

OPENING STATEMENT

Thank you, Mr. Chair,

We would like to congratulate you, Mr. Chair, on your re-election and vice-chairs of the IGC on their election. We thank the Secretariat for the excellent preparation of this session.

We also extend our appreciation to you Mr. Chair, for your continued dedication to further the work of this important Committee and for your efforts in drafting the Chair's text on GRs and associated TK.

We would like to convey our position briefly on core issues of our work on GRs and associated TK.

We believe that IGC's work will contribute to transparency in the IP system which can also facilitate a fair and equitable sharing of benefits arising from the utilization of GRs and TK associated with GRs through a disclosure requirement regime. In this regard, we would like to state that the new Turkish IP Law which entered into force in 2017 and which combines trademark, design, geographical indication and patent rights into one single legislation, sets out the necessary disclosure requirements (Article 90) for obtaining a patent application date. The relevant article states that: "if the invention is based on genetic resources or traditional knowledge associated with genetic resources, the source shall be disclosed in the patent application." Therefore, we currently require the disclosure of origin in all patent applications which are based on GRs and associated TK and we see it as a useful and effective tool to enhance legal certainty for both national and international patent applications.

We believe that subject matter of the legal instrument which we negotiate here in the IGC should apply to any IP right, not to patents only, since GRs, their derivatives and associated TK could be related to all IPRs. In this regard, we also support the inclusion of derivatives in the draft text.

We think that the content of disclosure should be the source of GRs or associated TK, with one primary source which is the country providing the resource, being the country of origin of such resources, if applicable.

We believe that objectives of the draft text should refer to the whole IPR system instead of patent rights only, since GRs, their derivatives and associated TK could be related to all IPRs.

We attach great importance to a balanced and effective protection of GRs and associated TK and we believe that the spirit of a fair and equitable benefit-sharing arising from GRs and associated TK should be respected.

We are confident that as outlined in the mandate for this biennium significant progress will be made to move forward the legal instrument under your able leadership.

We look forward to constructive negotiations during this session and we hope that the work of the IGC could narrow existing gaps and members could reach a common understanding on the core issues to protect GRs and TK associated with GRs.