICG). The event was attended by nearly 450 participants, including a Minister of State, heads of United Nations agencies and other intergovernmental bodies, representatives of non-governmental organizations, academia and industry, as well as private individuals.
3. As the members of this Committee had agreed, the two-day Conference consisted of master-class presentations and discussion panels with input from the audience.

4. The Conference was formally opened by the Director General of WIPO, Mr. Francis Gurry, and took up various questions relating to the links between intellectual property and other areas of public policy, in particular health, the environment, climate change and food security. The Conference served as a world forum for discussing some of the current major problems in the intellectual property field and attempting to identify possible solutions.

5. As noted in the Committee meetings and during the Conference opening and closing ceremonies, the purpose was not to draw conclusions. However, as indicated at the time, the exercise undoubtedly sent a positive signal not only of the openness and willingness to cooperate of WIPO, but also of the other agencies involved. The point was also made that WIPO cannot merely participate in the debate on intellectual property and other areas of public policy, but must become a player, helping to guide the debate with a balanced vision.

6. Some of the points made in the various concluding remarks were that innovation and technology, which are linked to technology transfer, are key factors for solving problems that can arise in certain fields; that discussions have not been equally productive in all four areas debated: for example, with regard to public health, there has been a rich debate with concrete outcomes leading to important instruments in both the World Trade Organization and the World Health Organization, whereas in the field of climate change debates began only a short time ago; that the impact of intellectual property rights might be greater in sectors with no replacement technologies and less significant in sectors which rely on replacement technologies, such as green technologies.

7. It was felt that the Conference had provided an opportunity to consider new, innovative solutions, and participants were reminded that although intellectual property could have a negative impact on development, it could also be part of the solution.

8. The Conference program, the nearly 30 presentations, professional histories of the speakers as well as the audio files are available on the WIPO website at:
http://www.wipo.int/meetings/en/2009/ip_gc_ge/.

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