

# WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION  
GENEVA

## INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

**Fourteenth Session**  
**Geneva, June 29 to July 3, 2009**

GENETIC RESOURCES:

OVERVIEW

*Document prepared by the Secretariat*

### I. CURRENT STATUS OF WORK

1. The most recent working documents on genetic resources prepared for the last session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (“the Committee”), in line with its decisions, comprised:

- WIPO/GRTKF/IC/13/8(a), a document listing options for continuing or further work, including work in the areas of the disclosure requirement and alternative proposals for dealing with the relationship between intellectual property (IP) and genetic resources; the interface between the patent system and genetic resources; and, the IP aspects of access and benefit-sharing contracts. This document exactly reproduced the text of the corresponding documents from previous sessions, WIPO/GRTKF/IC/11/8 (a) and WIPO/GRTKF/IC/12/8 (a), in line with the Committee’s decisions on this item;
- WIPO/GRTKF/IC/13/8(b), a factual update of international developments relevant to the genetic resources agenda item. It included references to WIPO’s activities and developments in the World Trade Organization (WTO) TRIPS Council, the Food and Agricultural Organization (FAO), the Convention on Biological Diversity (CBD), the Interlaken Declaration on Animal Genetic Resources, and discussions

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on Marine Genetic Resources. This document was the further update of WIPO/GRTKF/IC/11/8(b) and WIPO/GRTKF/IC/12/8(b), as requested by the Committee;

- WIPO/GRTKF/IC/13/8(c), the comments of the Biotechnology Industry Organization (BIO) on, in particular, the List of Options contained in document WIPO/GRTKF/IC/12/8(a), received following the invitation of the Committee at its twelfth session.

2. At its thirteenth session, in considering its agenda item on Genetic Resources, the Committee took note of these three documents.

## II. BACKGROUND

3. The work of the Committee on IP and genetic resources has covered three main areas:

- (i) defensive protection of genetic resources;
- (ii) IP aspects of access to genetic resources and equitable benefit-sharing arrangements that govern use of genetic resources;
- (iii) disclosure requirements in patent applications for information related to genetic resources and traditional knowledge used in the claimed invention and alternative proposals for dealing with the relationship between IP and genetic resources.

4. The Committee has developed a number of working documents dealing with the aforementioned and other related areas. Its work has been guided by proposals and submissions (case studies and information documents) of Member States of WIPO and other Committee participants, questionnaires, surveys and studies, direct invitations or encouragements of other fora, in particular the CBD.

5. Some of the documents relevant to work on IP and genetic resources are the following:

Overview of issues and activities	WIPO/GRTKF/IC/1/3, WIPO/GRTKF/IC/8/9, WIPO/GRTKF/IC/13/8(b)
Draft Intellectual Property Guidelines for Access and Equitable Benefit-Sharing	WIPO/GRTKF/IC/7/9
Database of clauses relating to intellectual property, access to genetic resources and benefit-sharing	WIPO/GRTKF/IC/2/12, WIPO/GRTKF/IC/3/3, WIPO/GRTKF/IC/3/4, WIPO/GRTKF/IC/3/Q.2, WIPO/GRTKF/IC/4/10, WIPO/GRTKF/IC/5/9, <a href="http://www.wipo.int/tk/en/databases/contracts/index.html">http://www.wipo.int/tk/en/databases/contracts/index.html</a>
Disclosure requirements relating to genetic resources and TK	WIPO/GRTKF/IC/1/6, WIPO/GRTKF/IC/1/8, WIPO/GRTKF/IC/2/11, WIPO/GRTKF/IC/2/15, WIPO/GRTKF/IC/3/Q.3, WIPO/GRTKF/IC/4/11, WIPO/GRTKF/IC/5/10, WIPO/GRTKF/IC/6/9, WIPO Publication 786 (WIPO Technical Study on Patent Disclosure Requirements Related to Genetic Resources and

	Traditional Knowledge), WIPO/GRTKF/IC/6/13, WIPO/GRTKF/IC/7/INF/5, WIPO/GRTKF/IC/7/10, WIPO/GRTKF/IC/8/11, Annex to document WO/GA/32/8, WIPO/GRTKF/IC/11/10
Technical standards on databases and registries	WIPO/GRTKF/IC/4/14
Studies and texts on IP and equitable benefit-sharing	WIPO Publication 769 (WIPO/UNEP Study on the Role of Intellectual Property Rights in the Sharing of Benefits arising from the Use of Biological Resources and Associated Traditional Knowledge), WIPO/GRTKF/IC/1/9
Other defensive protection measures	WIPO/GRTKF/IC/5/6, WIPO/GRTKF/IC/6/8, WIPO/GRTKF/IC/8/12, WIPO/GRTKF/IC/9/10, WIPO/GRTKF/IC/11/13
List of options	WIPO/GRTKF/IC/13/8(a), WIPO/GRTKF/IC/13/8(c)
Further IGC resources	WIPO/GRTKF/IC/2/14, WIPO/GRTKF/IC/4/13, WIPO/GRTKF/IC/5/13, WIPO/GRTKF/IC/9/13, WIPO/GRTKF/IC/11/11, WIPO/GRTKF/IC/13/9

6. *Member States and observers taking part in the Committee are invited to take note of this overview.*

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