



WIPO OVERVIEW

2011 edition

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Preface

The *WIPO Overview* explains in simple terms how WIPO, together with its member states, goes about its mission of promoting innovation and creativity through a balanced and effective intellectual property (IP) system.

The ever-increasing demands made on the IP system throughout the world have led WIPO to develop innovative means to enhance the system's responsiveness and efficiency – for member states, users of global IP services and other stakeholders. This *Overview* highlights new approaches to improving and streamlining the IP system, including global IP infrastructure development, heightened collaboration with intergovernmental and other external partners and expanding participation in a range of high-level dialogues and international processes.



The Organization also facilitates the leveraging of innovative solutions to address certain global challenges associated with climate change, food security and public health. In so doing, it develops platforms enabling all actors to share information, from the latest research to new technologies.

Providing developing and least developed countries with the tools necessary to build strong and service-oriented IP institutions and infrastructure remains an ongoing focus. The Organization aims to ensure that development principles and activities are mainstreamed throughout its programs. The 2011 *Overview* offers examples of how we are implementing Development Agenda recommendations through specific WIPO activities and projects.

Over the past year, WIPO has honed its corporate identity to reflect its commitment to four core values – service orientation; working as one; accountability for results; and environmental, social and governance responsibility – in achieving its nine strategic goals. Each chapter of this report reflects the way in which the Organization's programs and achievements in 2011 contributed to meeting these goals.

A handwritten signature in blue ink, which appears to read 'Gurry', written in a cursive style.

Francis Gurry
Director General
WIPO

Introducing WIPO

The World Intellectual Property Organization (WIPO), a United Nations (UN) specialized agency, is dedicated to the promotion of **innovation and creativity** for the economic, social and cultural **development** of all countries through a balanced and effective international intellectual property (IP) system.

In a world where the economic growth of nations is driven increasingly by the creativity and ingenuity of their people, effective IP systems – which create incentives for innovation, and structures for sharing the results – are key to unlocking this human potential. Once seen primarily as a technical matter for legal experts, IP is now a high priority for governments, businesses, researchers, academics, individual creators and civil society.

*WIPO's headquarters
in Geneva*

Stephen Mettler



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Alexander Rath; Oleg Filipchuk



What is IP?

Intellectual property refers to creations of the mind. It is divided into two broad categories:

Industrial property, which includes:

- ◆ Patents for inventions
- ◆ Trademarks
- ◆ Industrial designs
- ◆ Geographical indications

Copyright and related rights, which cover:

- ◆ Literary and artistic expressions (e.g., books, films, music, architecture, art)
- ◆ The rights of performing artists in their performances, producers of phonograms (as well as MP3 files and music on the Internet) in their recordings, and broadcasters in their radio and television broadcasts

The IP system provides a way for these intangible assets to be owned, disseminated and traded, thus enabling creators or owners of IP rights to reap some benefit from their own work or from their investment in a creation. In this way, the IP system serves its fundamental purposes of stimulating and diffusing innovation and creativity and of contributing to market order. Innovation and creativity increasingly play a role in the development of solutions to such emerging global challenges as climate change, food security and public health.

CORE ACTIVITIES

WIPO is the lead intergovernmental organization dedicated to the promotion and use of IP. Its diverse activities include:

- Administering 24 multilateral treaties and working with member states to build agreement on and to support the evolution of the international legal framework for IP
- Providing global IP services that make it easier and more cost-effective to obtain protection internationally for new inventions, brands, designs and appellations of origin; and providing arbitration, mediation and other alternative dispute resolution services
- Assisting governments and organizations in establishing national and regional IP and innovation strategies, developing appropriate regulatory frameworks for IP and building the infrastructure and human capacity needed to harness the potential of IP for economic development
- Providing technical infrastructure that includes: facilitating access to WIPO's world-standard databases of IP information; developing technical platforms to facilitate exchange of information among IP offices; training and tools for using IP information

- Building awareness, understanding and respect for IP – including playing a leading role in encouraging and facilitating international dialogue on enforcement-related issues, as well as providing training and education programs
- Working in partnership with the UN and other organizations to identify and promote IP-based solutions to climate change, food security, public health and other global challenges

This Overview describes WIPO's main areas of activity, grouped according to the Organization's strategic goals, and provides examples of recent highlights and results.

HOW WIPO WORKS

WIPO was established in 1970, following the entry into force of the 1967 WIPO Convention, with a mandate from its member states to promote the protection of IP throughout the world, through co-operation among states and in collaboration with other international organizations.

WIPO's **member states** determine the strategic direction and approve the activities of the Organization. Delegates from member states meet in assemblies, committees and working groups. WIPO currently has 184 member states (over 90 percent of the world's countries). Some 69 intergovernmental organizations (IGOs) and 285 non-governmental organizations (NGOs) are accredited as **observers** at WIPO meetings.

The main **policy and decision-making bodies** of WIPO's member states are the General Assembly and the Coordination Committee. There are also assemblies of certain of the unions established under some WIPO-administered treaties. Standing committees are established for a particular purpose by the General Assembly. A standing committee or any of the assemblies can decide to set up a working group to examine a particular question in more detail.

The WIPO secretariat is based in Geneva. Its staff, drawn from more than 100 countries, includes experts in all fields of IP law and practice, as well as specialists in, for example, administration, economics, information technology (IT), public policy and translation.

First IP-Related Treaties

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The **1883 Paris Convention for the Protection of Industrial Property** was the first major international treaty designed to help the people of one country obtain protection in other countries for their intellectual creations, in the form of industrial property rights.

The **Berne Convention for the Protection of Literary and Artistic Works**, the first multilateral treaty in the field of copyright, took effect in 1886. The aim of this Convention was to help nationals of its member states obtain international protection of their right to control, and receive payment for, the use of their literary and artistic works.

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Paris Convention
for the Protection of Industrial Property



WIPO Buildings – Sustainability and Biodiversity

Construction of a new WIPO office building, now housing over 500 WIPO employees, was completed at the beginning of 2011. It includes a cooling system using water from nearby Lake Léman, and about 1,500 m² of the roof surface will be insulated from summer heat by earth and vegetation, which will also improve water drainage. Work began in 2011 on a conference hall seating 900 that will adjoin WIPO's headquarters. The new hall, designed by Behnisch Architekten of Stuttgart, Germany, gives priority to environmental sustainability. A wooden main structure and interior finishing, natural light, hybrid ventilation combining natural and mechanical means as well as a cooling system similar to the one mentioned above are among the most significant environmentally-friendly features of the new hall.

During 2010, the International Year of Biodiversity, WIPO carried out a survey of the various examples of **biodiversity** on its campus. These include trees and two gardens planted inside the new building, as well as the planned recreation of adequate habitat on the WIPO campus for local spe-

cies (mainly bats and birds). The vegetation on the roof of the new building will be made up of a variety of wild grasses typical of the region. These grasses will not require fertilizer, watering (other than rain water), mowing or herbicides. The Organization places a high priority on sustainability and biodiversity in the management of its headquarters buildings.

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STRATEGIC REALIGNMENT

WIPO's Strategic Realignment Program (SRP) is designed to make the Organization optimally responsive, efficient and equipped to provide global leadership on IP issues.

The SRP, a major program comprising 19 interrelated initiatives, aims to:

- Bring new focus to the Organization's culture and values
- Enhance efficiency in business processes
- Better align programs, structures and resources with the nine strategic goals

Each initiative contributes to strengthening the following four core values:

- Service orientation – increasing WIPO's responsiveness to global stakeholders and their satisfaction with the Organization's services
- Working as one – working as an integrated, responsive and efficient entity that is fit for purpose and delivers value for money
- Accountability for results – taking ownership of performance and achieving results
- Environmental, social and governance responsibility – performing in an ethical manner and caring about WIPO's staff, its community and the environment

WIPO'S STRATEGIC GOALS

The nine strategic goals, which provide the framework for WIPO's biennial Program and Budget, are:

- A balanced evolution of the international normative framework for IP
- Provision of premier global IP services
- Facilitating the use of IP for development
- Coordination and development of global IP infrastructure
- World reference source for IP information and analysis
- International cooperation on building respect for IP
- Addressing IP in relation to global policy issues
- A responsive communications interface between WIPO, its member states and all stakeholders
- An efficient administrative and financial support structure to enable WIPO to deliver its programs

DEVELOPMENT AGENDA

The **WIPO Development Agenda**, adopted in October 2007 by the General Assembly, consists of 45 recommendations aimed at strengthening the development dimension of all areas of WIPO's work. A priority for the Organization, the Development Agenda's principles and activities are being mainstreamed into all WIPO programs, and a number of projects that respond to specific recommendations are already under way.

The Committee on Development and Intellectual Property (CDIP), established in 2007 by the General Assembly, has a mandate to develop a work program for implementation of the 45 Development Agenda recommendations; to monitor, assess, discuss and report on the implementation of the recommendations;

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and to discuss any other IP and development-related issues as agreed by the Committee. By the end of 2010, member states had approved 19 projects addressing 25 recommendations, one of which was completed in November 2010.

WIPO AND ITS PARTNERS

WIPO cooperates with other UN agencies and specialized bodies in Geneva and around the world, with the aim of ensuring that its activities contribute effectively to UN-wide initiatives and to the achievement of the UN Millennium Development Goals (MDGs).

Among WIPO's partnership initiatives are:

- WIPO **external offices** – based in New York, Rio de Janeiro, Singapore and Tokyo – which help to manage the network of relationships with international, regional and national partner organizations
- Its **external relations** function, which enables a coherent organizational approach to relations with the external community, including the UN and other international organizations
- Its efforts to mobilize **extrabudgetary resources** by seeking out new partners and potential donors able to provide additional resources for development-related projects



DEVELOPMENT AGENDA — Recommendation 2 states that additional assistance should be provided through donor funding to promote the legal, commercial, cultural and economic exploitation of IP, by establishing Funds-in-Trust or other voluntary funds specifically for least developed countries (LDCs), while continuing to accord high priority to financing activities in Africa.

In August 2010, WIPO Director General Francis Gurry signed a cooperation agreement with Professor Rolf-Dieter Heuer, Director General of the European Organization for Nuclear Research (CERN).

CERN



WIPO, WTO and TRIPS

The World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), which came into force in 1995, brought with it a new era in the multilateral protection and enforcement of IP rights. Provisions in the TRIPS Agreement concerning copyright and related rights, patents, trademarks, geographical indications, industrial designs and layout-designs of integrated circuits, complement the international treaties administered by WIPO, and the TRIPS Agreement directly refers to some of these treaties.

Since 1996, an Agreement between WIPO and the WTO has provided a framework for cooperation concerning the implementation of the TRIPS Agreement, such as notification of laws and regulations, and legislative assistance to member countries. Assistance continues to be provided to many developing countries, with a special focus on those LDCs that need to meet their TRIPS obligations by 2013 and, in respect of pharmaceuticals, by 2016.

Developing IP Law

Facilitating a balanced evolution of international IP norms and standards is fundamental to WIPO's activities. The process of developing international IP law, standards and practices is driven by member states and involves extensive consultations with a wide spectrum of stakeholders. The WIPO secretariat coordinates this work with member states in various committees.

Three WIPO **standing committees** focus on specific legal areas – patents; copyright; and trademarks, industrial designs and geographical indications. An intergovernmental committee (the IGC) deals with IP issues relating to genetic resources, traditional knowledge and folklore/traditional cultural expressions. The committees are made up of delegates from the governments of member countries, with representatives from IGOs and NGOs participating as accredited observers. In addition, many representatives of indigenous and local communities participate in the work of the IGC.

WIPO administers a group of treaties that set out internationally agreed rights and obligations, and common standards for protecting IP rights, while maintaining a balance with the general public interest. The Organization actively encourages states to join these treaties and to enforce their provisions. Widespread membership and consistent enforcement help maintain a stable international environment, inspire confidence that IP rights will be respected around the world, encourage investment and contribute to economic and cultural development.

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DEVELOPMENT AGENDA — Recommendation 15 states that norm-setting shall:

- Be inclusive and member-driven
- Take into account different levels of development
- Take into consideration a balance between costs and benefits
- Be a participatory process that takes into consideration the interests and priorities of all WIPO member states and the viewpoints of other stakeholders, including accredited IGOs and NGOs
- Be in line with the principle of neutrality of the WIPO secretariat

**THE STANDING COMMITTEE ON
THE LAW OF PATENTS (SCP)**

Established in 1998, the SCP's first main task was the negotiation of the Patent Law Treaty (PLT) and its Regulations on the harmonization of patent formalities and procedures. The PLT was adopted in 2000 and entered into force in 2005.

Discussions on a new instrument, a draft Substantive Patent Law Treaty (SPLT), began in 2001 with the aim of harmonizing substantive aspects of patent law, focusing on issues such as the definition of prior art, novelty, inventive step/non-obviousness and industrial applicability/utility, the drafting and interpretation of claims, and the requirement of sufficient disclosure of an invention. Member States put SPLT negotiations on hold in 2006, after reaching agreement on a number of issues while not arriving at a consensus on other topics.

In June 2008, the SCP resumed its work with a discussion of a **report on the international patent system** containing an overview of current international patent-related issues covering the different needs and interests of member states. The SCP has since made significant progress by moving forward along several parallel tracks. In particular, the Committee commissioned a number of studies covering various aspects of the patent system, and has examined those issues from different perspectives, including those of public policy, socioeconomic and development. Since May 2011, the SCP has focused on:

- Exceptions and limitations to patent rights
- Quality of patents, including opposition systems
- Patents and health
- Confidentiality of communications between clients and their patent advisors
- Transfer of technology

THE STANDING COMMITTEE ON TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

Years of negotiation in the SCT led to the adoption, in 2006, of the Singapore Treaty on the Law of Trademarks, which provides simplified and internationally harmonized administrative rules for trademark registration. It expressly mentions non-traditional types of marks, such as hologram marks, motion marks, color marks and marks consisting of non-visible signs, without however creating an obligation for their registration.

The Singapore Treaty recognizes the advantages of electronic filing and communication facilities, while taking into account the different needs of developing and developed nations. Integral to the Treaty is a commitment by developed countries to provide technical assistance and other support to strengthen the institutional capacity of developing and least developed countries, enabling them to more fully benefit from the Treaty.

The SCT has examined in depth member states' legislation and trademark office practice in relation to the registration of three-dimensional marks, color marks, sound marks and other types of marks, such as motion marks, position marks, hologram marks, slogans, and smell, feel and taste marks. This work has led the SCT to agree on certain areas of convergence concern-

ing the representation and description of non-traditional marks, that can serve as a reference for trademark offices as well as trademark owners and practitioners seeking to use new marketing and advertising techniques that require flexibility in the means used to identify goods and services.

At its March 2011 session, the SCT discussed new forms of trademark use on the Internet (auction sites, search engines and social networks), as well as developments in the context of the expansion of the domain name system planned by the Internet Corporation for Assigned Names and Numbers (ICANN). At a June 2010 meeting of a working group under the Singapore Treaty, members agreed to define standards concerning the representation of three-dimensional marks and hologram, position, motion, color and sound marks. The working group recommended to the Singapore Treaty Assembly that the regulations under the treaty be amended to include binding standards for these marks.

Industrial Designs

Industrial designs can be one of the most difficult types of IP to define, and this has significant implications for the means and terms of protection. There are different options for protecting designs, ranging from *sui generis* design laws, design patents and unregistered design systems, through to copyright and trademarks. If the design of a given object can be categorized as a work of applied art, for example, then it may be eligible for protection under copyright law, with a much longer term of protection than the standard 10 or 15 years under registered design law.

With a view to advancing its **normative work on industrial designs**, the SCT considered draft provisions concerning industrial design law and practice, and members agreed to consult extensively with national user groups as part of the Committee's ongoing work on industrial designs. The SCT also discussed its contribution to implementing the Development Agenda recommendations in relation to this work. The draft provisions are based on the SCT's in-depth analysis of member states' industrial design law and practice and possible areas of convergence in that field. Although some SCT members are recommending the convening of a diplomatic conference for the adoption of a design law treaty, full consensus on this has not yet been achieved.

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Geographical Indications

Geographical indications (GIs) are signs used on goods that have a specific geographical origin and possess particular qualities or a reputation due to that place of origin. Most commonly, a GI consists of the name of the place of origin of the goods – such as “Prosciutto di Parma” or Parma ham from the Emilia-Romagna region of north-central Italy. Agricultural products often have qualities linked to their place of production and to local geographical conditions. However, the use of GIs is not limited to agricultural products. They may also highlight specific qualities of a product due to human factors found in the product’s place of origin, such as specific manufacturing skills and traditions. While GIs clearly have value as a marketing tool, there is no harmonized approach at the international level on how to protect them.

WIPO encourages the use and protection of GIs, and supports member states in whichever approach they follow, within the applicable international legal framework. The Organization holds regional and international symposia on the various issues relating to GIs and organizes forums in which the different stakeholders can exchange information and experiences.

State Emblems, Official Hallmarks and Emblems of Intergovernmental Organizations

Since 2009, all signs protected under Article 6ter of the Paris Convention that have been communicated to states party to the Convention or to WTO members through the intermediary of WIPO, are available free of charge in a fully searchable database – “6ter Express”, a useful tool for trademark applicants and IP offices that can assist in refining the subject matter for which to seek protection as a mark.

Consorzio del Prosciutto di Parma



THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)

The work of the SCCR focuses on developing international norms and standards in the area of copyright and related rights. At its November 2010 session, the Committee agreed on a work plan relating to limitations and exceptions which recognized that progress in certain areas needed to be advanced. In June 2011, the SCCR focused on exceptions and limitations for persons with print and other reading disabilities, noting that work would continue in parallel on making copyright-protected reading materials accessible to the print and reading disabled. Future discussions will address exceptions and limitations with regard to libraries and archives.

In June 2011, the SCCR agreed to recommend that the WIPO General Assembly convene a diplomatic conference on a WIPO treaty for the protection of **audio-visual performances**. The Committee's agreement on the issue of transfer of rights from performers to producers signalled its readiness to enter the final phase of treaty negotiations. The adoption of a new instrument would provide a clearer legal basis for the international use of audiovisual works, both in traditional media and in digital networks, and would contribute to safeguarding the rights of performers against unauthorized use of their performances.

The SCCR made progress in its discussions on the protection of **broadcasting organizations**, and agreed on a work plan aimed at advancing negotiations on an international instrument. The Committee also examined the third part of a study on the socioeconomic impact of the unauthorized use of signals in the broadcasting sector. A series of regional seminars were held to identify views on the objectives, specific scope and object of protection of a possible draft broadcasting treaty with a signal-based approach.

The SCCR also addresses certain aspects related to the implementation of the **WIPO Internet Treaties** – the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) – in particular the interplay of law and technology on issues such as provisions on technological measures of protection and rights management information.

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Pongphan Ruengchai



Meeting the Needs of the Visually Impaired

The proliferation of digital technologies has added a new dimension to the question of how to maintain a balance between the protection available to right owners and the needs of specific user groups. Those seeking to benefit from reasonable exceptions to and limitations on copyright protection include the more than 314 million persons worldwide who are visually impaired or print disabled.

The WIPO-developed **Visually Impaired Person (VIP)** initiative (www.visionip.org) provides a platform for facilitating practical and technical access to copyright-protected information in accessible formats suitable for the visually impaired. This initiative supports the UN interagency effort to “deliver as one” in promoting and providing equal opportunities for disadvantaged groups.

Launched in November 2010, the **Trusted Intermediary Global Accessible Resources (TIGAR)** project, a component of the VIP initiative, enables publishers to make their titles more easily available to the visually impaired through trusted intermediaries. Involving collaboration between WIPO, the World Blind Union (WBU), the International Federation of Library Associations and Institutions (IFLA), the Digital Accessible Information System (DAISY) Consortium, the International Publishers Association (IPA) and the

International Federation of Reproduction Rights Organisations (IFRRO), the project aims to facilitate cross-border access to copyright-protected, published works by the visually impaired and print disabled. WIPO provides project management, coordination and technical support for the project.

World-renowned singer-songwriter Stevie Wonder, addressing the WIPO General Assembly in September 2010, urged member states to reach agreement on enhanced accessibility of copyright-protected works for visually impaired persons. He advocated improvements to accessibility that would be inclusive of the visually impaired as well as respectful of the rights of creators.

*Singer-songwriter Stevie Wonder
addresses the WIPO General Assembly*

WIPO



COPYRIGHT IN THE DIGITAL ENVIRONMENT

WIPO provides a forum for discussion and awareness-raising on important questions related to the use of copyright in the digital environment, such as the emergence of new forms of licensing and the importance of digital identifiers for content and rights. WIPO also seeks to develop a comprehensive policy response to the challenges facing copyright in the digital age, in particular solutions to facilitate online licensing.

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“Digital technology and the Internet have created the most powerful instrument for the democratization of knowledge since the invention of moveable type for printing.”

WIPO Director General Francis Gurry

At a high-level WIPO **copyright dialogue** in July 2011, four internationally known personalities from the film industry addressed issues related to copyright protection and its importance to the future of the industry. At a press conference with WIPO Director General Francis Gurry, Spanish actor Javier Bardem, Indian director-producer Bobby Bedi, British film producer Iain Smith and Egyptian film actress and director-producer Esaad Younis spoke about their vision of the evolving film industry and the challenges and opportunities facing actors and filmmakers in relation to the digital environment.

From top left, Esaad Younis, Iain Smith, Javier Bardem and Bobby Bedi

WIPO



Licensing in the Digital World

Facilitating Access to Culture in the Digital Age – a WIPO global meeting on emerging copyright licensing modalities explored different approaches to licensing creative content in the evolving online marketplace, including the online music market, the software industry and open access publishing. Discussions focused on ensuring that copyright licensing transactions are underpinned by improved rights management information and documentation as well as respect for competition rules. Organized by WIPO as part of the Development Agenda project on IP and Competition, the November 2010 meeting covered:

- Competitive impact of territorially-limited versus multijurisdictional licenses
- The connection between access to knowledge and different licensing models
- Development of national strategies regarding IP and competition law
- Clearance for the use of orphan works and public sector information
- The possible role of WIPO in each case

COLLECTIVE MANAGEMENT OF COPYRIGHT

WIPO assists countries in setting up or modernizing collective management organizations (CMOs), developing automated systems for rights management to enhance access to international markets, and preparing model contracts and guidelines. CMOs are of great value to holders of copyright and related rights – such as authors, composers, performers, publishers and producers – and help them to manage and benefit from their rights. Support is provided to CMOs to ensure rights management systems are made available in developing countries and are compatible with international systems.

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In June 2011, WIPO launched a project to build a digital platform to help streamline the identification of protected musical works across 11 West African countries. The project builds on the WIPO Software for Collective Management of Copyright and Related Rights (WIPOCOS). The new system will allow information about musical works to be stored online and made accessible by each participating country. Creators will be able to register a work once, instead of separately in each of the countries, reducing costs for creators and making cross-border licensing easier.

COPYRIGHT AND MUSIC

The Internet has increasingly become the delivery mechanism for music over the last decade, presenting challenges for the current music rights management architecture. In order to make the system quicker and simpler for users seeking information on music rights ownership across different territories, various industry stakeholders consider it timely to create a reliable source of information of global reach. Design of an International Music Registry (IMR) is currently under discussion, with the aim of supporting a balanced digital market for music.

The IMR would be intended to help right owners market their creations, and to aid users in rapidly locating and paying for the content they wish to use. Issues of piracy and unauthorized use could therefore be reduced across the value chain. Participation in the IMR would be voluntary, consistent with the Berne Convention's rules against mandatory copyright formalities. As a first step, WIPO is facilitating a dialogue among stakeholders in the music sector, with a view to defining the IMR's purpose, scope and main features.

THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

Indigenous and local communities seek appropriate and practical ways of preserving, promoting and protecting their cultural and intellectual heritage as a means of sustaining their cultural integrity and promoting their own sustainable economic development consistent with their collective values. WIPO's work in this area examines the role IP principles can play in promoting community-led economic development and benefit-sharing in ways that respect indigenous cultural heritage as both a cultural and economic asset. The IGC is currently engaged in text-based negotiations towards the development of international legal instruments for the ef-

fective protection of traditional knowledge (TK) and traditional cultural expressions/expressions of folklore (TCEs), and for dealing with the interface between IP and genetic resources (GRs).

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Traditional Knowledge Documentation

Two international conferences explored the role of documentation in the protection of TK and TCEs. Co-organized by WIPO and India's Council of Scientific and Industrial Research (CSIR) in March 2011, the International Conference on the Utilization of the Traditional Knowledge Digital Library (TKDL) as a Model for Protection of Traditional Knowledge explored the policy issues and technical implications related to establishing a TKDL, as well as the role and functioning of a TKDL within the international IP system. Initiated in India in 2001, the TKDL is a collaboration between the CSIR and the Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy (AYUSH). The TKDL, which contains over 34 million pages, provides information on TK for patent examiners searching for prior art which would otherwise be available only in Sanskrit and other local languages. In June 2011, Oman hosted a Technical Symposium on the role and place of documentation and registration systems in the protection of TCEs and TK, especially in relation to handicrafts. Co-organized with WIPO, the international symposium attracted considerable interest and resulted in a report submitted by Oman to the IGC.

In accordance with **Development Agenda Recommendation 18**, the IGC has accelerated its efforts and, in October 2009, member states renewed the Committee's mandate for two years, agreeing to begin "text-based negotiations", establishing intersessional working groups and adopting clearly defined terms of reference to guide its work. Significant progress was made in 2010, leading to the IGC recommending to the 2011 General Assembly an extension of its mandate for the forthcoming biennium. The May 2011 session of the IGC resulted in, for the first time, single negotiating texts on, respectively, TK, TCEs and GRs. The texts, which still contain options and alternative proposals, cover issues such as:

- Traditional knowledge: a definition of TK; beneficiaries of protection and the scope of rights to be granted, as well as how they would be managed and enforced
- Traditional cultural expressions: beneficiaries of protection and the scope of rights to be granted; management of rights; exceptions and limitations, as well as the term of protection; TCEs in relation to conventional IP protection
- Genetic resources: conditions for access to and use of GRs; the prevention of erroneous patents; information systems to enable patent offices to make well-founded decisions in granting patents; the role of the IP system in relation to GRs

The Organization also offers an extensive **capacity-building program** involving practical tools that can enable states and indigenous and local communities to protect their TK, TCEs and GRs in ways consistent with the interests and value systems they identify for themselves. Capacity-building resources available from WIPO include legislative information and advice, practical training programs, and IP guidelines and information technology tools for managing IP issues when digitizing intangible cultural heritage – being developed within the **Creative Heritage Project** – as well as a toolkit for the protection of communities' interests when undertaking documentation. The program also addresses the protection of handicrafts.



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Traditional Cultures and Museums

In the framework of the Creative Heritage Project, in December 2010 WIPO issued *Intellectual Property and the Safeguarding of Traditional Cultures: Legal Issues and Practical Options for Museums, Libraries and Archives*, which provides information on managing IP for cultural institutions with collections comprising TCEs. This publication includes examples of IP-related best practices from institutional and community experiences around the world, in handling the preservation, safeguarding and protection of cultural heritage.

WIPO and the Paris-based International Council of Museums (ICOM) will collaborate in the managing of IP options as well as the mediation of disputes in the area of cultural heritage and museums. This concerns copyright, TK, TCEs and the digitization of cultural artefacts. The WIPO Arbitration and Mediation Center and ICOM have set up a dedicated mediation process for resolving disputes, including special ICOM-WIPO Mediation Rules and a list of mediators with experience in cultural heritage and related areas.

The WIPO Voluntary Fund

The WIPO Voluntary Fund, created by the General Assembly in 2006, ensures indigenous and local communities have an active voice in the IGC's discussions. The Fund finances the participation in IGC meetings of representatives of indigenous and local communities from all regions of the world. These voices have significantly strengthened the understanding and impact of indigenous perspectives in the work of the Committee, and sessions of the IGC have been opened by an indigenous-chaired panel at which indigenous representatives present their concerns and experiences to the full Committee. Since September 2010, the Fund also finances the participation of representatives of indigenous and local communities in the IGC's intersessional working groups. WIPO launched a fundraising initiative at the IGC's December 2010 session in order to increase the Fund's resources.

Indigenous Communities – Safeguarding Creative Heritage

Recorded and disseminated in digital form, traditional music, designs and art can reach new audiences in niche markets, thereby promoting development of the community that created them. With WIPO's assistance, two young Maasai in Kenya are documenting valuable TCEs handed down by generations of Maasai elders. WIPO provided the Maasai community with digital equipment to enable it to create its own IP in the form of photographs, sound recordings and community-managed databases. WIPO offers the training program in partnership with the American Folklife Center at the Library of Congress and the Center for Documentary Studies at Duke University in the United States. This hands-on practical assistance is part of WIPO's **Creative Heritage Project**, helping indigenous communities to document and preserve their own cultural traditions while managing their IP interests. This innovative project featured in a film produced by United Nations Television (UNTV).

Delivering global IP services

Innovators and businesses seek responsive, streamlined international systems to enable them to protect their intellectual assets in multiple countries. An important cluster of WIPO treaties – covering the international protection of inventions (patents), trademarks, industrial designs and appellations of origin – ensures that a single international registration or application will have effect in any of the relevant signatory states.

The services provided by WIPO under these treaties – the Patent Cooperation Treaty (PCT) System, the Madrid System for the International Registration of Marks, the Hague System for the International Registration of Industrial Designs and the Lisbon System for the International Registration of Appellations of Origin – are intended to simplify application for IP titles in all signatory countries in which protection is sought. Increasing use of the Internet and web-based databases

means the potential benefits inherent in such centralized filing or registration systems are greatly enhanced. They offer many advantages for developing as well as developed countries, and each system makes its services available electronically.

WIPO administers these global protection systems and provides a forum in which they can continue to evolve in response to the changing needs of users. Revenues from these fee-based services for the private sector account for 90 percent of WIPO's budget.

THE PATENT COOPERATION TREATY (PCT)

The most widely used of these systems is the PCT, with 144 members. A multilateral treaty which entered into force in 1978, the PCT offers applicants an advantageous route for seeking patent protection in multiple countries. A single international patent application under the PCT has the same legal effect as a national application in each country bound by the Treaty. Applicants, patent offices of all PCT members and the general public benefit from the PCT system with its uniform formality requirements, international search and preliminary examination reports and centralized publication system.

PCT applicants receive valuable information about the potential patentability of their inventions and have additional time to decide in which of the PCT countries to continue pursuing patent protection. Offices of PCT members can also use this information in deciding whether to grant patents. Thus, the PCT system consolidates and streamlines patenting procedures, postponing the payment of sizeable costs and providing applicants and patent offices with a sound basis for important decision-making.

- In 2010, 164,300 PCT international applications were filed, representing a 5.7 percent increase over the previous year. The increase reflects rapid growth rates from East Asia, while filings from the United States and Europe continue to show mixed performance.
- In 2010, the top countries of origin for PCT applications were again the United States, Japan and Germany. China moved into fourth place ahead of the Republic of Korea. International filings in a number of East Asian countries continued to see positive growth: China (+55.6%), the Republic of Korea (+20.3%) and Japan (+8%).
- Developing country filers made increasing use of the PCT in 2010, the largest number of applications coming from China and the Republic of Korea, followed by India, Singapore, Brazil, Turkey, Malaysia, South Africa, Mexico and Chile.
- Panasonic Corporation (Japan) topped the list of PCT applicants in 2010, followed by China telecommunications firm ZTE Corporation and Qualcomm Incorporated from the United States.
- The largest proportion of PCT applications published in 2010 related to digital communication (17.3%). Almost every other field of technology experienced modest growth or declines, with the sharpest decline in the field of telecommunications.
- To encourage use of the PCT in developing countries, the international filing fee is reduced by 90 percent for individual applicants (not companies) from an approved list of developing countries and by 90 percent for all applicants from LDCs.
- Users of the PCT system increasingly take advantage of electronic filing software for the preparation and filing of PCT international applications, with some 80 percent of all applications now filed fully or partially in electronic form.

Two Millionth PCT Application

In April 2011, US-based mobile technology company Qualcomm Incorporated filed the two millionth application under the PCT. A user of the PCT system since 1988, Qualcomm has filed almost 9,000 PCT applications – making it one of the system’s most active users. While it took 26 years from the beginning of PCT operations in 1978 to reach the one million mark, that figure doubled a mere six years later. This growth results from an increasing focus on international protection of innovative technologies, as well as from an increasing PCT membership.

An Enhanced PCT System

In June 2011, the PCT Working Group examined progress in implementing the PCT Roadmap reforms endorsed by the Working Group at its 2009 meeting. Discussions addressed continuing efforts to improve the quality of international search and preliminary examination, the surge in worldwide patent applications, the coordination and financing (including extrabudgetary funding) of technical assistance to developing countries, the introduction of a third party observation system and a quality feedback system, as well as proposed changes to the PCT procedural and legal framework.

*WIPO Director General Francis Gurry
at an event to celebrate the filing of the two millionth
PCT application*

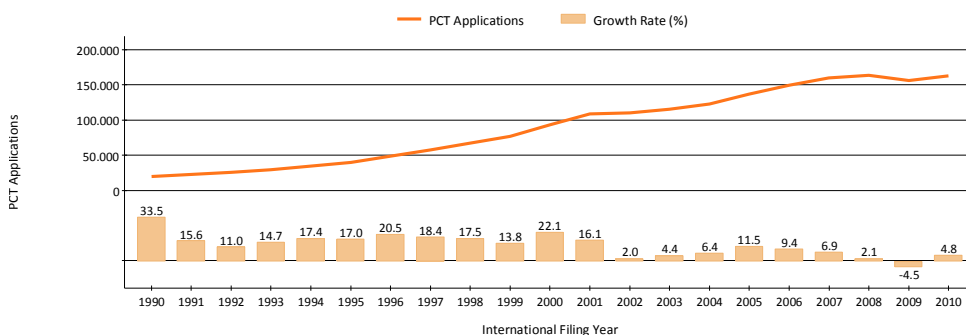


iStockphoto.com/ Andrey Prokhorov

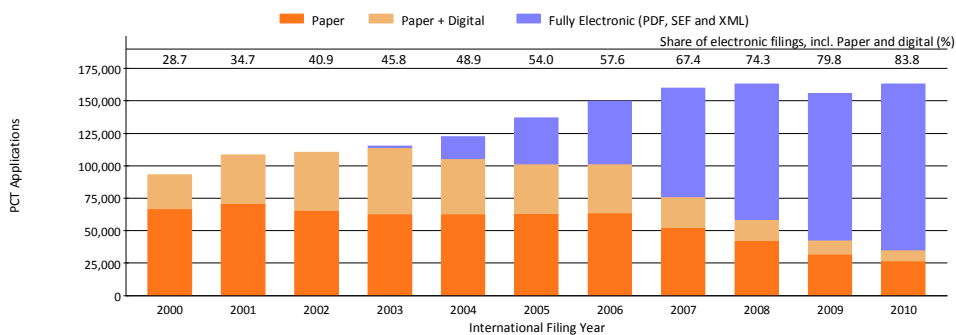


THE PCT – KEY STATISTICS

Trends in PCT Applications



PCT Filings by Method of Filing



*The changing distribution of filings –
on paper, on paper plus digitally or using fully electronic media
(SEF-web, PDF, XML).*

THE MADRID SYSTEM AND THE HAGUE SYSTEM

The Madrid System for the International Registration of Marks offers trademark owners the possibility to protect a trademark in the territories of the system's 85 contracting parties, by means of registration of the mark through WIPO on the basis of a single filing, in one language (English, French or Spanish), subject to one set of fees and deadlines. A similar facility exists for industrial designs under the Hague System for the International Registration of Industrial Designs, which currently comprises 59 contracting parties.

Both systems offer cost-effective and accelerated access to trademark and industrial design protection in multiple jurisdictions, giving applicants a single yet flexible international registration that can be centrally managed. Data concerning these international trademark and industrial design registrations are accessible online and may be searched by anyone free of charge.

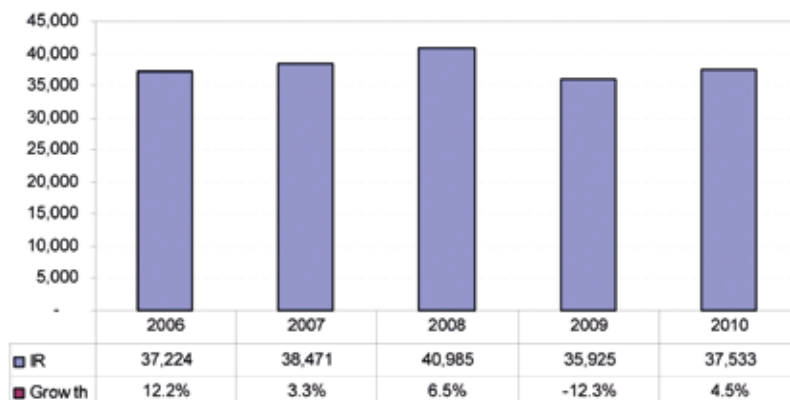
THE LISBON SYSTEM

The Lisbon system, with 27 contracting parties, facilitates the international protection of appellations of origin – i.e., geographical indications protected in their country of origin because they have come to designate a product with geographically determined qualities or characteristics. At the end of 2010, a total of 897 international registrations concerning appellations of origin had been made under the Lisbon system since its operations began in 1966 – of which 823 were still in force. The Working Group on the Development of the Lisbon System considered the results of a survey on the Lisbon system and a study on the relationship between regional systems for the protection of geographical indications and the Lisbon system in the light of the Lisbon system review. Both the survey and study aim to make the system more attractive to current and potential users and to prospective new members.

Madrid System Highlights

- International trademark activity recovered in 2010, with 39,687 international applications filed under the Madrid system – a 12.8 percent increase relative to 2009. The largest growth rates were registered in the Republic of Korea (+42.2%), China (+42%), Italy (+38.7%), the United States (+29.6%), the European Union (EU) (+26.9%) and Japan (+20.2%).
- Applicants from Germany, for the eighteenth consecutive year, led the list of top filers, followed by users in the EU, the United States, France and Switzerland. China continues to be the most designated country in international trademark applications.
- In 2010, Philip Morris (Switzerland) was the largest filer, with 137 trademark applications and, by the end of the year, Henkel (Germany) was holder of the largest number of international trademark registrations under the Madrid system, with 2,973.
- By the end of 2010, 526,674 international trademark registrations were active in the International Register, belonging to over 174,349 different trademark holders, many of which are small and medium-sized enterprises (SMEs).
- WIPO's ROMARIN database, updated daily, contains the history of all international marks in force, together with information concerning pending international applications and subsequent designations. ROMARIN also provides details on all international registrations no longer in force (since 1996).
- WIPO's Madrid **Goods and Services (G&S) Manager**, a new online tool, helps trademark applicants compile the list of goods and services to be included when filing an international application. The G&S Manager offers access to some 30,000 terms in English and their equivalents in French and Spanish. A Russian interface with access to 16,000 terms translated into Russian is also available.

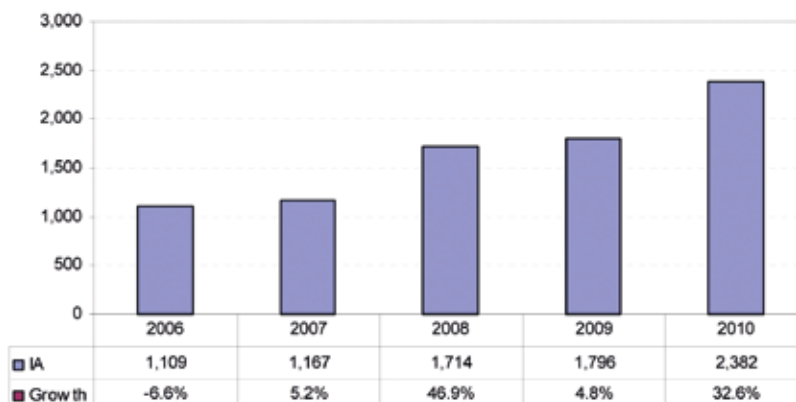
International trademark activity recovers in 2010.



Hague System Highlights

- A total of 2,216 international industrial design registrations were recorded under the Hague system in 2010 – an increase of 31.8 percent over 2009 – for a total of 11,238 designs.
- At the end of 2010, 25,633 international industrial design registrations were in force in the International Register, belonging to 7,919 different right holders.
- The Procter & Gamble Company (US) was the largest user of the Hague system in 2011, with 127 design applications, followed by Koninklijke Philips Electronics N.V. (Netherlands) and Vestel Beyaz Esya (Turkey).
- Class 9 – which covers packages (mostly for foodstuffs and cosmetics) and containers for the transport or handling of goods – was the most frequently used Locarno Class in 2010.
- Recent improvements to the Hague system include the decision to freeze the application of the earliest of the three Acts (the 1934 Act) governing the Hague Agreement, thus simplifying and streamlining overall administration of the international design registration system. Focusing greater attention on the Geneva (1999) Act makes the system more compatible with registration systems in contracting parties where the acceptability of an application for industrial design protection is contingent on examination. Another improvement in 2010 was the introduction of Spanish as a third working language.
- Increasingly, international design applications are filed online and, since December 2010, an **e-renewal** service allows users to request the online renewal of industrial design registrations in the system's three working languages – English, French and Spanish.

*Increase in applications for international registration
of industrial designs in 2010*



WIPO ARBITRATION AND MEDIATION CENTER

As the leading resource in alternative dispute resolution for IP matters, the WIPO Arbitration and Mediation Center offers specialized procedures – in particular arbitration, mediation and expert determination – for the resolution of international commercial disputes between private parties. The Center's procedures are designed as efficient and inexpensive alternatives to court proceedings, especially for disputes potentially involving different jurisdictions. The Center maintains an extensive list of specialized mediators, arbitrators and experts (neutrals) from all over the world, available to conduct procedures according to the WIPO Rules. These procedures may take place in any country, in any language and under any law, allowing a great deal of flexibility for the parties.

Parties may elect to use the WIPO Electronic Case Facility (WIPO ECAF) to manage disputes filed under the WIPO Rules. With WIPO ECAF, parties, neutrals and the Center may securely file, store, search and retrieve case-related submissions in an electronic case file, from anywhere in the world and at any time.

The Center also works with IP owners and users and their representative organizations to establish alternative dispute resolution procedures specifically adapted to the particular features of recurrent types of disputes in their areas of activity. Streamlined standard procedures and an efficient case administration infrastructure can facilitate productive use of the IP rights involved.

The Center is the leading dispute resolution service for challenges filed by trademark owners in relation to abusive registration and use of Internet domain names, commonly known as cybersquatting. The entire procedure is conducted online and results in enforceable decisions within two months.

- In 2010, 2,696 complaints alleging cybersquatting were filed with the Center – a 28 percent increase over 2009 and a 16 percent increase over the previous record year. These cases covered 4,370 individual domain names.
- In the 11 years since the launch of the WIPO-initiated Uniform Domain Name Dispute Resolution Policy (**UDRP**), in December 1999, more than 20,000 UDRP-based cases covering some 35,000 domain names have been filed with the Center.
- The top five sectors to which complaints related in 2010 were retail; banking and finance; biotechnology and pharmaceuticals; Internet and information technology (IT); and fashion.
- WIPO's **paperless UDRP procedure** removes the requirement for mandatory filing and notification of paper pleadings, reducing the time and cost involved in submitting UDRP filings and saving up to one million pages of paper per year.
- Established in May 2010, the **Singapore Office** of the WIPO Arbitration and Mediation Center provides guidance and training for the Asia-Pacific region in relation to alternative dispute resolution of IP disputes.
- The Center continued its work with industry associations to develop **tailored dispute resolution procedures** in consideration of specific needs which, in 2010, included developing WIPO Expedited Arbitration Rules for EGEDA, a collecting society that represents and defends the interests of audiovisual producers in Spain.
- The Center monitors developments related to the protection of IP in the domain name system and continues to provide trademark-based domain name policy input to the Internet Corporation for Assigned Names and Numbers (**ICANN**).

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Facilitating the use of IP for development

WIPO develops, implements and coordinates programs and activities tailored to help developing countries benefit from their intellectual capital.

iStockphoto.com/ Hongqi Zhang



Using the IP system to further economic development requires adequate institutional infrastructure and human resource capacity. WIPO responds to developing countries, LDCs and countries in transition that request assistance in building infrastructure and capacity and in formulating and implementing national IP strategies and plans consistent with each country's needs, development priorities and resource base. In all its technical cooperation and capacity-building activities, WIPO works closely with other providers of technical assistance and takes into account the **Development Agenda** recommendations to ensure member states receive maximum benefit in the most efficient manner possible.

DEVELOPMENT AGENDA — Recommendation 1 established that WIPO's technical assistance shall be, *inter alia*, development-oriented, demand-driven and transparent – taking into account the priorities and special needs of developing countries, especially LDCs, as well as the different levels of development of member states – and that activities should include time frames for completion. Delivery mechanisms and evaluation processes should be country specific.

A wide range of programs and activities assists countries in:

- Building efficient and service-oriented IP institutions and IP-related technical infrastructure
- Formulating and implementing national IP strategies and plans
- Enabling policymakers to incorporate IP into national development planning
- Formulating and updating IP legislation and implementing international treaties
- Enhancing capabilities for creating, protecting, using and managing IP assets
- Promoting innovation through facilitating access to technical knowledge and information and enhancing the capacity to use such knowledge
- Strengthening mechanisms for regional cooperation
- Encouraging public-private sector co-operation to promote greater use of the IP system

Separate regional bureaus within the WIPO secretariat, each benefiting from relevant geographical expertise, act as focal points for the coordination and provision of legal and technical assistance to **Africa**, the **Arab countries**, **Asia and the Pacific** and **Latin America and the Caribbean**. WIPO offers a structured approach to the process of designing national IP strategies and plans through detailed country programming and needs assessment exercises, involving a wide range of consultations with national IP authorities and other stakeholders. These tailor-made strategies also take into account each country's socioeconomic context in mainstreaming IP into national development plans.

The specific needs of **LDCs** are addressed through comprehensive technical assistance, including:

- Training with a focus on skills development programs
- IP institution-building to promote product branding for export markets
- Use of appropriate, needs-based technologies for improving national productivity
- High-level policy dialogue at the ministerial and parliamentary level
- Cooperation with other UN and multi-lateral bodies

WIPO also cooperates with countries in the **Central European** and **Baltic States** regions, **Eastern Europe**, the **Caucasus** region and **Central Asia**, focusing on their specific requirements as countries in transition, where IP often already plays a prominent role in their accelerated economic and cultural development. This includes requests for advanced programs and technical assistance, in particular regarding the promotion of innovation and transfer of technology; specific features of copyright systems; the enforcement of IP rights; and promotion of entrepreneurship. WIPO works to expand cooperation within the industry and business sectors to enhance the use of IP for economic development in the region and to promote the creation of domestic partnerships between the public and private sectors.

INCORPORATING IP AND INNOVATION INTO NATIONAL PLANNING

Developing countries face numerous challenges in building the innovation infrastructure and identifying the funding and human resources needed to enable local innovators and research institutions to use IP as a means of owning, protecting and exploiting their research results. WIPO assists member states in formulating comprehensive IP and innovation strategies, and has developed hands-on tools and training programs related to patent drafting, patent information, innovation promotion, and technology transfer and commercialization. WIPO has also created guidelines to help research and development (R&D) institutions in developing countries formulate and implement institutional IP policies.

A photograph of a man from behind, wearing a light blue button-down shirt, standing with his arms crossed and looking at a wall. The wall is covered in a dense, hand-drawn collage of various scientific concepts, including chemical structures like DNA, molecular models, and numerous chemical formulas such as H_2O , CH_4 , NaCl , HNO_3 , H_2SO_4 , CO_2 , $\text{C}_6\text{H}_{12}\text{O}_6$, H_2O_2 , H_2S , H_2SO_3 , H_2SO_4 , H_2SO_5 , H_2SO_6 , H_2SO_7 , H_2SO_8 , H_2SO_9 , H_2SO_{10} , H_2SO_{11} , H_2SO_{12} , H_2SO_{13} , H_2SO_{14} , H_2SO_{15} , H_2SO_{16} , H_2SO_{17} , H_2SO_{18} , H_2SO_{19} , H_2SO_{20} , H_2SO_{21} , H_2SO_{22} , H_2SO_{23} , H_2SO_{24} , H_2SO_{25} , H_2SO_{26} , H_2SO_{27} , H_2SO_{28} , H_2SO_{29} , H_2SO_{30} , H_2SO_{31} , H_2SO_{32} , H_2SO_{33} , H_2SO_{34} , H_2SO_{35} , H_2SO_{36} , H_2SO_{37} , H_2SO_{38} , H_2SO_{39} , H_2SO_{40} , H_2SO_{41} , H_2SO_{42} , H_2SO_{43} , H_2SO_{44} , H_2SO_{45} , H_2SO_{46} , H_2SO_{47} , H_2SO_{48} , H_2SO_{49} , H_2SO_{50} . Other elements include a microscope, a test tube, a beaker, a flask, a pipette, a syringe, a balance scale, a computer monitor, a printer, a scanner, a copier, a fax machine, a telephone, a television, a radio, a clock, a calendar, a map, a globe, a compass, a ruler, a protractor, a set square, a pencil, a pen, a marker, a highlighter, a stapler, a hole punch, a paper shredder, a file folder, a binder, a notebook, a book, a dictionary, a encyclopedia, a reference work, a research paper, a thesis, a dissertation, a journal article, a conference paper, a poster, a presentation slide, a video, a movie, a CD, a DVD, a Blu-ray disc, a hard drive, a floppy disk, a USB drive, a memory card, a battery, a power source, a switch, a plug, a cord, a wire, a cable, a fiber optic cable, a network router, a modem, a server, a database, a cloud storage icon, a social media icon, a shopping cart icon, a heart icon, a star icon, a flag icon, a trophy icon, a medal icon, a ribbon icon, a certificate icon, a diploma icon, a degree icon, a graduation cap icon, a mortarboard icon, a stethoscope icon, a medical cross icon, a biohazard symbol, a radiation symbol, a flame symbol, a skull and crossbones symbol, a warning symbol, a prohibition sign, a no smoking sign, a no parking sign, a one way street sign, a speed limit sign, a yield sign, a stop sign, a pedestrian crossing sign, a school zone sign, a construction sign, a traffic sign, a road sign, a directional sign, an informational sign, a decorative sign, a commemorative sign, a historical marker, a monument, a statue, a sculpture, a painting, a drawing, a sketch, a doodle, a graffiti piece, a mural, a tapestry, a rug, a curtain, a lamp, a chandelier, a candle, a fire hydrant, a mailbox, a trash can, a recycling bin, a compost bin, a garden hose, a watering can, a rake, a shovel, a pitchfork, a fork, a knife, a spoon, a spatula, a whisk, a rolling pin, a grater, a zester, a peeler, a slicer, a dicer, a chopper, a blender, a food 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ADVICE

WIPO provides expert and coordinated legislative advice, on a bilateral and confidential basis, in response to requests from individual member states or regional organizations. Such advice also explores and explains the legal and policy options available to each country under all relevant international treaties, while keeping in view the country's international obligations and its national development and policy priorities. In this context, WIPO's advice responds to questions relating to how developing countries can benefit from the options and flexibilities allowed to them under international IP laws, which have become a major preoccupation for many governments, particularly following WTO discussions on IP and public health.

DEVELOPMENT AGENDA – Recommendation 28 requests WIPO to explore supportive IP-related policies and measures that member states, especially developed countries, could adopt to promote transfer and dissemination of technology in developing countries.

Access to Technologies through Public-Private Partnerships

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The African Agricultural Technology Foundation (AATF), a not-for-profit organization, is helping smallholder farmers in Sub-Saharan Africa to adopt certain proprietary technologies for improving drought tolerance, pest and disease resistance, yield potential and nutrient content in food crops. By facilitating **public-private partnerships** where incentives and market opportunities exist, the AATF works with partners able to identify, acquire, adapt and deliver proprietary technologies to resource-poor farmers. Current AATF partners include governments, farmers, agricultural producers and consumers, regional and national agricultural institutions and agencies. Acting as an intermediary, the AATF negotiates with technology owners to conclude licensing agreements that allow beneficiaries to use the technology on a humanitarian, royalty-free basis. Its largest current project, Water Efficient Maize for Africa (WEMA), seeks to develop

drought-tolerant African maize using conventional breeding, marker-assisted breeding and biotechnology. The recently signed collaboration agreement between the AATF and WIPO responds to the need to ensure the IP system serves as a stimulus for solving such global challenges.

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WIPO ACADEMY

Developing the human capital of countries is key to their realizing the full benefits of national and international IP systems. The WIPO Academy helps to develop those human resources through numerous education and training programs.

The Academy adopts an international and interdisciplinary approach to IP education through a combination of face-to-face training and online distance learning. Partnerships with national IP offices, regional organizations, IGOs and universities enable the Academy to provide practical, customized training on IP. Academy programs provide graduate students, government officials, IP offices, technology transfer offices and other stakeholders with educational services to enhance IP knowledge in order to promote the use of IP for development.

Academy Programs

- In partnership with national and regional IP offices, the Academy's **professional development** program organizes training for IP officials from developing countries and countries in transition to help them acquire the skills necessary to contribute to enhanced administration of the IP system in their countries.
- The Academy's **distance learning** program now offers 14 courses, including a new advanced course on Managing IP in the Book Publishing Industry in collaboration with the WIPO Creative Industries program. Courses range from an introduction to IP and the PCT to advanced courses on copyright, IP and electronic commerce, IP and biotechnology, patents, trademarks (including industrial designs and geographical indications), arbitration and mediation under the WIPO Rules, patent information searches, patent drafting, and IP management, as well as plant variety protection. Advanced courses on patents, trademarks and copyright include a segment on the **Development Agenda**. Over 53,000 participants registered for courses during 2010. Courses are given in English, Arabic, Chinese, French, Portuguese, Russian and Spanish.

- The **academic institutions program** offers IP education opportunities in cooperation with higher education institutions, in particular Master's degree and diploma courses in IP law. The program also encourages developing countries to introduce IP more broadly into national curricula, through collaboration with universities, regional and national IP offices and IGOs. Two joint programs – the WIPO-WTO Advanced Course and the WIPO-WTO Colloquium for Teachers of IP – exemplify the current trend in technical assistance and capacity-building provided through WIPO-WTO partnership.
- For business managers and senior industry executives, the **executive program** offers tools for valuing IP and using it to competitive advantage. The program is also tailored to managers responsible for developing, licensing and marketing IP and includes specialized courses of interest to the business community.
- The Academy's **summer school** program, held in 10 locations around the world in 2010, enables young professionals and graduate or postgraduate students to better understand the role of IP in the development process.
- In response to **Recommendation 10 of the Development Agenda**, the WIPO Academy assists developing countries and LDCs in establishing national IP academies through the "Start-up IP Academy Project". The project is currently being implemented in 10 countries.



*WIPO-University of Turin Master
of Law students 2010-2011*

Regional news

- Nine countries in **Africa** received information and communication technology (ICT) equipment or expert advice, under the Japan Funds-in-Trust, in the framework of modernizing their IP administrations: Angola, Burundi, Congo, Comoros, Djibouti, Ethiopia, Mali, Sao Tome and Principe and Zimbabwe, as well as the African Intellectual Property Organization (OAPI) and the African Regional Intellectual Property Organization (ARIPO).
- WIPO promoted regional and interregional cooperation through various events for sharing best practices and learning, such as the Study Program on IP, Technology Transfer, Innovation and Development for scientists and technology managers from Guinea and Côte d'Ivoire, held in Tunisia; the Interregional Seminar for Heads of IP Offices of OAPI Member States, organized in China; and the Regional Conference on Technology and Innovation Support for African Countries, held in Ethiopia.

Two exhibitions held during the 2010 WIPO Assemblies displayed the handicrafts and cultural heritage of Morocco (bottom right) and of Oman. Each year, WIPO hosts a series of art exhibitions featuring selected artists from around the world, to highlight the link between IP and creativity.

WIPO



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- At a regional workshop in the **Arab States**, WIPO introduced the Industrial Property Automation System (IPAS) to representatives of all IP offices, with the goal of improving business processes. WIPO continues to provide technical support as individual offices move to full use of the system.
 - To increase business competitiveness in the global market and contribute to job creation and economic growth in Arab countries, WIPO is supporting the Establishment of Transfer of Technology Offices project in Algeria, Egypt, Jordan, Morocco and Tunisia. The pilot project, launched in Tunisia in December 2010, is being carried out in collaboration with core project partners representing government, the Arab Science and Technology Foundation (ASTF), private donors and WIPO.
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- In **Asia and the Pacific**, WIPO developed a comprehensive automation plan for the Philippines, and carried out expert advisory missions to Bhutan, Cambodia, Indonesia, the Lao People's Democratic Republic, Mongolia and Sri Lanka which enabled a review of existing automation systems with a view to further upgrading.
 - Recognizing the importance of green innovation in addressing the challenge of climate change, an Asia-Pacific Regional Forum on Intellectual Property and Green Growth was held in Daejeon, Republic of Korea, in October 2010. The first of its kind in the region, the forum focused on leveraging IP and green innovation for sustainable development and on integrating green growth concepts into national IP policy planning and strategies.
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- In **Latin America and the Caribbean**, WIPO provided advice on the formulation of legal frameworks such as in relation to the PCT, the Madrid Agreement and TRIPS implementation to Brazil, Colombia, Cuba and Uruguay, as well as the subregions of the Caribbean and Central America.
 - WIPO is assisting Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Suriname and Uruguay in their efforts to improve services to local and international users of the IP system through a regional project to develop a common platform, PROSUR, enabling the exchange of information and system compatibility for participating countries. WIPO is developing the necessary infrastructure, including use of the WIPO CASE platform, and will provide training for patent examiners and other IP professionals in these countries.

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- In the **Least Developed Countries**, WIPO carried out assessments for the possible establishment of Technology and Innovation Support Centers (TISCs) in Benin, Madagascar and Uganda, while research centers, university and business organizations continued to benefit from the services of Centers in Ethiopia and the United Republic of Tanzania.
 - Project implementation began in Bangladesh, Nepal and Zambia in relation to Development Agenda **Recommendation 19** on capacity-building in the use of appropriate technology-specific technical and scientific information as a solution for identified development challenges.
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- In **Central Europe** and the **Baltic States, Eastern Europe**, the **Caucasus** region and Central Asia, IP-related information and service centers were created in 8 countries, and WIPO offered assistance to 12 countries in the modernization of their IP offices.
 - WIPO offers a document on *Guidance for Elaboration of IP Strategies in Countries in Transition*, as well as other tools for facilitating the modernization of national IP legislation in the areas of copyright and technology transfer.
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In August 2010, 17 ARIPO member states adopted the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore, following a process supported by WIPO.

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Designs created by women, shown at the March 2011 International Conference on Innovation and Creativity of Women for Economic Development: Design in an Innovative Economy, held in Warsaw.

WIPO



Global IP infrastructure

One of WIPO's strategic goals – Coordination and Development of Global IP Infrastructure – responds to the need for tools, services, standards and platforms that can enable IP institutions to work more efficiently, collaborate more effectively and provide high-quality services to stakeholders and users. An enhanced and strengthened international IP infrastructure allows innovators to share information and simplifies the exchange of data and knowledge between IP institutions.

WIPO coordinates with various stakeholders in the international IP system in developing strategic assets and contributes to establishing a unified, global IP infrastructure. Its activities in this regard include:

- Supporting IP offices in setting up modern and effective IP administrative systems
- Enhancing IP offices' capacity to carry out patent examination
- Assisting member states in establishing and developing appropriate and sustainable technology and innovation support services for their stakeholders

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- Establishing patent landscape reports in technological areas of particular interest and significance to developing and least developed countries
- Creating IP information retrieval tools and services and facilitating access to them
- Setting up technical infrastructure that allows data exchange among IP offices
- Building a system of standards for data exchange and maintaining up-to-date classification schemes for organizing IP information

BUSINESS SOLUTIONS FOR IP OFFICES

WIPO's Business Solutions for IP Offices program provides tools and services that enable IP offices around the world to participate effectively and efficiently in the global IP system and to provide quality services to their stakeholders, and addresses the needs of offices to collaborate and exchange information in an increasingly global business environment.

To support the local business community and national/regional economy, IP offices must receive and process applications for IP rights including patents, utility models, trademarks and industrial designs. An integral part of the IP system is the dissemination of information about applications for and grants or registrations of IP rights. IP offices need to make this information

available to their stakeholders as effectively as possible, preferably through free online services, in order to improve the transparency and certainty of the IP rights applied for and in force in their territories, as well as to provide access to the technological information disclosed in patent documents. Applicants also expect offices to offer services such as online filing systems, online registers and online access to the status of their applications.

At the regional and international level, IP offices increasingly collaborate to build systems designed to respond to the global nature of business. That collaboration often involves the sharing of information to improve efficiency and quality in processing demands for IP rights.

The business systems necessary to support these functions are similar across IP offices, in spite of differences in national/regional legislation. However, it can often be expensive and risky for an IP office to develop such systems on its own because of the specific nature of the IP system. WIPO offers technical assistance to help IP offices develop business systems based on international best practices.

Specifically, the Organization provides tools and services that enable IP offices to:

- Improve their efficiency in processing demands for IP rights
- Improve their provision of online business services to stakeholders
- Participate effectively in international and regional IP office networks

As of 2011, more than 70 IP offices in developing countries had received technical assistance from WIPO, and many of them now use IP office automation and digitization systems developed and supported by WIPO (for example, the WIPO Industrial Property Automation System (IPAS) for administering IP rights, and the WIPO Scan and EDMS systems for digitizing and managing electronic documents). WIPO has developed a technology platform – WIPO CASE (Centralized Access to Search and Examination) – which allows for the sharing of confidential search and examination information between IP offices. That system is currently being used or evaluated by groups of offices from several different regions.

TECHNOLOGY AND INNOVATION SUPPORT SERVICES

WIPO offers support to member states in establishing technology and innovation support services as part its implementation of Development Agenda recommendations related to specialized database access and support and to tools for accessing patent information. These services are provided by Technology and Innovation Support Centers (TISCs), which are designed to offer researchers, inventors and entrepreneurs in developing and least developed countries access, in particular, to critical technological information. These Centers also provide services that enable innovators to develop solutions to technical challenges at both the local and global levels.

DEVELOPMENT AGENDA — Recommendation 10 states that member states should be assisted in developing and improving national IP institutional capacity through further development of infrastructure and other facilities, with a view to making national IP institutions more efficient and promoting a fair balance between IP protection and guarding the public interest. Such technical assistance is to be extended to subregional and regional IP organizations.

DEVELOPMENT AGENDA — Recommendation 8 requests that WIPO develop agreements with research institutions and private enterprises with a view to facilitating access to specialized databases by national offices of developing countries – especially LDCs, as well as regional and subregional IP organizations – for the purpose of patent searches.

To support the development of TISCs, WIPO facilitates access to specialized patent and non-patent databases under its Access to Specialized Patent Information (ASPI) and Access to Research for Development and Innovation (aRDⁱ) programs. The Organization offers on-site and distance learning training on technological information, IP rights and IP management, and organizes regional conferences where TISC networks can ex-

change experiences and best practices. WIPO also develops awareness-raising materials on patent information as well as tools for retrieving technological information, and work is under way on an e-tutorial on using patent information. WIPO currently supports the development of TISC networks in 18 countries (including five LDCs), and has provided preliminary assistance to a further 22 countries.

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Access to Specialized Patent Information (ASPI) and Access to Research for Development and Innovation (aRDİ)

Building on public-private partnerships with major patent database providers and leading scholarly journal publishers, WIPO's ASPI and aRDİ programs facilitate access to advanced patent search and analysis tools and key journals in applied science and technology, for patent offices and academic and research institutions in 115 developing and least developed countries. By offering free or low-cost access to over 200 journals and 6 top patent database services, these programs contribute significantly to reducing the digital divide.

ASPI
ARDİ
Research for Innovation

Developing a Global IP Infrastructure

The September 2010 WIPO Global Symposium of Intellectual Property Authorities brought together heads of IP authorities, industry leaders and other stakeholders to share ideas for improving IP services, focusing on:

- Moving from a paper-based to a digital environment
 - Developing a common platform for international collaboration in the area of technical infrastructure
 - Voluntary recordation of copyrighted works
 - Efficient and effective patent search and examination applications for use by small offices
 - New challenges in trademark office administration
 - Overcoming language barriers in patent information searches
-

IP INFORMATION RETRIEVAL TOOLS AND SERVICES

In order to keep the PCT running, WIPO needs to communicate and exchange documents with more than 100 PCT receiving offices, 14 international search and examining authorities and approximately 110 designated offices. These communications increasingly take place in electronic form, and PCT applications are processed electronically end to end by WIPO. The PATENTSCOPE database and related IT tools provide the basis for further enhancing the value inherent in patent data and optimizing the disclosure function of the patent system.

WIPO's **PATENTSCOPE Search** service provides free access to the more than 1.9 million patent applications that have

been disclosed through the PCT system since 1978. These patent applications are a unique record of technological progress over the last 30 plus years and contain information of important business and economic value. The service is also a portal that gives easy access to an increasing range of current and historical information related to the processing of international applications, which previously was only available by requesting physical copies of the secretariat's files.

During 2010, the service was further enhanced to include patent data collections from four more offices: Argentina, Brazil, Morocco and Spain, with a further 13 added so far in 2011: Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Peru, Uruguay and the EPO – making it possible to conduct high-quality, detailed and free-of-charge searches of the patent information of a total of 25 offices.

In addition to English, Chinese, French, German, Portuguese and Spanish, the PATENTSCOPE search interface is now available in Japanese, Korean and Russian. Support is available for searching in different languages and for obtaining “gist” machine translations of the results obtained using the WIPO-developed tools.

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The Organization responds to requests from patent offices, particularly offices of developing countries, for technical assistance in digitizing their patent collections and disseminating them via the PATENTSCOPE service.

The **WIPO Priority Document Access Service** (DAS) offers applicants a simple and safe digital alternative to filing paper copies of priority documents with multiple patent offices. This new service provides a gateway for IP offices to digital libraries of priority documents, with applicants able to control which offices have access to unpublished applications using an interface on the PATENTSCOPE website. Development and testing of communication arrangements between WIPO and several pilot offices are ongoing.

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Brand Searching

WIPO's recently launched **Global Brand Database** makes it easier to search over 640,000 records relating to internationally protected trademarks, appellations of origin and armorial bearings, flags and other state emblems, as well as the names, abbreviations and emblems of intergovernmental organizations. The new database enables simultaneous brand-related searching across multiple collections.

Green Tech Patent Searches

In September 2010, WIPO launched an online service to facilitate searches for patent information related to **environmentally-sound technologies** (ESTs). The new tool, the IPC Green Inventory, contains some 200 topics directly relevant to ESTs, and each is linked to its most relevant IPC symbol as chosen by experts from around the world. Based on a list of technological terms established by the United Nations Framework Convention on Climate Change (UNFCCC), the inventory is hyperlinked to WIPO's PATENTSCOPE patent search service.

CLASSIFICATION SYSTEMS

Anyone applying for a patent or registering a trademark or design, whether at the national or international level, is required to determine whether their creation is new or owned by someone else. To do so, vast amounts of information must be searched. Four WIPO treaties maintain classification systems that organize information concerning inventions, trademarks and industrial designs into indexed, manageable structures for easy retrieval:

- Strasbourg Agreement Concerning the International Patent Classification (IPC)
- Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)
- Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (Vienna Classification)
- Locarno Agreement Establishing an International Classification for Industrial Designs (Locarno Classification)

These are regularly updated to reflect advances in technology and commercial practices. The classification systems are used voluntarily by many countries that are not party to the related agreements.

- The latest edition of the **IPC**, which entered into force in 2011, has a new, simplified structure. It is available for consultation online, free of charge, along with previous editions of the IPC. The IPC is currently undergoing reform to simplify its structure, thereby ensuring more consistent search results and wider use by industrial property offices. Development of the IPC will include the progressive integration of local classification systems.
- **NIVILO:CLASS 2.4**, containing the latest editions of the Nice, Vienna and Locarno Classifications, is available online, free of charge, and on CD-ROM.

These dynamic tools, with user-friendly navigation and search possibilities, have become indispensable for IP practitioners and industrial property offices around the world.



Global issues, global approaches

WIPO has identified several areas where carefully targeted initiatives and expertise may be brought to bear on global policy issues related to IP. Acknowledging that IP influences so many aspects and sectors of society, these programs are intended to maximize the benefits of the IP system to support creativity, innovation and economic development.

WORLD REFERENCE SOURCE FOR IP INFORMATION AND ANALYSIS

Economics and Statistics

Policymakers need empirical evidence of how different IP strategies can affect innovation and a country's social and economic performance. WIPO's work in the area of Economics and Statistics includes:

- Conducting research and providing objective impact studies
- Anticipating developments affecting the world of IP
- Equipping WIPO management with tools for identifying future strategic developments

Its activities help to deliver several of the adopted recommendations of the Development Agenda in the field of economic studies and analysis. This includes improving the theoretical, empirical and practical understanding of the impact of IP systems on development. In 2010, WIPO launched a three-year economic studies project to generate new evidence on the development linkages of IP policies.

DEVELOPMENT AGENDA — Recommendation 35 requests WIPO to undertake, upon request by member states, new studies to assess the economic, social and cultural impact of the use of IP systems in these states. **Recommendation 37** states that, upon request and as directed by member states, WIPO may conduct studies on the protection of IP, to identify the possible links and impacts between IP and development.

Network of IP Office Economists

WIPO has helped to launch an international network of IP office economists, in order to enhance coordination and comparison of economic analyses conducted by national and regional IP offices.

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WIPO uses state-of-the-art statistical data collection mechanisms, maintains a statistical database and publishes regular statistical updates on the Internet, as well as annual statistical reviews on the international IP system. The Organization has also created a web portal providing access to economics studies and related resources.

In 2011, WIPO's "Economics of Intellectual Property" seminar series, which features leading economists from around the world, included talks on:

- Licensing, technology services, trade and the role of IP
- Determinants of the private value of patents
- SMEs, IP and litigation

Video recordings of the seminars are available on WIPO's website.

Online Information Resources

In pursuit of its goal to become the world reference source for IP information, WIPO continues to expand its free, online IP reference source – **WIPO GOLD**. This global reference provides quick and easy access to a broad collection of searchable IP data and tools relating to technology, brands, designs, statistics, WIPO standards, IP classification systems, IP laws and treaties (known as **WIPO Lex**), and domain name decisions.

Global Innovation Index

In 2011, WIPO was a Knowledge Partner in preparing the **Global Innovation Index (GII)** 2011 report, an initiative led by international graduate business school and research institution INSEAD. Knowledge partners provide input to the GII's underlying research and contribute to disseminating the results. The GII is calculated on the basis of innovation input (institutions, human capital and research, infrastructure, market and business sophistication) and output (scientific and creative results and achievements). The report also focuses on affordable innovation, smart and sustainable cities, R&D global footprint, and metrics on creativity and the copyright-related industries.

WIPO Director General Francis Gurry with Dr. Soumitra Dutta (left), Roland Berger Professor of Business and Technology of INSEAD, presenting the GII Report 2011

WIPO



IP AND GLOBAL CHALLENGES

WIPO engages in a range of international policy debates and processes that address global challenges such as climate change, public health and food security. At the core of many debates is the role of IP in fostering technology development and enabling access to innovation which may be vital, often life-saving.

WIPO's work in the area of **Global Challenges** ensures that the Organization responds actively and systematically to needs related to these challenges, and the policy questions that surround them. WIPO cooperates closely with other UN agencies, informs the debate among member states and provides objective and empirically sound information relevant to topical policy issues. The Organization's engagement is closely linked to achieving a number of **Development Agenda** objectives as well as the **UN Millennium Development Goals**.

The Organization contributes to the public dialogue in this area by convening and/or participating in a range of events, from large conferences to policy symposia; carrying out studies; undertaking public policy patent landscaping; and producing factual information materials to assist policymakers in understanding, monitoring and assessing policy options. This also involves facilitating inclusive and informed debate on the strengths and weaknesses of the IP system in meeting public health and environmental challenges.

Recent highlights:

- Expert input to the policy dialogue on technology transfer at United Nations Framework Convention on Climate Change (**UNFCCC**) meetings, highlighting policies that encourage investment in the creation and diffusion of environmentally-sound technologies
- A WIPO policy study documenting private and public sector experience on the role of IP in the transfer and diffusion of **green technologies**
- Creation of two **new platforms for open innovation** – WIPO GREEN: the Sustainable Technology Marketplace and WIPO Re:Search: Sharing Innovation in the Fight Against Neglected Tropical Diseases, both expected to launch in 2011

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- A June 2011 seminar on How the Private and the Public Sectors **Use IP to Enhance Agricultural Productivity**
- A February 2011 Symposium on Access to Medicines, Patent Information and Freedom to Operate – jointly organized by WIPO, the WHO and the WTO – addressed the importance of patents and related information for **public health** in the fields of freedom-to-operate strategies, procurement of medicines, technology transfer and setting of research priorities and strategies. The symposium was part of the ongoing trilateral cooperation among the three organizations, and contributes to implementing the WHO Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property.
- Technical contributions, upon request, to policy processes in the areas of public health, climate change and food security, for example assisting the **Medicines Patent Pool** in defining beneficial and pragmatic terms for licenses

DEVELOPMENT AGENDA — Recommendation 40 requests that WIPO intensify its cooperation with UN agencies on IP-related issues, according to member state orientation. This is in order to strengthen coordination for maximum efficiency in undertaking development programs, and refers to UNCTAD, UNEP, WHO, UNIDO, UNESCO and other relevant international organizations, especially the WTO.

Innovation and Climate Change

In July 2011, WIPO hosted a two-day International Conference on Innovation and Climate Change: Stimulating Innovation, Accelerating Technology Transfer and Diffusion, Enabling Global Solutions. The conference addressed how the principal factors that stimulate innovation can be integrated into coherent strategies spanning R&D, national production capabilities, access to markets, effective regulations and sound IP management. Discussions also focused on how shifting innovation paradigms can be leveraged to stimulate innovation, the specific options that can help to accelerate technology transfer and access, as well as the role of the multilateral system.

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Technology Transfer: Vaccinations that Can Take the Heat

Preparing vaccines that do not require refrigeration has been identified as one of the major unsolved problems of global health, and maintaining the cold chain for vaccines costs millions per year. Scientists from the University of Oxford and UK company Nova Bio-Pharma Technologies are developing vaccines that can be stabilized for months using Nova's patented Hypodermic Rehydration Injection System (HydRIS). According to this method, vaccines are mixed with the sugars trehalose and sucrose and left to dry slowly on a filter or membrane where the mixture solidifies to form a thin sugary film. Flushing the membrane with water instantly rehydrates the vaccine. The team demonstrated that two different virus-based vaccines could be stored on sugar-stabilized membranes for six months at 45°C without deterioration. Isis Innovation, Oxford University's technology transfer company, is currently working with the research team on a commercial strategy for developing the technology.

Oxford University



INTELLECTUAL PROPERTY AND COMPETITION POLICY

WIPO's work on **Intellectual Property and Competition Policy** contributes to discussions concerning the interface between these areas. In addition to working directly on the special project on IP and Competition Policy being carried out under the **Development Agenda**, WIPO also seeks to generate awareness, particularly in developing and least developed countries, of the pro-competitive nature of IP and the measures necessary to ensure that it remains so. Recent events to facilitate dialogue among member states include:

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- A June 2011 Roundtable on IP and Competition Policy, held in New York, attended by competition authorities from Japan, the Republic of Korea and the United States
- A July 2011 Roundtable on IP and Competition Policy, held in Rio de Janeiro, which brought together representatives of competition authorities and IP offices from Argentina, Brazil, Chile and Mexico

SMALL AND MEDIUM-SIZED ENTERPRISES (SMES)

The Organization's activities for SMEs aim to improve awareness about the role of the IP system in increasing the competitiveness of microenterprises and SMEs, and to strengthen the capacity of SME-support institutions in this area. WIPO's assistance includes:

- Conducting national studies on awareness of, access to and use of the IP system by SMEs as a resource for policymaking
- Developing easy-to-use, business-friendly content on IP for businesses, such as IP PANORAMA, an interactive multimedia self-learning toolkit on IP asset management – developed jointly with the Korean Intellectual Property Office (KIPO) – that is available in four languages and is increasingly used by universities, business consultants, researchers and SMEs worldwide, including for distance learning programs
- Creating the “IP for Business” series and other publications, including *Making Intellectual Property Work for Business: A Handbook for Chambers of Commerce and Business Associations Setting up Intellectual Property Services*, published in June 2011
- Organizing national and regional training-of-trainers programs for SME intermediaries or support institutions on IP asset management, either face to face or through distance learning
- Sharing information and content through WIPO's SMEs website and its monthly e-newsletter

WIPO encourages its member states and others to use its resources for SMEs in developing their own distance learning and training programs. Partners are encouraged to use the resources available on the SMEs web pages and through its e-newsletter, including to adapt the publications and other content on SMEs by translating them into local languages and/or customizing them, taking into account local laws, local examples and case studies.

WIPO adopts a managerial perspective in explaining how effective management of IP rights can play an important part in business strategies, in particular in enhancing business productivity and competitiveness. For example, patents are highlighted as an essential part of R&D and company product development strategies. Trademarks are described as tools to enhance company branding and marketing strategies, including for product differentiation. Copyright and related rights are seen as key in navigating a knowledge-based economy.

Increasingly, the Organization uses a project-oriented approach to promote SME development at local, national, regional and international levels – in partnership with other supporting organizations and with a focus on integrating IP within the broader business issues confronting entrepreneurs, microenterprises and SMEs.

INTERNATIONAL COOPERATION ON BUILDING RESPECT FOR IP

Another of WIPO's strategic goals aims to enhance international cooperation on **building respect for IP** – a broad, cross-cutting goal that calls for a balanced approach, focusing on international cooperation where WIPO can make a difference, with the overall objective of creating an enabling environment for promoting respect for IP in a sustainable manner. This includes strengthening capacity in member states

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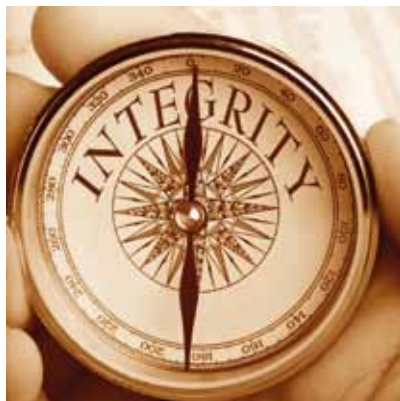
for effective enforcement of IP rights in the interests of social and economic development and consumer protection.

WIPO plays a leading role in encouraging and facilitating international dialogue on enforcement-related issues, working with member states in the Advisory Committee on Enforcement (ACE) and with public-private partnerships in fora such as the Global Congress on Combating Counterfeiting and Piracy. The Organization also provides, upon request, extensive assistance to member states through specialized training programs for law enforcement officials and the judiciary, legislative review and advice (including in relation to flexibilities available under international legal frameworks), help in formulating concerted IP enforcement strategies (including public-private cooperation models), the publication of case law compilations and public awareness campaigns to help combat counterfeiting and piracy. In all such activities, WIPO ensures that socioeconomic and development-oriented concerns are fully reflected.

Enforcement News

- In 2011, the Mexican Industrial Property Office held its fourth annual “Children against Piracy” drawing competition, aimed at building respect for IP among children. Each participant received a “youth inspector against piracy” certificate, and winners received their awards as part of Mexico’s World IP Day celebrations.
 - The World Customs Organization (WCO) launched, in 2010, a new tool to combat counterfeiting and piracy. Interface Public-Members (IPM) is an online database allowing right holders to give real-time data on their products to customs field officers, helping them to distinguish between the genuine article and a copy.
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DEVELOPMENT AGENDA — Under **Recommendation 45**, WIPO is to approach IP in the context of broader societal interests and especially development-oriented concerns, keeping in mind that “the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations”, in accordance with Article 7 of the TRIPS Agreement.

Guided by Development Agenda **Recommendation 45**, at its sixth session in December 2010 the ACE considered the future work of the Committee. The work program includes:

- A review of methodologies and gaps in existing studies with a view to developing analytical methodologies to measure the social, economic and commercial impact of counterfeiting and piracy
- An analysis of the factors that fuel counterfeiting and piracy, including consumer behavior and motivation
- An analysis of various efforts and alternative models for addressing counterfeiting and piracy challenges

The sixth Global Congress on Combating Counterfeiting and Piracy, held in Paris in February 2011, focused on **sustainable solutions** to the global challenge of building respect for IP, and addressed the overlapping social, economic and political dimensions of counterfeiting and piracy. Hosted by France and chaired by WIPO, the Congress was

also supported by INTERPOL, the WCO, the International Chamber of Commerce (ICC) (through its BASCAP (Business Action to Stop Counterfeiting and Piracy) initiative) and the International Trademark Association (INTA). A WIPO initiative led to Global Congress partners committing to the inclusion of a range of new, development-related topics in the Congress agenda, in addition to ensuring the involvement of civil society.



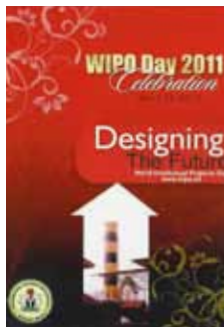
Communication

Promoting a better understanding of IP is an essential part of many WIPO programs and activities. The more widely IP is understood by different sectors of society, the better it can be used to support economic and cultural development. WIPO implements a communications strategy that is both proactive and responsive to the needs of its member states and other stakeholders. The Organization's communications initiatives make a significant contribution to promoting a **development-oriented IP culture** under the Development Agenda and to generating broader public awareness of IP.

OUTREACH TOOLS

- A new WIPO resource, **IP Advantage**, is a fully searchable database offering access to a wealth of case study materials. The studies – which describe the experiences of inventors, creators, entrepreneurs and researchers – demonstrate how IP works and how IP rights can be used to promote innovation. Topics include branding, financing, partnerships, and R&D, as well as the various ways in which the IP system can support the development of solutions to the challenges of climate change, food security and public health.

World Intellectual Property Day posters on “Designing the Future”. The launch of the first World IP Day Facebook page, in 2011, attracted numerous visitors.



Nigeria



Greece

- The **WIPO Guide to Intellectual Property Outreach** and the online IP Outreach in Practice and Outreach Research databases provide governments and organizations with step-by-step guidance in planning IP outreach campaigns. These databases contain interesting examples of IP outreach activities launched around the world and provide access to research on awareness and attitudes of different audiences towards IP.
- The **WIPO Magazine** offers cutting-edge articles on innovation, creativity and IP at work in the world. Available in print and online versions, articles can be shared by e-mail or through social media sites.
- WIPO's **YouTube Channel**, features artists, creators and inventors from around the world who share their views about creativity and innovation and the importance of IP. The Channel also contains highlights of selected WIPO events, press conferences and speeches by WIPO's Director General. WIPO's latest videos include a piece on the traditional culture of the Maasai in Kenya and a portrait of Merrill J. Fernando, founder of the world famous Dilmah Sri Lankan tea brand. An animated version of the WIPO copyright comic book is also available on the channel.
- The **WIPO Awards** program is designed to recognize the achievements of inventors, creators and innovative companies around the world and aims to encourage innovation and creativity at every level of society, in developing as well as developed countries.
- The **WIPO Depository Library** program is designed to enhance dissemination among member states of information on IP and WIPO's activities and services. So far, 31 depository libraries have been created in 20 countries, each of which has received a set of all WIPO publications free of charge.
- An extensive range of **WIPO publications** is available free of charge through WIPO's website. Aimed at a broad readership as well as at specific target audiences, they are available for translation by member states into local languages.
- The **WIPO Library** – with some 35,000 monographs and 300 periodicals covering all aspects of IP law – supports the information needs of member states and other stakeholders. Its collections can be consulted *in situ* or online via WIPO's website.
- WIPO seeks to ensure its website reaches the widest readership possible by implementing the guidelines of the Web Accessibility Initiative. In addition, the Organization's public computers are installed with **software for the visually impaired** which allows web pages to be read aloud to users.

MEDIA RELATIONS

Proactive media outreach – involving the organization of press conferences, briefings and interviews, as well as providing information targeted to the media – seeks to inform an expanding network of journalists who report on IP.

CUSTOMER SERVICE

WIPO continues to improve its customer service and stakeholder orientation to meet the growing demand for information on the IP system, and to provide prompt, efficient assistance to its customers. It aims for trusted and effective two-way communication in providing IP services and information. The Organization's **Customer Service** framework includes a Contact page on its website, streamlined and harmonized customer support processes, customer assistance teams in key sectors and an enquiry tracking system.

A new centralized **Customer Service Center**, inaugurated in October 2010:

- Provides general information on IP and WIPO to customers and stakeholders
- Ensures a prompt and appropriate reply to enquiries
- Liaises with specialized internal support teams
- Resolves problems and complaints



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Reaching Out

• Among the inventions which received **WIPO Awards** in 2010 were:

- A sign language translation device (from Egypt)
- A green technology approach to sustainably producing sorbitol from biomass (from Malaysia)
- A device for predicting floods using wireless communication networks (from Israel)

In a recent **WIPO film**, Japanese inventor Hiroo Nakayama talks about his invention of an adhesive film that has revolutionized the world of printing. Starting with a simple traditional Japanese recipe, today his patented system is stamped with the logos of famous marks used on watch faces, electrical appliances and cars.

WIPO Award winners from Earnshaw State College, Scotland



Hiroo Nakayama, inventor, Japan

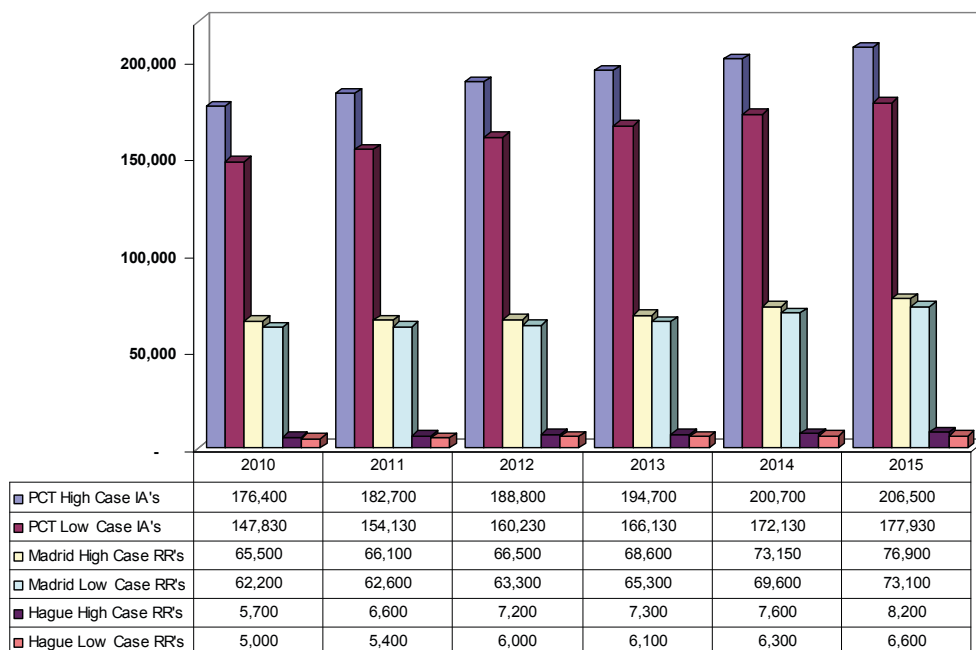


Management and finance

RESOURCE PLANNING

WIPO's Strategic Realignment Program (SRP) incorporates several major management initiatives, currently under way, which aim to streamline the working methods and procedures of the Organization in order to make them more transparent, efficient, cost-effective, results-focused and service-oriented. In addition, WIPO seeks to promote "greener choices" with regard to its business travel requirements.

Projected levels for PCT, Madrid and Hague system registration activities 2010-2015



The Organization is working to complete integration and extension of a comprehensive, integrated **Enterprise Resource Planning** (ERP) system, which will modernize core administrative, management and customer service functions, and will provide member states and management with better information on performance and resource utilization.

ACCOUNTABILITY FOR RESULTS

In 2011, WIPO focused on strengthening results-based management within the Organization, in particular in its strategic planning framework. This includes proposed improvements to the **program and budget process** which will be considered by the General Assembly in 2011, such as:

- A clear, focused set of expected organizational results by strategic goal
- Strengthened performance measurement metrics for better reporting and accountability to member states
- A results-based budget exercise
- Setting aside a share of the results-based budget for development activities, exclusively for the benefit of developing and least developed countries
- Mainstreaming development activities throughout the strategic goals

The Organization's **Medium Term Strategic Plan** (MTSP), covering the period from 2010 to 2015, addresses:

- The expected changes in the external environment affecting IP and WIPO
- The challenges and opportunities that the changing landscape presents for IP and for WIPO
- The strategic outcomes the Organization will seek to achieve during the six-year period
- The strategies that will enable it to do so

The MTSP and the enhanced program and budget process offer an improved results-based management framework and greater member state involvement in the Organization's planning processes.

INTERNAL AUDIT AND OVERSIGHT

WIPO's Internal Audit and Oversight function carries out objective, systematic and independent reviews of program implementation and operations, through audit and evaluation processes. An External Auditor and an Independent Advisory Oversight Committee also help to ensure the **accountability, transparency and oversight** of WIPO's operations.

INCOME AND EXPENDITURE IN 2010

Income IPSAS basis*
(thousands of Swiss francs)

Contributions from member states	17,410.5
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Voluntary contributions	9,080.4
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Fees from global protection services:

PCT	206,106.4
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Madrid	50,181.7
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Hague	2,991.6
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Lisbon	<u>3.8</u>
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Subtotal	259,283.5
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Publications	476.3
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Arbitration	1,774.6
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Interest	5,161.2
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Other revenue	<u>1,636.6</u>
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Subtotal	9,048.7
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Total	294,823.1
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Expenditure

Staff	208,388.9
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Other	99,540.2
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Total	308,363.1
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*WIPO has adopted the International Public Sector Accounting Standards (IPSAS). For the first time in 2010, the above figures, which have been audited, are given on this basis.

CONTRIBUTIONS

Member states' contributions are determined on the basis of a system of contribution classes. There are a total of 14 classes, each with a set contribution for the biennium concerned. The amount paid by a given member state depends on the contribution class to which it belongs. States freely choose the class (and therefore the amount of contribution) for themselves, with three classes reserved for developing countries. The rights and obligations of all states are the same, regardless of the contribution class to which they belong.

The yearly contributions for each class in 2010 ranged from the lowest amount of about 1,400 Swiss francs to the highest amount of some 1.1 million Swiss francs.



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Treaties administered by WIPO

Convention Establishing the World Intellectual Property Organization (1967)

INDUSTRIAL PROPERTY

Paris Convention for the Protection of Industrial Property (1883)

Madrid Agreement Concerning the International Registration of Marks (1891)

Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (1989)

Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods (1891)

Hague Agreement Concerning the International Deposit of Industrial Designs (1925)

Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)

Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958)

Locarno Agreement Establishing an International Classification for Industrial Designs (1968)

Patent Cooperation Treaty (PCT) (1970)

Strasbourg Agreement Concerning the International Patent Classification (1971)

Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (1973)

Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (1977)

Nairobi Treaty on the Protection of the Olympic Symbol (1981)

Trademark Law Treaty (TLT) (1994)

Patent Law Treaty (PLT) (2000)

Singapore Treaty on the Law of Trademarks (2006)

COPYRIGHT AND RELATED RIGHTS

Berne Convention for the Protection of Literary and Artistic Works (1886)

Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961)

Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (1971)

Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (1974)

WIPO Copyright Treaty (WCT) (1996)

WIPO Performances and Phonograms Treaty (WPPT) (1996)

Treaty on the International Registration of Audiovisual Works (Film Register Treaty) (1989)

WIPO member states on September 16, 2011

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg

Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe

MORE WIPO PUBLICATIONS

*WIPO publishes many general information and specialist publications, which are available **free of charge** from the e-bookshop at www.wipo.int/freepublications/en/ or on written request from the WIPO Outreach Services Section at the address on the back cover of this publication. The following are a few examples:*

General

The WIPO Magazine
Publication No. 121

What is Intellectual Property?
Publication No. 450

Understanding Industrial Property
Publication No. 895

Understanding Copyright and Related Rights
Publication No. 909

Summaries of Conventions, Treaties and Agreements Administered by WIPO
Publication No. 442

WIPO Development Agenda
Publication No. L1015

Guide to WIPO Services
Publication No. 1020

World Intellectual Property Indicators
Publication No. 941

WIPO IP Facts and Figures
Publication No. 943

WIPO – A Users' Guide:
An Introduction to the Organization
Publication No. 1040

For young people

Your Own World of IP
Publication No. 907

Learn from the Past, Create the Future:
Inventions and Patents
Publication No. 925

Learn from the Past, Create the Future:
The Arts and Copyright
Publication No. 935

Trademarks (Comics)
Publication No. 483

Copyright (Comics)
Publication No. 484

Patents (Comics)
Publication No. 485

Honmono (Manga)
Publication No. 1028





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