

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

Seventeenth Session
Geneva, December 6 to 10, 2010

BRIEF SUMMARY OF DOCUMENTS

Document prepared by the Secretariat

I. WORKING DOCUMENTS FOR THE SEVENTEENTH SESSION

1. The following is a brief summary of the documents prepared or due to be prepared for the seventeenth session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (the "Committee") as at September 30, 2010. Each of these documents, as well as any additional documents, will be posted as soon as they are finalized at www.wipo.int/tk.

WIPO/GRTKF/IC/17/1 Prov.: Draft Agenda for the Seventeenth Session

2. This document contains the proposed items to be dealt with by the Committee, and is submitted to the Committee for possible adoption.

WIPO/GRTKF/IC/17/2: Accreditation of Certain Organizations

3. This document sets out the names, contact details and aims and objectives of organizations which have applied to the Committee for accreditation as ad hoc observers to future sessions of the Committee.

WIPO/GRTKF/IC/17/3: Participation of Indigenous and Local Communities: Voluntary Contribution Fund

4. The WIPO General Assembly has established a “WIPO Voluntary Fund for Accredited Indigenous and Local Communities”. The decision was taken on the basis of document WO/GA/32/6, which sets out the objectives and operation of the Fund. The Fund’s rules were amended by the WIPO General Assembly in September 2010. This document refers to the appointment of the Fund’s Advisory Board, and provides information on the recent amendments to the Fund’s rules as well as fund-raising initiated by the Secretariat. The required information note providing details of contributions received and beneficiaries is circulated in parallel as document WIPO/GRTKF/IC/17/INF/4.

WIPO/GRTKF/IC/17/4: The Protection of Traditional Cultural Expressions/Expressions of Folklore: Revised Objectives and Principles

5. This document is the revised version of working document WIPO/GRTKF/IC/16/4, reflecting the amendments proposed and the comments made by the Committee during its sixteenth session and the written comments received thereon during the subsequent intersessional written commenting process.

WIPO/GRTKF/IC/17/5: The Protection of Traditional Knowledge: Revised Objectives and Principles

6. This document is the revised version of working document WIPO/GRTKF/IC/16/5, reflecting the amendments proposed and the comments made by the Committee during its sixteenth session and the written comments received thereon during the subsequent intersessional written commenting process.

WIPO/GRTKF/IC/17/6: Genetic Resources: Revised List of Options

7. This document is the revised version of working document WIPO/GRTKF/IC/16/6, reflecting the amendments proposed and the comments made by the Committee during its sixteenth session and the written comments received thereon during the subsequent intersessional written commenting process.

WIPO/GRTKF/IC/17/7: Submission by Australia, Canada, New Zealand, Norway and the United States of America

8. At the sixteenth session of the Committee, the Committee invited participants “to provide written comments on document WIPO/GRTKF/IC/16/7 before July 31, 2010 and requested the Secretariat to compile such comments in an information document and to issue document WIPO/GRTKF/IC/16/7 as a working document for the next session of the Committee”. This document is a re-issue of document WIPO/GRTKF/IC/16/7. A compilation of the comments thereon will be circulated as a separate information document, WIPO/GRTKF/IC/17/INF/10.

WIPO/GRTKF/IC/17/8: Summary Report of First Intersessional Working Group (IWG 1)

9. At the sixteenth session of the IGC, the IWGs were mandated by Committee to “... provide legal and technical advice and analysis, including, where appropriate, options and scenarios for consideration of the IGC ... [and] report to the IGC on the outcomes of their work and submit recommendations and texts relating to the discussion in the IGC”. This

document is a report to the IGC on the outcomes of the work of the IWG 1, addressing traditional cultural expressions/folklore.

WIPO/GRTKF/IC/17/9: Draft Articles on the Protection of Traditional Cultural Expressions/ Expressions of Folklore Prepared at IWG 1

10. At the sixteenth session of the IGC, the IWGs were mandated by Committee to "... provide legal and technical advice and analysis, including, where appropriate, options and scenarios for consideration of the IGC ... [and] report to the IGC on the outcomes of their work and submit recommendations and texts relating to the discussion in the IGC". This document contains draft articles on traditional cultural expressions/expressions of folklore prepared at IWG 1.

II. INFORMATION DOCUMENTS FOR THE SEVENTEENTH SESSION

WIPO/GRTKF/IC/17/INF/1 Prov.: List of Participants

11. A draft list of participants will be circulated at the seventeenth session.

WIPO/GRTKF/IC/17/INF/2: Brief Summary of Documents

12. The present document, prepared as an informal guide to the Committee's documentation.

WIPO/GRTKF/IC/17/INF/3: Draft Program for the Seventeenth Session

13. In line with the Committee's request at its tenth session, this document sets out a suggested program, identifying possible timing for each agenda item. This draft program is indicative only, and the actual organization of work of the Committee would be determined by the Chair and its members in line with the rules of procedure.

WIPO/GRTKF/IC/17/INF/4: Voluntary Fund for Accredited Indigenous and Local Communities: Information Note on Contributions and Applications for Support

14. This document sets out information required to be reported to the Committee on the operation of the Voluntary Fund for Accredited Indigenous and Local Communities. The rules are set out in the Annex to document WO/GA/32/6, which was approved by the General Assembly at its 32nd session and as subsequently amended by the WIPO General Assembly in September 2010. In particular, it gives information on contributions received or pledged, and actual support provided to representatives of accredited indigenous and local communities.

WIPO/GRTKF/IC/17/INF/5: Information Note for the Panel of Indigenous and Local Communities

15. Following a decision of the Committee at its seventh session, each session of the Committee commences with a panel chaired by a member of an indigenous community. The panel was held at the commencement of the previous nine sessions of the Committee. On each occasion, representatives of indigenous and local communities gave presentations on their communities' experiences and concerns in relation to TCEs, TK and GRs. The presentations are available on WIPO's site at http://www.wipo.int/tk/en/ngoparticipation/ind_loc_com/index.html. This document sets out the proposed practical arrangements for the panel at the seventeenth session.

WIPO/GRTKF/IC/17/INF/6: Voluntary Fund for Accredited Indigenous and Local Communities: Decisions taken by the Director General in accordance with the Recommendations adopted by the Advisory Board

16. This information note will inform the Committee on the decisions on funding that the Director General will take in accordance with the recommendation that the Advisory Board of the Voluntary Fund for Accredited Indigenous and Local Communities will adopt on the margins of the seventeenth session of the Committee.

WIPO/GRTKF/IC/17/INF/7: Record of the deliberations of IWG 1

17. At the sixteenth session of the IGC, the IWGs were mandated by the Committee to "... provide legal and technical advice and analysis, including, where appropriate, options and scenarios for consideration of the IGC ... [and] report to the IGC on the outcomes of their work and submit recommendations and texts relating to the discussion in the IGC". This document is a record of the deliberations of IWG 1.

WIPO/GRTKF/IC/17/INF/8: Note on Meanings of the Term "Public Domain" in the Intellectual Property System with special reference to the Protection of Traditional Knowledge and Traditional Cultural Expressions/Expressions of Folklore

18. At the sixteenth session of the IGC, the Committee invited the Secretariat to prepare and make available for the seventeenth session of the Committee, "a technical information document on the meanings of the term "public domain" in the intellectual property system, with special reference to the protection of traditional knowledge and traditional cultural expressions".

WIPO/GRTKF/IC/17/INF/9: List and Brief Technical Explanation of Various Forms in which Traditional Knowledge May Be Found

19. At the sixteenth session of the IGC, the Committee invited the Secretariat to prepare and make available, as an information document, for the seventeenth session of the Committee, "a list and brief technical explanation of various forms in which traditional knowledge may be found (such as 'codified/non-codified', 'disclosed/' 'non-disclosed')".

WIPO/GRTKF/IC/17/INF/10: Commentary - Submission by Australia, Canada, New Zealand, Norway and the United States of America

20. At the sixteenth session of the IGC, the Committee invited IGC participants "to provide written comments on document WIPO/GRTKF/IC/16/7 before July 31, 2010 and requested the Secretariat to compile such comments in an information document and to issue document WIPO/GRTKF/IC/16/7 as a working document for the next session of the Committee".

WIPO/GRTKF/IC/17/INF/11: Note on Updating WIPO's Online Database of Biodiversity-related Access and Benefit-Sharing Agreements

21. At the sixteenth session of the IGC, the Committee requested the Secretariat "to update the database of biodiversity-related access and benefit-sharing agreements currently online on the WIPO website and to report, in an information document, on such updating to the next session of the Committee". Subsequently the Secretariat transmitted the "Questionnaire of Contractual Practices and Clauses relating to Intellectual Property,

Access to Genetic Resources and Benefit-Sharing” (WIPO/GRTKF/IC/Q.6), inviting comments by July 30, 2010.

WIPO/GRTKF/IC/17/INF/12: Genetic Resources: Draft Intellectual Property Guidelines for Access and Equitable Benefit-Sharing – Updated Version

22. At the sixteenth session of the IGC, the Committee invited the Secretariat to prepare and make available for the seventeenth session of the Committee, “as an information document, an updated version of document WIPO/GRTKF/IC/7/9 (‘Genetic Resources: Draft Intellectual Property Guidelines for Access and Equitable Benefit-Sharing’)”.

WIPO/GRTKF/IC/17/INF/13: Glossary of Key Terms Related to Intellectual Property and Genetic Resources

23. At the sixteenth session of the IGC, the Committee invited the Secretariat to prepare and make available for the next session of the Committee “as an information document, a glossary of key terms related to intellectual property and genetic resources”.

III. OTHER DOCUMENTS

WIPO/GRTKF/IC/9/INF/4: The Protection of Traditional Cultural Expressions/Expressions of Folklore: Updated Draft Outline of Policy Options and Legal Mechanisms

24. The Committee at its ninth session commissioned the development and updating of an outline of policy options and legal mechanisms for the protection of TCEs. This document is a revised draft requested by the Committee. The document provides information on the policy options and legal mechanisms that national and regional legal systems have employed to give effect to the kind of draft objectives and principles developed in WIPO/GRTKF/IC/9/4 (now WIPO/GRTKF/IC/17/4). An outline of policy options and legal mechanisms may serve as an information resource to assist in the choice of appropriate mechanisms to achieve policy objectives and to implement principles such as those set out for consideration in WIPO/GRTKF/IC/9/4 (now WIPO/GRTKF/IC/17/4).

WIPO/GRTKF/IC/9/INF/5: The Protection of Traditional Knowledge: Updated Draft Outline of Policy Options and Legal Mechanisms

25. The Committee at its ninth session commissioned the development and updating of an outline of policy options and legal mechanisms for the protection of traditional knowledge (TK). This document is a revised draft requested by the Committee. The document provides information on the policy options and legal mechanisms that national and regional legal systems have employed to give effect to the kind of draft objectives and principles developed in WIPO/GRTKF/IC/9/5 (now WIPO/GRTKF/IC/17/5). An outline of policy options and legal mechanisms may serve as an information resource to assist in the choice of appropriate mechanisms to achieve policy objectives and to implement principles such as those set out for consideration in WIPO/GRTKF/IC/9/5 (now WIPO/GRTKF/IC/17/5).

WIPO/GRTKF/IC/13/4(B) Rev.: The Protection of Traditional Cultural Expressions: Draft Gap Analysis

26. This document comprises the draft gap analysis on the protection of TCEs, prepared for the Committee together with draft Revised Objectives and Principles for the Protection of Traditional Cultural Expressions and an agreed List of Issues concerning the protection of TCEs.

WIPO/GRTKF/IC/13/5(B) Rev.: The Protection of Traditional Knowledge: Draft Gap Analysis

27. This document comprises the draft gap analysis on the protection of TK, prepared for the Committee together with draft Revised Objectives and Principles for the Protection of Traditional Knowledge and an agreed List of Issues concerning the protection of TK.

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