

## Assemblies of the Member States of WIPO

### Fifty-Fourth Series of Meetings Geneva, September 22 to 30, 2014

#### GENERAL REPORT

*adopted by the Assemblies*

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## INTRODUCTION

1. This General Report records the deliberations and decisions of the following 20 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, forty–sixth (25th extraordinary) session
- (2) WIPO Conference, thirty–fifth (14th extraordinary) session
- (3) WIPO Coordination Committee, seventieth (45th ordinary) session
- (4) Paris Union Assembly, forty–ninth (28th extraordinary) session
- (5) Paris Union Executive Committee, fifty–fourth (50th ordinary) session
- (6) Berne Union Assembly, forty–third (22nd extraordinary) session
- (7) Berne Union Executive Committee, sixtieth (45th ordinary) session
- (8) Madrid Union Assembly, forty–eighth (28th extraordinary) session
- (9) Hague Union Assembly, thirty–fourth (15th extraordinary) session
- (10) Nice Union Assembly, thirty–fourth (13th extraordinary) session
- (11) Lisbon Union Assembly, thirty–first (11th extraordinary) session
- (12) Locarno Union Assembly, thirty–fourth (14th extraordinary) session
- (13) IPC [International Patent Classification] Union Assembly, thirty–fifth (16th extraordinary) session
- (14) PCT [Patent Cooperation Treaty] Union Assembly, forty–sixth (27th extraordinary) session
- (15) Budapest Union Assembly, thirty–first (14th extraordinary) session
- (16) Vienna Union Assembly, twenty–seventh (12th extraordinary) session

- (17) WCT [WIPO Copyright Treaty] Assembly, fourteenth (8th extraordinary) session
- (18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, fourteenth (8th extraordinary) session
- (19) PLT [Patent Law Treaty] Assembly, thirteenth (8th extraordinary) session
- (20) Singapore Treaty [Singapore Treaty on the Law of Trademarks] Assembly, seventh (4th extraordinary) session.

meeting in Geneva from September 22 to 30, 2014, where the deliberations took place, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies convened (hereinafter referred to as “the joint meeting(s)” and “the Assemblies of the Member States,” respectively).

2. In addition to this General Report, separate Reports have been drawn up on the sessions of the General Assembly (WO/GA/46/12), WIPO Coordination Committee (WO/CC/70/5), Paris Union Executive Committee (P/EC/54/1), Berne Union Executive Committee (B/EC/60/1), Madrid Union Assembly (MM/A/48/4), Hague Union Assembly (H/A/34/3), Lisbon Union Assembly (LI/A/31/3), and the PCT Union Assembly (PCT/A/46/6).

3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions, is set forth in document A/54/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/54/1) were presided over by the following Chairs:

Items 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 23, 26, 27	Ambassador Päivi Kairamo (Ms.) (Finland), Chair of the General Assembly, and in her absence one morning, Ambassador Mikhail Khvostov (Belarus), Vice-Chair
Items 7, 8, 21, 24 and 25	Ambassador Nguyen Trung Thanh (Viet Nam), Chair of the WIPO Coordination Committee
Item 18	Ms. Susanne Ås Sivborg (Sweden), Chair of the PCT Union Assembly
Item 19	Mrs. Grace Issahaque (Ghana), Chair of the Madrid Union Assembly
Item 20	Mrs. Grace Issahaque (Ghana), <i>ad hoc</i> Chair of the Hague Union Assembly
Item 22	Mr. Tiberio Schmidlin (Italy), Chair of the Lisbon Union

5. An index of interventions by Delegations of States and Representatives of intergovernmental and non-governmental organizations mentioned in this report will be reproduced as Annex II to the present report. The agenda, as adopted, and the list of participants will appear in documents A/54/1 and A/54/INF/3, respectively.

6. The Director General's Report is reproduced as Annex I to this present report.

## ITEM 1 OF THE CONSOLIDATED AGENDA

### OPENING OF THE SESSIONS

7. The fifty-fourth series of meetings of the Assemblies and other bodies of the Member States of WIPO was convened by the Director General of WIPO, Mr. Francis Gurry (hereinafter referred to as "the Director General").

8. The sessions of the Assemblies and other bodies of the Member States of WIPO were opened in a joint meeting of all the 20 Assemblies and other bodies concerned by Ambassador Päivi Kairamo (Ms.) (Finland), Chair of the General Assembly who made the following statement:

"Honorable Ministers, Excellencies, Director General,  
Distinguished Guests, Ladies and Gentlemen,

"It is, indeed, my great honor and pleasure to welcome you to the opening of the 54<sup>th</sup> Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO).

"At the outset, let me take this opportunity to congratulate the Director General and his team for providing us, the Member States, with such excellent facilities in the shape of this magnificent new Conference Hall. The timely completion of the Conference Hall bears testimony to the new standards of efficiency that WIPO has been able to achieve in recent years.

"Let me, once again, take this opportunity to congratulate the Director General on his unanimous election to a second term of six years as Head of this important Organization. I do wish the Director General all the very best for his work and endeavors in the coming years.

"Distinguished Delegates, Ladies and Gentlemen,

"We have before us a rather heavy agenda of work. With a view to ensuring that the Assemblies are productive, I would request that we adhere to the stipulated schedules and timelines. In order to facilitate our work, I envisage the need to conduct a few informal consultations. These would pertain to external offices, in particular the guiding principles, and concerning the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). As mentioned at the meeting convened for Regional Coordinators last week, I have designated facilitators for both the informal consultations; Ambassador Fitschen from Germany for external offices and Mr. Ian Goss from Australia for IGC-related matters. It is my hope that these informal consultations will be held in a constructive manner and with a view to moving ahead by consensus. I will keep the Plenary informed of the state of the consultations as we move forward.

"With these words, I once again take this opportunity to welcome you and express my wish that you are able to achieve successful outcomes at these General Assemblies.

"I now declare open the 54<sup>th</sup> Series of Meetings of the Assemblies of the Member States of the World Intellectual Property Organization (WIPO)."

## ITEM 2 OF THE CONSOLIDATED AGENDA

### ELECTION OF THE OFFICERS

9. Discussions were based on document A/54/INF/1 Rev.

10. Following informal consultations among the Group Coordinators, the following officers of the WIPO Coordination Committee were elected on September 23, 2014:

#### Coordination Committee

Chair: NGUYEN Trung Thanh (Viet Nam)

Vice-chair: Ahlam Sara CHARIKHI (Ms.) (Algeria)

Vice-chair: Virág Krisztina HALGAND DANI (Ms.) (Hungary)

11. Following further informal consultations among the Group Coordinators, the following officers of the Paris Union Executive Committee and the Berne Union Executive Committee were elected on September 25, 2014:

#### Paris Union Executive Committee

Chair: Grace ISSAHAQUE (Mrs.) (Ghana)

Vice-Chair: Martha MENJIVAR CORTEZ (Mrs.) (El Salvador)

#### Berne Union Executive Committee

Chair: Grega KUMER (United Kingdom)

Vice-Chair: Miklós BENDZSEL (Hungary)

12. The list of the officers for the Assemblies and other bodies appears in document A/54/INF/4.

## ITEM 3 OF THE CONSOLIDATED AGENDA

### ADOPTION OF AGENDA

13. Discussions were based on document A/54/1 Prov.

14. After due consideration, each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/54/1 Prov.

## ITEM 4 OF THE CONSOLIDATED AGENDA

### DIRECTOR GENERAL'S REPORT

15. The Director General's Speech is recorded as follows:

“Your Excellency Ambassador Päivi Kairamo, Chair, WIPO General Assembly,  
Honorable Ministers,  
Your Excellencies the Permanent Representatives and Ambassadors,  
Distinguished Delegates,

“It is a great pleasure for me to join the Chair of the WIPO General Assembly, whom I would like also to thank for her leadership, in welcoming you to the first WIPO Assemblies to be held in the new WIPO Conference Hall. The completion of the

Conference Hall marks the termination of a building program that has lasted for the past six years and that has produced the very successful new building, which has been occupied by WIPO staff for the past three years, and now what I hope will be an equally successful new conference hall with improved connected meeting rooms and facilities for Member States.

“The new Conference Hall has been a challenging project in many respects. We shall celebrate its opening officially tonight, which will provide an occasion to thank the many persons involved in the project. But please allow me to pay tribute here to two of my colleagues who led the team that has worked so hard on the project, namely, Mr. Ambi Sundaram, Assistant Director General for Administration and Management, and Ms. Isabelle Boutillon, Director of the Premises Infrastructure Division. Both have accomplished outstanding work in bringing a complex project to fruition largely on budget.

“The past year has seen continued health and stability in the financial condition of the Organization. We completed the 2012-2013 biennium with an overall surplus of CHF 34.6 million on income of CHF 680 million, which was 5.1% higher than the budgeted income for the biennium, as a result largely of growth rates in our Global IP Systems, particularly the Patent Cooperation Treaty (PCT), that surpassed budget forecasts. Expenditure for the biennium was CHF 612 million, which was 5.6% lower than the budgeted expenditure as a consequence of cost efficiencies, productivity gains, mainly through IT systems and new management tools, and the judicious use of outsourcing in certain areas. The reserves are in a sound condition, with net assets standing at CHF 208.8 million, which places them above the target level set by Member States.

“We are still at an early stage in the new 2014-2015 biennium, but the experience of the first eight months indicates that we are on target to meet budget expectations. All things being equal, which is not necessarily the best assumption in a world economy that is still beset by uncertainty, a hesitant recovery and low visibility, we might expect to exceed modestly budget expectations.

“The sound financial condition of the Organization results from our Global IP Systems, the Patent Cooperation Treaty (PCT), the Madrid System for trademarks and the Hague System for designs. Over the past ten years, both the membership and the use of these systems have increased very significantly.

“The membership of the PCT increased by 19% from 124 Member States in 2004 to 148 Member States in 2013. International applications filed under the PCT increased over the same period by 67% from 122,631 applications to 205,300 international applications. Last year, 2013, was the first time in which more than 200,000 PCT applications were filed in a single year.

“The membership of the Madrid System increased by 37% from 67 Contracting Parties in 2004 to 92 Contracting Parties in 2013. International applications filed under the Madrid System increased during that period by 59% from 29,476 to 46,829 applications.

“The Hague System tells a similar story on a much smaller scale. Membership of the Geneva Act of the Hague Agreement over the past ten years increased by 147% from 22 to 47 Contracting Parties. Likewise, international applications for design protection increased over this period by 116% from 1,382 to 2,990 applications.

“These are impressive figures. I believe that they demonstrate that the systems are good examples of successful international cooperation. In addition, the systems are the

basis of the revenue of the Organization, accounting for 95% of it. These are good reasons to say that WIPO's Global IP Systems should be one of the essential priorities of the Organization in the coming six years. As such, we will endeavor to oversee the continued geographical expansion of the systems so that they are all truly global in their reach, as well as the continued improvement of the electronic operating environments of the systems, which offer efficiency and productivity gains, as well as an enhanced quality of service. It will continue to be important that the systems remain cost-effective and, thus, accessible. I am pleased to recall that, over the past six years, which saw important increases in workload through the increased numbers of applications, there has been no fee increase in any of the systems.

"The most challenging part of the Organization's program is the normative agenda. The Member States have successfully concluded two new treaties in the past two years, the Beijing Treaty on Audiovisual Performances and the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled. Accessions to these new treaties have started and I would urge all Member States to convert the hard work that went into successfully concluding the treaties into accessions that bring the treaties into force, which will, in turn, convert the potential of the treaties into realized gains for actors and visually impaired persons, as well as for the multilateral framework governing intellectual property.

"Progress on new normative projects has been slower in the past twelve months, although important advances in understanding the issues and the respective positions of Member States have been achieved. I would urge you to use the present session of the Assemblies to try to set concrete schedules of work that will guide the Organization towards successful completion of the mature projects that have been under discussion for some years now. I refer, in particular, to the projects on a proposed design law treaty, where the text of the treaty is essentially agreed; broadcasting, where we need a road map to a successful conclusion; and traditional knowledge, traditional cultural expressions and intellectual property in relation to genetic resources, where the experts have prepared the stage for negotiations that I hope will be able to identify an achievable and successful outcome.

"Looking ahead, I believe that we are all aware that the normative agenda will remain a challenging area in the coming years. Discussions are underway amongst the Member States on finding a means to improve the efficiency of the many, if not too many, meetings that the Organization sponsors in this field. I hope that you will be able to work out a more efficient operating framework for meetings, which enables the membership to focus on those areas where there is agreement to work towards viable outcomes. I believe that there is a widely held view that normative committees should concentrate only on normative projects, while exploratory and learning discussions on the many new and interesting issues being thrown up by the advance of technology, globalization and the revolution in the means of producing, distributing and consuming creative works are better served through occasional conferences in which outcomes are not determined in advance of a shared understanding and widespread consensus on the need to address a particular subject through normative action.

"I hope that any reform of the operating framework for committees and meetings will strengthen, rather than reduce, the political will to advance multilateral cooperation. It is apparent to all that we are experiencing a multi-speed and multi-tiered world in which international cooperation is pursued in many different forms and fora. I hope that the multilateral is not forgotten in this new world. WIPO has, over its long life, built a convincing framework in more than 20 treaties for international cooperation in intellectual property in the interests of innovation and creative works. I hope that the judicious and

careful addition of new solutions that add real value in the complex arena that now constitutes international cooperation will feature in the political will and priorities that Member States set for the coming years.

“I would like to draw attention to some of the newer platforms of cooperation that the Organization has developed over the past few years and that are rather less visible than the cooperation achieved through normative projects. I refer here to

- our global IP databases, Patentscope and the Global Brands Database;
- platforms to facilitate cooperation in the delivery of services by IP Offices, such as WIPO CASE (Centralized Access to Search and Examination), DAS (Digital Access Service) and our classification systems;
- platforms for public-private cooperation, such as WIPO Re-Search, the Accessible Books Consortium, Access to Research for Development and Innovation (ARDI) and Access to Specialized Patent Information (ASPI); and
- systems for the modernization of IP Offices and copyright agencies, such as IPAS (Industrial Property Automation System) and WIPOCOS (WIPO Copyright Information System).

“I realize that this world is a bewildering array of acronyms that is difficult to digest. But I would like to emphasize several things about these platforms.

“In the first place, we have made tremendous progress in this area over the past six years. Most of these platforms for cooperation did not previously exist.

“Secondly, the platforms are all voluntary and formed on an *à la carte* basis, in which Member States decide whether and how they wish to participate in them. They rely on the involvement of Member States and we have witnessed very significant and positive engagement from the Member States in the various platforms.

“Thirdly, the platforms are extremely effective vehicles for achieving a number of shared policy objectives, notably the improved efficiency and effectiveness of the operation of the IP system for innovators and creators; much richer economic and business intelligence both for IP Offices to take decisions on whether to grant property rights and for enterprises and the public in making decisions about, and analyzing the functioning of, the IP system; the practical advancement of agreed policy positions (for example, the Accessible Books Consortium aims to assist practically in the implementation of the Marrakesh Treaty); and effective capacity building delivering real benefits for the developing and least developed countries.

“I have dwelt upon this technical area, at the risk of losing you, because I believe that we are sometimes too pessimistic about the achievements of international cooperation. We tend to focus in this pessimism on the difficult area of norm-making and too often overlook that platforms can, in certain contexts, be as effective in advancing international cooperation as treaties. In addition, I would like to underline that all these platforms are very good examples of the implementation of the objective of the Development Agenda of mainstreaming development. This whole program, much of which is specifically designed for developing countries, has been constructed outside our formal Development Sector, principally in the Global Infrastructure Sector, but also in the Global Issues Sector and the Culture and Creative Industries Sector. It demonstrates how much we have been able to mainstream development.

“In addition to our numerous platforms, our general technical assistance and capacity building program will continue to be a central priority. We seek to work closely

with Member States in trying to achieve outcomes that address the particular economic circumstances and aspirations of the developing and least developed countries. In particular, I would like to draw attention to the important work in capacity building carried out by the WIPO Academy. Over 40,000 persons enroll each year in our distance learning courses, with 49% of them coming from developing countries and 40% coming from countries with economies in transition. Courses and tutoring services are available in seven languages.

“In order to meet the many challenges that lie ahead for the Organization, we need first-class staff. I would like to take this opportunity to thank the staff of WIPO for their professional and dedicated service. The number of total staff has remained static over the past six years, despite considerable augmentations in the work load. This increased productivity results not only from improved IT and management systems and practices, but also from the hard work of the staff.

“I am pleased to present to these Assemblies my proposals for the new Senior Management Team (SMT). We undertook an extensive process to arrive at the proposals, which included reviewing applications for the available positions from 360 persons. I would like to thank all Member States for their very constructive engagement in the process. I look forward to working closely with the new SMT, which I believe is an outstanding team.

“I should like to thank the outgoing members of the SMT for their work over the past five years. There have been many successful outcomes over that period and members of the SMT have played an indispensable role in achieving those outcomes.

“We are living through a period in which innovation has become central to the economy and to society’s capacity to address new challenges. We are likewise experiencing the most profound revolution in the production, distribution and consumption of creative and cultural works for the past 600 years, since the introduction of the printing press. Intellectual property is integral to both of these developments. I hope that, in the coming six years, the Organization will be able to play an important part in developing policies, platforms and cooperation that will respond to the magnitude of the challenges that are arising from the centrality of innovation and the digital environment.”

## ITEM 5 OF THE CONSOLIDATED AGENDA

### GENERAL STATEMENTS

16. The Delegations and Representatives of the following 105 States, four intergovernmental organizations, and seven non-governmental organizations made statements concerning Agenda Item 5: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Congo, Côte d’Ivoire, Croatia, Cuba, Czech Republic, Democratic People’s Republic of Korea, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Italy, Japan, Kenya, Kyrgyzstan, Lao People’s Democratic Republic, Latvia, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Mali, Mexico, Montenegro, Morocco, Namibia, Nepal, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey,

Uganda, Ukraine, United Kingdom, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Zambia, Zimbabwe, African Intellectual Property Organization (OAPI), African Regional Intellectual Property Organization (ARIPO), Eurasian Patent Organization (EAPO), South Centre (SC), Electronic Information for Libraries (eIFL.net), Health and Environment Program (HEP), International Publishers Association (IPA), International Video Federation (IVF), Knowledge Ecology International (KEI), North American Broadcasters Association (NABA) and Third World Network (TWN).

17. All speakers congratulated the Director General on his re-election. They also thanked the Director General for all his work and untiring efforts in the cause of IP, together with the Secretariat for the excellent documents prepared for the Assemblies meetings. In addition, they thanked the Chair on her election to office for the second year in succession.

18. The Delegation of Paraguay, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), stated that, with regard to the Standing Committee on Copyright and Related Rights (SCCR), an agreement could be reached in the area of limitations and exceptions for libraries and archives; on limitations and exceptions for educational institutions, teachers and research; and in broadcasting with regard to adopting a balanced work plan. The Group therefore proposed adopting a work plan that would include an agenda for meetings in order to adopt a legal instrument, as that would be appropriate for limitations and exceptions for libraries and archives. The Group also reiterated its wish to continue discussions on protection for broadcasting organizations. With regard to the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled (MVT/Marrakesh VIP Treaty), there were three main tasks to promote its earliest possible entry into force: to ensure technical assistance, human resources and necessary financial resources for its implementation, as well as to facilitate international cooperation to guarantee an efficient cross-border exchange of accessible-format works. Another priority issue was the negotiations for an agreement on a text or several texts of instruments to ensure effective protection for genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs) (which were mainly from developing countries). There had been significant progress during 2014. Fourteen years after negotiations had begun, Member States would now concentrate on issues pending in order to convene a diplomatic conference as soon as possible. An effective work program for the following year would help to achieve that objective. The Group restated its aim of promoting an exchange of viewpoints on essential policy issues with regard to the negotiations. Such a segment could usefully be held after the last session scheduled for the 2015 Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), thereby optimizing any progress made that year on technical issues. With regard to external offices, the Group stated its willingness to follow any consensus at the present session of the Assembly to agree on a document of guiding principles to govern the opening of these offices, as established in a mandate from the special session of the General Assembly in December 2013. Adopting such guiding principles was the first step that must be taken in order to decide the number and location of new external offices. The importance of the functions and activities of external offices were undeniable, and the Group reiterated its interest of in opening a new external office in Latin America and the Caribbean. It was regrettable that one of the reasons for the negative results in recent months had been the differing views on the implementation of a coordination mechanism for implementing the recommendations of the agenda for development. It was imperative to reach agreement in that area, as well as to strengthen technical assistance for developing countries and least developed countries (LDCs) on the basis of the recommendations for the agenda for development, so that intellectual property (IP) could truly become a tool for the social, economic and development of Member States of WIPO.

19. The Delegation of Bangladesh, speaking on behalf of the Asia and Pacific Group, noted that, being developing countries and LDCs, the members of that Group considered IP as an important catalyst for economic growth and overall wellbeing of their peoples. Similarly, the Group believed that a balance should be struck by both protecting the rights of innovators and meeting the needs of people and society, that is, an equitable balance between rights and responsibilities in IP. The effective implementation of WIPO's Development Agenda (DA) would be an added and equal contribution. The terms of reference of the progress in mainstreaming the DA in WIPO should be finalized. It was necessary for IP regimes to be appropriately customized in individual countries, on the basis of their specific needs, to foster economic growth and development. The Delegation noted with approval WIPO's sound financial standing and hoped that all useful recommendations in the report of the Independent Advisory Oversight Committee (IAOC), the Internal Audit and Oversight Division (IAOD) and the external auditor would be taken into consideration, with the Member States being kept abreast of developments in their implementation. In the previous year, there had been negotiations over issues of great importance to all Member States. The members of the Asia and Pacific Group would also like to see the finalization of the revised definition of development expenditure as soon as possible and the decision to pave the way for discussion of governance issues in WIPO. The length and frequency of WIPO meetings were not a governance problem, but could serve as a useful starting point for the negotiations on the whole issue. It was also to be hoped that a consensus on the implementation of the coordination mechanism would be reached. Simultaneous formal or informal meetings should be avoided to enable Member States to focus on the issues at hand. On the issue of WIPO external offices, the Asia and Pacific Group had taken note of the ongoing debate and appreciated the efforts of the Facilitator to lead the process in a transparent manner. The Asia and Pacific Group again underscored the need for a process driven by Member State developing criteria and guidelines for the establishment of new external offices and indicated that members of the Group would be constructively engaged in the process. Regarding the other normative agenda of the Organization, the Group observed that considerable progress had been made in three texts on GRs and TCEs. It was hoped that a degree of advancement in all texts would be reached to enable the holding of a diplomatic conference in the near future. The Group supported the initiative of the Facilitator, with a view to finalizing the text of an international instrument for effective protection of GRs, TK and TCEs. The adoptions of the Beijing Treaty on Audiovisual Performances (BTAP) and MVT/Marrakesh VIP Treaty were still fresh in all minds. Further positive developments would include limitations and exceptions for education and teaching institutions as well as for persons with other disabilities, as well as limitations and exceptions for libraries and archives. Progress regarding the broadcasting treaty was similarly encouraging and it was hoped that the text would soon be mature enough for a consensus decision on a text for adoption. Full support was pledged to the Facilitator of that initiative. The Group also noted the progress made in respect of the negotiations on the draft Design Law Treaty (DLT). Consensus was imminent; nonetheless, since all its members were developing countries and LDCs, it emphasized the importance on including a legally binding provision regarding capacity building in the treaty text, expressing its readiness to engage constructively to find a solution in this regard and expressing the hope for reasonable flexibility on the part of other Member States.

20. The Delegation of Japan, speaking on behalf of Group B, stated that the Organization had made significant progress in various fields in recent years. With respect to global IP services, a core part of the mandate of the Organization, as well as a fundamental source of revenue, the number of applications had grown steadily and the membership had been expanded. That outcome was a result of WIPO's efforts to respond to the evolving demands of IP system users. WIPO had also achieved progress in the field of global IP infrastructure, the essential foundation for IP information-sharing and dissemination. The DA recommendations had been successfully implemented and development considerations formed an integral part of WIPO's work. WIPO had improved governance through results-based management (RBM) and the Strategic Realignment Program (SRP). In order to make further progress, the Member States should

bear in mind the two following overarching principles. The first principle was the central objective of the Organization, as set forth in Article 3 of the WIPO Convention; the Organization had been created to promote the protection of IP throughout the world through cooperation among States. The second principle was that the Organization should, for the most part, be financed by the users of global IP services and it was therefore essential to ensure that users chose WIPO as a premier service provider. It was important that each Committee should fulfil its responsibilities and make concrete recommendations to the General Assembly. With respect to the normative agenda, the Delegation looked forward to the convening of a Diplomatic Conference for the Adoption of a Design Law Treaty and wished to contribute to discussions on a treaty concerning broadcasting organizations. Any decision relating to that matter should be based solely on substance. Other considerations should not prevent users from benefitting from the simplification of formalities under the industrial design system. With regard to the IGC, any future work plan must be reasonable and balanced, reflecting the wide range of views that existed, as well as WIPO's overall priorities and workload. Transparency must be respected throughout the upcoming process. A coherent network of external offices had an important role to play in raising awareness of and providing support for WIPO's global IP services. However, those goals could only be achieved through a small, strategically-located network of external offices. Member States should agree to a robust set of guiding principles which set forth clearly-defined rules on the establishment of external offices, as well as on the roles and functions of existing and future external offices. WIPO had a significant role to play in the development of the global IP system. An effective audit mechanism was critical in terms of the functioning of the Organization.

21. The Delegation of Kenya, speaking on behalf of the African Group, expressed regret at the fact that a number of important issues, with regard to which only limited progress had previously been made, were again before the Assembly for consideration. There was a lack of political will to engage in good faith. WIPO was big enough to meet the interests of all Member States. The African Group wished to see a final decision taken regarding the opening of two external offices in Africa during the current biennium. The corresponding funds had already been set aside as a part of the budget. The Group looked forward to the adoption of the relevant guiding principles, together with the related decision on the number and location of external offices. As to the work of the IGC, a decision should be taken on the convening of a diplomatic conference on the adoption of a legally-binding instrument for the effective protection of GRs, TK and TCEs. It should be possible to convene such a conference in 2015. The mandate of the IGC expired in that year and any decision on the conference had to be taken during the current Session. The inclusion of technical assistance as an integral part of the proposed DLT would ensure predictability and availability of such assistance regarding the implementation of the treaty. Discussions on technical assistance within the various WIPO Committees had been convoluted. Despite the statements made concerning the provision of technical assistance, the reality remained bleak. For example, the Final Report on An External Review of WIPO Technical Assistance in the Area of Cooperation for Development of August of 2011 had yet to be implemented. Rather than focusing on the implementation of recommendations, there had been a push to discuss best practices concerning the effective delivery of technical assistance. The existing stalemate also affected the implementation of Article 51 of the Patent Cooperation Treaty (PCT), a provision which was critical in terms of enabling developing countries to implement the treaty. It seemed doubtful that Article 51 would be implemented, given that it was being tied to the resolution of the situation within the Committee on Development and Intellectual Property (CDIP). A number of Member States held that Article 51 could only be implemented once the impasse within the CDIP had been resolved; a sure sign of a lack of political will regarding the provision of targeted technical assistance provision to developing countries that would allow them to develop the capacity and infrastructure required if they were to fully participate in the IP system. The African Group therefore sought assurance that targeted technical assistance concerning the implementation of the DLT would be provided through the inclusion of a specific provision to that effect in the

treaty. Failure to include such a provision might perpetuate the existing state of gridlock. Some within the CDIP had questioned the relevance and usefulness of the Committee, stopping just short of calling for its disbandment. A clear and binding provision was required to implement the proposed treaty. The registration of traditional designs and TCEs was another issue of importance. Article 3 of the proposed DLT provided for a closed list of requirements which parties to the treaty could request. With developed countries seeking extensive exceptions and limitations during negotiations on TK, TCEs and GRs, it would be impossible to implement a number of those requirements, particularly the disclosure requirement, if the DLT were implemented prior to the finalization of the IGC process. Regarding the adoption of the treaty, it was important to await the completion of negotiations within the IGC, so that, when formalities were adopted, they could take into account the provisions of the various instruments under the IGC. Such an approach was critical if the work of the IGC was to be preserved. With regards to the SCCR, the African Group continued to support the proposed treaty for the protection of broadcasting organizations, as per the 2007 General Assembly mandate. The Group had made a number of proposals relating to exceptions and limitations for libraries, archives, education and research and had been working with other groups on a consolidated text. During the previous meeting of the SCCR, it had been announced that the consolidation process regarding all library and archive-related issues had been finalized. Consequently, the Assembly was in a position to take a decision on the convening of a diplomatic conference to adopt the treaty on exceptions and limitations for libraries and archives. The relevant text could be brought to maturity fairly quickly, enabling the General Assembly to take a decision in 2015 to convene a diplomatic conference by 2016. The African Group welcomed the recommendation of the Joint Inspection Unit (JIU) made as a part of the review of the management and administration of WIPO, and its specific recommendation for the WIPO General Assembly to review the WIPO governance framework and the current practices, with a view to strengthening the capacity of the governing bodies to guide and monitor the work of the Organization. An informal consultation process should be launched to deal with governance-related issues in a comprehensive manner. The Group welcomed the Report by the External Auditor and the recommendations contained therein. In particular, there was a need to adopt a new definition of the term 'development expenditure', to enable the Member States to track the resources that had been devoted to the implementation of the DA. During the last Session of the Program and Budget Committee (PBC), the participants had come close to reaching an agreement on a new definition. The Group looked forward to holding informal consultations in that regard during the current Assemblies.

22. The Delegation of Belarus, speaking on behalf of the Group of Central Asian, Caucasus and Eastern European Countries (CACEEC), said that the activities of WIPO fostered the implementation of up-to-date mechanisms to build the capacities and capabilities of national patent offices. In particular, WIPO's capacity building efforts had to be balanced, meet the needs and requirements of transitional economies, should be aimed at bridging knowledge and technology gaps and at modernizing infrastructure, and should facilitate access to specialized databases. The Delegation noted with regret that its regional group was under-represented within the WIPO Secretariat, including at the senior management level. That was the case despite the fact that the groups' members had significant expertise and experience that could be of use and benefit to WIPO, given the successful operation of their national patent systems and their other activities in the area of IP. The Delegation therefore expressed its hope that measures could be taken together with the Secretariat to increase the number of Secretariat staff members who were nationals of countries belonging to its regional group. The standard-setting work currently undertaken by the Organization was commendable. The conclusion of a DLT was very important to the CACEEC and the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) had made considerable progress on a draft treaty. Regarding the convening of a diplomatic conference, the CACEEC reaffirmed its view, repeatedly stated at meetings of the Standing Committee and the General Assembly, that it would be appropriate to hold such a conference. The Delegation

expressed the hope that WIPO Member States would be able to overcome the remaining disagreements on the matter and repeated the readiness of the CACEEC Group to continue its constructive engagement in pursuit of that common goal. The Delegation also advocated enhanced work within the SCCR on a draft treaty protecting the rights of broadcasting organizations, with a view to deciding in the near future on convening a diplomatic conference to that treaty. The Advisory Committee on Enforcement (ACE) was appreciated as a forum for sharing information on safeguarding intellectual property rights (IPRs) among countries from different regions and the current work of the Standing Committee on Patent Law (SCP) and the work carried out by the IGC were also welcomed. The issues addressed by the IGC were complex and the Delegation hoped for successful outcomes in that area. The Delegation expressed its thanks to the Director General, the Secretariat and the Chair for their shared dedication to IP protection.

23. The Delegation of the Czech Republic, speaking on behalf of the Group of Central European and Baltic States (CEBS), expressed its continued support for the activities of WIPO and its unique role in promoting the protection of IP for realizing the potential of IP for innovation and creativity for the benefit of all. The current financial situation of WIPO was commended and the work of the PBC appreciated and highlighted. The Secretariat was encouraged to maintain its prudent financial management policy in accordance with the recommendations of the PBC. The CEBS Group welcomed the expansion of the global registration systems and their further improvement. The activities of the PCT Working Group towards enhancing the PCT System and its use had the particular support of the CEBS Group. Further improvements to and completion of the international normative framework for a balanced and effective international IP system continued to be important. Following the successful conclusions of the BTAP and the MVT/Marrakesh VIP Treaty, the Assembly should decide at the ongoing session to convene a diplomatic conference for the adoption of a DLT in 2015 to simplify formalities and improve design protection around the world, particularly for small and medium-sized enterprises (SMEs). Recognizing the importance of the protection of GIs, the CEBS Group welcomed the progress made by the Lisbon Union Working Group and the 2013 decision of the Lisbon Union Assembly to convene a diplomatic conference in 2015. The revised Lisbon System, also covering GIs, would be attractive for many countries and intergovernmental organizations (IGOs). The Delegation remained committed to continuing discussion pertaining to the work program in the SCP, particularly on patent harmonization. The Delegation was firmly committed to the work of the SCCR, reiterated its concern about the length of the process for safeguarding international legal protection for broadcasting organizations in view of the technological realities of the 21<sup>st</sup> century and hoped that a diplomatic conference could be convened in 2016. As to the WIPO IGC, the Delegation expressed its willingness to work constructively towards an appropriately balanced and flexible outcome and to that end, hoped that the future work program for the IGC would be results-oriented, realistic and effective. The Delegation stressed the importance it attached to the activities of the ACE and reaffirmed its strong commitment to end counterfeit and piracy at all levels. It thanked the Secretariat for the assistance provided to countries in its region, particularly in formulating national IP strategies and providing legal, financial and other assistance. The Delegation welcomed cooperation with the WIPO Academy. The renewed mandate of the Director General and the mandate of the new Senior Management Team (SMT) came with renewed responsibility to guide the work of the Secretariat and responsibility of the leadership to keep promises made during the past year. The CEBS Group has a lot to offer to the organization, including able and experienced professionals to serve the common goal and expected better representation of the CEBS Group in the Secretariat.

24. The Delegation of China took the opportunity to outline the country's major progress in IP development achieved over the previous year. It highlighted that China's IP undertaking had progressed at an encouraging pace since China's National IP Strategy was formulated and implemented six years ago, leading to increasingly enhanced ability in IP creation, use, protection and management. In respect of IP legal framework, China's Patent Law and

Copyright Law were undergoing another round of amendment, following the entry into effect of the amended trademark law on May 1, 2014. In April, the BTAP was considered and ratified by the Eighth Session of the Twelfth National People's Congress (NPC). On July 9, the Government of China deposited with WIPO its instrument of ratification of the treaty. Meanwhile, parallel efforts had been made to advance China's accession to the Hague Agreement. At the end of August, a formal decision was made to establish an IP court each in Beijing, Shanghai and Guangzhou, with a view to strengthening judicial protection of IP. In terms of IP applications, it reported that for the first six months of 2014, China had received 351,000 patent applications, 11,000 PCT applications and 1,016,000 trademark registration applications, representing an increase of 10.8 per cent, 20.5 per cent and 19.4 per cent respectively over the same period last year. The Delegation further reported that the number of copyright registrations, including the registration of works, computer software copyright and copyright pledge, reached 1,009,000 in 2013, which was 22.1 per cent higher than that in 2012. The Delegation expressed its deep appreciation for the speech given by the Director General, noting that WIPO, as a specialized United Nations (UN) agency, had been committed to the development of the global IP system with widely perceived fruitful results. It then congratulated on the completed election of Director General that year and the forthcoming re-appointment of the Senior Management Team (SMT) in the next few days, which would lay down a solid foundation supporting WIPO's work for the next six years. The Delegation added that, thanks to the efforts by Director General Francis Gurry and his team, the cooperation between China and WIPO had continued to move forward, as evidenced by the inauguration of WIPO Beijing Office in July that year, providing a brand-new platform for cooperation and exchanges between WIPO and China, as well as a number of jointly organized events designed to promote the use of the Hague, PCT and Madrid Systems and boost the development of copyright-related industries in China, such as the Roving Seminar on the Efficient Use of the Hague System for the International Registration of Industrial Designs, the PCT Advanced Seminar, the WIPO Roving Seminars on the Effective Use of the Madrid System for the International Registration of Marks, and the International Forum on Copyright, Creativity and Development. The Delegation wished to convey its gratitude to WIPO for the consistent and friendly support and assistance offered to China over the past years and expressed its aspirations for deeper and more extensive cooperation with WIPO in the future. It then shared its observations on three relevant issues within the WIPO framework. First, to reap the full benefits and realize the potential of PCT as an existing international patent application system, PCT should be reformed to achieve higher quality and efficiency, taking into account different levels of development in different countries and fully responding to the needs of micro, small and medium-sized enterprises (MSMEs). Second, the concerns of developing countries over the DA should be adequately addressed by providing sustained and sufficient human and financial inputs for the implementation of various DA recommendations. The Delegation indicated that, as a developing country, China appreciated and supported various efforts in this regard and was willing to offer contribution within its capacity. Later that year, the Government of China would commit funding to WIPO for supporting capacity building and technical assistance in developing countries. Third, the work of the IGC should be advanced to build up a higher level of consensus and accelerate the conclusion of legally binding international instruments. The Delegation stated that China, as a responsible developing country, would continue to support the work of the General Assembly and other WIPO committees, while deepening its cooperation with other countries and with WIPO, so as to promote global innovation and IP protection and contribute to the improvement and development of the international IP system. As regards the Hong Kong Special Administrative Region of China, the Delegation reported that Hong Kong was actively promoting the overall development of IP trading. A Working Group led by the Secretary for Commerce and Economic Development had formulated a strategic framework for that purpose. Specific measures included the proposed development of an "original grant" patent system, further refining the IP regime, conducting a survey on activities related to IP trading, and studying the topics on IP valuation as well as IP arbitration and mediation. The Delegation concluded by extending an invitation to attend the fourth edition of Business of IP Asia Forum to

be held on December 4 and 5, 2014, in Hong Kong, China, to explore the huge opportunities brought about by the exploitation and trading of IP rights.

25. The Delegation of Singapore, speaking on behalf of the Association of Southeast Asian Nations (ASEAN), reported that the ASEAN region had known sustained economic growth and development in recent years. This growth was expected to continue despite the uncertain global environment. In particular, expanding domestic demand and strong foreign direct investment would remain the drivers of ASEAN's economic expansion. ASEAN recognized that sustaining this momentum would be crucial and that for this reason the Organization had continued to place emphasis on economic integration. An important element of this regional undertaking would be to continue to achieve integration with global trade flows using the IP system. IP was regarded as an integral part of the region's economies. The ASEAN member states continued to participate in innovative and diverse programs as they attempted to increase their engagement in high-value activities guided by ASEAN's IPR action plan. Regional initiatives covering the entire IP spectrum had been pursued since 2011 in a manner that addressed the different levels of development among the member states. What has been achieved in the action plan would not have been possible without the various dialog partners, particularly WIPO. The Delegation conveyed its deep appreciation for WIPO's contributions to ASEAN's building goals. At the regional level, WIPO had partnered ASEAN to provide Madrid Protocol training for ASEAN trademark examiners. Several member states, Philippines, Singapore and Viet Nam already operated through the Madrid Protocol. The remaining member states were working towards accession to the Protocol in the very near future. Memberships under the Hague Agreement also continued to expand; Brunei was the second ASEAN state to accede after Singapore. The remaining member states would continue to consider pre-accession initiatives aimed at providing creators of industrial designs with efficient procedures to secure and maintain design protection through a single international registration. WIPO's presence in the region had been key to IP development in ASEAN. The WIPO Singapore office had worked closely with ASEAN member states to deepen cooperation in the region and promote the effective use of the PCT, Madrid and Hague Systems. Over the past two years, there had been over 20 seminars, workshops and training programs and one WIPO summer school program reaching about 500 participants from 20 of the member states. Apart from assisting ASEAN in preparing for accession to these instruments, WIPO supported the IT infrastructure of the ASEAN intellectual property offices (IPOs) through the Intellectual Property Administration System (IPAS) and the digitization of documents. The virtual forum for patent examiners exchanges in ASEAN would also help ASEAN patent examiners collaborate more effectively and deliver efficient services to stakeholders. The Delegation went on to mention such initiatives as ASEAN patent examination cooperation and work-sharing environments in ASEAN which had seen office actions taken within six to nine months. Through the leadership of the Philippines, IP protection and enforcement in ASEAN had also been enhanced. An annual IP enforcement summit would gather experts to discuss IP rights and enforcement in October. A dedicated task force to examine patent and trademark matters now existed. Malaysia was leading the new trademark task force aimed at reducing the trademark application backlog and moving towards common trademark guidelines. The first trademark task force meeting had been hosted by Brunei on trademark classifications. Member states saw greater cooperation on GRs, TK and TCEs championed by Indonesia and supported by Cambodia and the Lao People's Democratic Republic, through a policy workshop hosted by Indonesia to facilitate the development and amendment of domestic policies. A Geographical Indication exhibition had been held earlier this September in Hanoi for the protection of GI, an initiative led by Thailand and Viet Nam. Thailand had spearheaded an ASEAN effort through the ASEAN animation contest and the upcoming ASEAN design contest. The establishment of the Myanmar (IPO) was also a testament to the close working relationship of ASEAN in a regional IP system. Myanmar had been an active observer and participant at the ASEAN Community of Practice meeting which saw the exchange of best practices for patent examiners in ASEAN. Singapore recently completed efforts to implement IP with support from

all Member States. The collective on-line platform would serve as the IP knowledge gateway to ASEAN. In addition, an ASEAN TMview containing more than two million trademarks in the region has also been launched with a revamped portal. The progress achieved so far in their action plan would not have been possible without the support of their various Dialogue Partners including WIPO, Australia and New Zealand through the ASEAN-Australia-New Zealand FTA (AANZFTA), European Patent Office (EPO), Japan Patent Office (JPO), Office for Harmonization in the Internal Market (OHIM), the State Intellectual Property Office of the People's Republic of China (SIPO), and The United States Patent and Trademark Office (USPTO). They conveyed their deepest appreciation to all their Dialogue Partners for their contributions to ASEAN's IP community. WIPO recently entered into collaborations with ASEAN on a study to assess how far the goals of IPR action plans have been met. This study was on completed projects and implementation gaps. A post-2015 initiative was under consideration. Accession to WIPO and instruments such as the MVT/Marrakesh VIP Treaty, the BTAP, the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) were part of this future vision for ASEAN.

26. The Delegation of Italy, speaking on behalf of the European Union (EU) and its member states, commended those involved in the project of the New Conference Hall. IPRs acted as an incentive to creativity and innovation, improving consumer choice and job creation, as well as acting as a driver for competitiveness and growth. The protection and promotion of IPR remained a key priority for the EU and its member states, given its crucial role for future European prosperity. By way of illustration, 39 per cent of EU economic activity yielded 4.7 million Euros annually, although that was generated by IPR-intensive industries, and that approximately 35 per cent of all employment in the EU was provided either directly or indirectly by those industries, with WIPO as the central hub for global IP infrastructure, serving as a unique forum for policy, norm-setting, information and cooperation, mediation, arbitration and technical assistance. WIPO's core mission remained the servicing of the PCT, Madrid, Hague, and Lisbon Systems. Resources should be allocated to promoting and strengthening those systems. WIPO's normative work involved not only ensuring the proper incentives and the functioning of the global IP system, but also making concrete improvements. WIPO should continue to base its normative work on the principle that the recognition and the protection of IPRs were essential for creativity and innovation, competitiveness and growth. Weakening such recognition and protection would be far-reaching and involve negative economic, legal and practical effects. The Delegation therefore insisted on the need to ensure that WIPO's normative work be based on solid economic and legal evidence, technical maturity, as well as on a robust assessment of its impacts. The EU and its member states sought to promote a consensus on the decision to convene a diplomatic conference in respect of a DLT. The SCT had already delivered a mature text. If the normative work of WIPO were to retain credibility, the Organization had to move to the next phase by convening a diplomatic conference. For the EU and its member states, the revision of the Lisbon System needed to be WIPO's first priority. On GIs, in line with the previous year's decision of the Lisbon Union, a diplomatic conference was to be convened in 2015. Turning to the SCCR, the EU and its member states also sought to register further progress on a draft treaty on broadcasters' rights and to chart a course toward a diplomatic conference. There was a need to find a meaningful way forward for the SCCR in relation to limitations and exceptions in view of the different approaches that existed as to the most appropriate course of action and most desirable outcomes. It was also essential to undertake a thorough reflection on future work, the program of the SCCR, its working measures and its role. Turning to the WIPO IGC, the EU and its member states took note of the wide range of open policy options and alternatives in the document discussed in the Committee. Regarding GRs, the EU and its member states remained open to discussion on the disclosure requirement, provided that it contained safeguards to ensure legality, clarity, appropriate flexibility and did not adversely affect in any way the validity and the effective enforcement of patent rights. With regard to TK and TCEs, given the important artistic, cultural, religious and other freedoms at stake, the EU and its member states believed that any international

instrument or instruments to be created should be non-binding, flexible, evidence-based and sufficiently clear. The EU believed that the future work program of the IGC should reflect the lack of agreement on the way forward, despite many years of discussion on this topic, and alternatives to a normative outcome should therefore be considered. The UN and its member states reaffirmed their support and commitment to the implementation of the WIPO DA recommendations.

27. The Delegation of Benin, speaking on behalf of Least Developed Countries (LDCs), welcomed the results obtained in conjunction with the implementation of the reforms undertaken, as reflected by the revitalization of the IP system, the continuation of norm-setting efforts, the reinforcement of development cooperation, better working conditions and the sound financial performance of the Organization, whose financial statements showed a considerable surplus. The Group urged WIPO to continue to execute its program for the 2014-2015 biennium and to intensify its efforts on behalf of LDCs in accordance with the main areas of action identified at the Fourth United Nations Conference on LDCs held in Istanbul in 2011 and reaffirmed at the Ministerial Conference on new partnerships for productive capacity building in LDCs, held in Cotonou, from July 28 to 31, 2014. The Group took that opportunity to thank the organizers, participants and all those who had contributed to the successful outcome of the conference, whose recommendations, which had been set out in the "Cotonou Agenda for Strengthening Productive Capacity in the LDCs", were aimed, *inter alia*, at ensuring preferential treatment for LDCs as well as more favorable access to markets, technologies and know-how, and in general, better conditions for participation in the international knowledge economy as well as flexibility in terms of undertakings and respect for LDCs' international obligations in the light of their level of development. The Group urged WIPO and the Member States to back LDCs' efforts to implement the Istanbul Programme of Action and the Cotonou Agenda. With regard to the norm-setting work of the SCCR, the Group called for the continuation of consultations on limitations and exceptions for teaching and research, as well as consultations aimed at the protection of broadcasting bodies *via* a signal-based approach. It was also strongly in favor of the initiative to convene a diplomatic conference on industrial designs and stressed the need to grant technical assistance and promote capacity-building for developing countries. With regard to ongoing efforts in the IGC) the Group reaffirmed its interest in the finalization of negotiations, emphasizing that such protection would give fresh impetus to its members' socio-economic development. Accordingly, the Group called upon the General Assembly to convene a diplomatic conference in 2015 and to give the IGC a mandate with a view to accelerating its efforts to adopt legal instruments ensuring effective protection of GRs, TK and TCEs. The Group also backed the adoption of guidelines for opening external offices as well as an expeditious and balanced decision on their number, in order to trigger actual implementation of that project. Indeed, the activities of such offices would make it possible to strengthen IP use, increase development cooperation and enhance the visibility of WIPO activities. Finally, the Group appealed to all delegations to show a spirit of compromise in order to achieve results which were beneficial for the protection and promotion of IP and for its contribution to sustainable development.

28. The Delegation of Trinidad and Tobago supported the statement made by the Delegation of Paraguay, on behalf of GRULAC, and welcomed the positive signals from other delegations regarding the DLT and the international instrument for TK, TCEs and GRs. Trinidad and Tobago had already engaged the assistance of WIPO to make legislative amendments to allow it to benefit from the BTAP and the MVT/Marrakesh VIP Treaty. The development of international IP systems was very often focused on the private sector, sometimes ignoring important innovations in the public sector. The Government of Trinidad and Tobago took the view that efforts should begin to explore commercial opportunities that might arise from service delivery as a result of IP-generated opportunities. It was grateful to WIPO for its continued support of the IP academy through the IPO of Trinidad and Tobago. The WIPO academy had been a good source of support for the project, which was progressing apace. The Delegation of

Trinidad and Tobago welcomed the project on “building respect for IP”, which was under the public sector investment program. This would become part of the work of WIPO and its current expenditure. Trinidad and Tobago proposed to accede to the Madrid Protocol in the course of the year. Human resource arrangements were already in place, with the support with the Brands and Designs Sector of WIPO. The proposed new trademark acts and regulations had already been approved by Trinidad and Tobago’s legislative review committee and should be debated in parliament by year’s end. The Delegation lauded the advancement of the Caribbean section of LAC Bureau and welcomed the appointment of a new Head of section, which would further enhance the Caribbean Unit so the section could achieve its objectives. The tremendous progress in the IGC had heightened the prospects for a diplomatic conference in 2015. Trinidad and Tobago had made a number of proposals. The Director General’s efforts to fulfill the mandates of the Member States was highly encouraging.

29. The Delegation of Côte d’Ivoire paid tribute to the Secretariat, which had spared no effort to prepare the working documents submitted for consideration at the present Assemblies of WIPO Member States. It reaffirmed its commitment to WIPO’s ideals of equality, sharing and fairness and urged all delegations to display determination, open-mindedness and a willingness to cooperate in solving open issues, in particular TK and GRs. Côte d’Ivoire endorsed the statement made by the Delegation of Kenya, on behalf of the African Group. There was no doubt that a dynamic innovation system, combined with a transparent system which protected IP, was a powerful motor for development. The IP system was a catalyst for innovation and technology. That was precisely what developing countries like Côte d’Ivoire needed to leverage their abundant raw materials for the promotion of national economic, social and cultural development. In that respect, WIPO could play a key role by providing appropriate technology. The project to set up Technology and Innovation Support Centers (TISCs) was an excellent initiative in that connection. It was not limited to the provision of technological information, but was designed to include assistance to beneficiary countries for the implementation of the technologies identified. Mindful that better protection of IPRs could both revitalize the industrial and cultural sectors and stimulate direct investment, on December 23, 2013, the President of the Republic had promulgated a law to combat counterfeiting and piracy and protect IPRs at borders. Under that law, a National Anti-Counterfeiting Committee had been set up. The Committee, which was an independent administrative entity, featured a prevention and investigation unit responsible for taking preventive action to prevent counterfeit products from entering the country and to bring proceedings in cases involving counterfeiting. In the field of literary and artistic property, the Government gave top priority to supporting artistic creativity in order to promote the development of the cultural and creative industries. It should also be noted that Côte d’Ivoire had set up an ambitious legislative framework in that field. Some examples were the law on national cultural policy, which fixed the State’s commitments with regard to the promotion and protection of rights to literary and artistic property, and the law relating to the cinema industry, which was designed to revive the movie industry. The Delegation thanked WIPO and in particular the SMT for its exemplary cooperation and its support for Côte d’Ivoire in the implementation of all those initiatives.

30. The Delegation of Uganda associated itself with the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs, and noted with interest the reorientation of WIPO’s coordination program to concrete projects for Member States. The Delegation attached great importance to the effective use of the IP system for technological development, social and economic growth, as well as job creation. Uganda was committed to transformation from a peasant-based economy to an industrialized, progressive economy. The country was cognizant of the important role of IP in promoting science, technology, innovation and ICT to enhance the competitiveness of industries. Hence, the Government has established the appropriate legal environment and constitutional regulatory framework to allow for the effective use of the IP system. The Industrial Property Act and the Geographical Indications Act were passed in 2013 and the Plant Variety Protection Act

in 2014. The Delegation acknowledged and expressed appreciation for WIPO's assistance and support through legislative advice and capacity-building programs. With WIPO's assistance, a successful workshop on public respect for IP had been organized for Ugandan judges and IP enforcement agencies, thereby helping to raise awareness of the importance of IP for development and bringing piracy and counterfeit issues to the forefront of the public conscience. The dangers of counterfeit, counterfeit products and piracy to Uganda's national health, safety and economy could not be overstated. Uganda's awareness of having the right IP policy in place could contribute towards improving its investment climate. WIPO had contributed to the modernization of IP systems to help Uganda provide for a better and more efficient system and to work on the establishment of technological innovation support centers which will facilitate access to patent, technical and scientific information for our national research as well entrepreneur innovation. In conclusion, the Delegation again thanked WIPO for its cooperation program and the concrete deliverables provided to Africa in general and Uganda in particular. Uganda was committed to strengthening this cooperation in workshops and to working closely with WIPO and other sister agencies for the effective use of IP systems for the benefits of the Ugandan people.

31. The Delegation of Iran (Islamic Republic of) endorsed the statement made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group. Both development and the increasing emergence of information and communications technologies had considerable implications for IP rights and had challenged many of the principles governing IP protection. New rules and regulations should be established at the national and international levels that took into account development considerations and the need to preserve a balance between the owners of IP rights and the public interest. Such an approach would ensure that the IP system promoted development and reduced the digital divide between north and south. The Delegation had always supported the development-oriented approach of WIPO and its committees and maintained that such an approach could assist the Member States, particularly developing countries, to access a balanced IP system, which in turn could play an important role in the creation of a dynamic and innovative global society. Member States should coordinate to pave the way for effective implementation of the DA and the efficient functioning of the coordination mechanism. The Delegation expressed the hope that the CDIP would make progress regarding the creation of new norms related to IP and global challenges. As to the work of the IGC, the time had come to finalize international legally-binding instruments and convene a diplomatic conference. WIPO must provide technical assistance to its Member States to enable them to formulate an effective protection system for GRs, TK and TCEs and explore methods regarding the commercialization of related rights in favor of their owners. The Working Group on the Revision of the Lisbon System had established a unified and simplified system for the protection of appellations of origin and GIs. The Delegation strongly supported the convening of a diplomatic conference for the adoption of a revised Lisbon Agreement on appellations of origin and GIs in 2015. The Delegation expressed satisfaction at the progress made by the SCT regarding a DLT and strongly supported the inclusion of an article on the provision of technical assistance and capacity-building for developing countries. With regard to the SCCR, the Delegation supported the formulation of binding instruments in the field of limitations and exceptions to copyright for educational institutions, archives and libraries and a treaty on the protection of broadcasting organizations. Any decision regarding the establishment of external offices should be taken in line with the principle of transparency and without discrimination. The guiding principles for establishing external offices should be finalized in light of the Member States' proposals. Iran (Islamic Republic of) had offered to host a WIPO Office in Tehran.

32. The Delegation of Japan noted the unique position of WIPO among UN organizations and affirmed that WIPO could achieve excellent results by further enhancing relationships with users, in particular by means of improving global IP services such as the PCT, Madrid, and Hague Systems, to provide users access to more reliable and attractive services. The Delegation stressed the importance of norm-setting activities by the Organization and

observed that, in line with industry wishes, Japan hoped that Member States could agree to convene a diplomatic conference for adopting a DLT at the present Assemblies. The Delegation also advocated further discussion on the broadcasting treaty, aiming to convene a diplomatic conference at an early date. Japan had welcomed 1,500 trainee IP experts and held forums for developing countries in the Asia Pacific region and in Africa, using the WIPO/Japan Funds-in-trust, to which Japan had in 2014 increased its annual contributions to approximately 5.9 million Swiss francs with a view to contributing with WIPO to the economic growth of developing countries. Citing as an example the establishment in 2014 of a linkage system between the JPO - One Portal Dossier and WIPO-CASE, which enable sharing of search and examination results among participating IPOs, the Delegation affirmed Japan's commitment to establishing a global IP infrastructure enabling users worldwide freely to access IP information. In order to promote innovation, Japan had worked to become the world's leading "IP-based nation" and, aiming to achieve world-class examination in terms of both speed and quality, the JPO would shorten the examination period required for granting patent rights to 14 months or less on average by the end of 2023. The JPO would also introduce a quality management evaluation system to be administered by external experts. The Delegation reported that Japan had finalized the Design Act and would accede to the Geneva Act of the Hague Agreement, aiming to accept international design applications under the Hague Agreement in spring 2015. Japan became the fourth member state of the BTAP in June, 2014.

33. The Delegation of India recognized that the 21<sup>st</sup> century belonged to the era of the knowledge economy and the role of the intellect. Any country's ability to translate knowledge into innovation and then commercialize it would determine that country's future. For that reason issues concerning the generation, evaluation, protection and exploitation of IP had become critically important. Policy makers around the world were laying great emphasis on creating robust IPR regimes and ecosystems that encouraged innovation. With that backdrop in mind, a number of initiatives had been implemented by the Government of India and its IPO. The Indian Patent Office had started functioning as an International Searching and Preliminary Examining Authority in October 2013. Furthermore, the office was spearheading efforts to improve transparency in IP administration by introducing several dynamic utilities for patent and trademarks applications. One such dynamic utility was the pioneering "stock and flow" system, which showed patent applications at the various locations of the Indian Patent Office on a real-time basis. With that system, the entire functions of the Indian Patent Office were open to the world. The new Government in India had taken several steps to strengthen the IPO regime in the country. Last month, 1,033 new posts were created in the IPO; in addition, a \$500 million project was approved for further creation of IP facilities and infrastructure. An action plan for implementing a drive to reduce pendency in patent and trademarks applications had also been approved. The Delegation recognized the importance of IPRs for the development of the economy and was committed to ensuring the protection of, and encouragement for, IP. Considering that 80 per cent of patent filing in India was by non-nationals, the challenge before the country was to scale up the process of IP creation and increase commercialization of the technology that was developed. India proposed to prepare a National Intellectual Property Rights Policy in the next six months with a view to promoting national interest. The time had come for a gradual expansion of the network of external offices of WIPO in order to further develop the global IP system. An increasing number of Indians were expected to start filing international applications through the PCT System, and in that context, users would benefit significantly from the services to be provided by an external office. The Delegation stood ready to work with WIPO in exploring the feasibility of placing an external office in India to better serve the significant number of users in India and would provide all necessary logistical assistance, including space and other infrastructure to house an external office within the premises of the Indian IPO. The Delegation was deeply concerned by unilateral pressures being put on countries with a view to seeking compliance with the extraterritorial application of laws. Such pressures were unconscionable under international agreements. The international regime in force allowed countries' policy spaces to evolve a regime base that best suited their

conditions and was most effective for the sustainable development of those countries. The Delegation was disturbed by the manner in which IPR negotiations were being brought into bilateral and regional trading agreements and other plurilateral processes. With the stated objective of seeking protection and enforcement of IP rights beyond the provision of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, an attempt was being made to inexorably enhance IP related-norms. Such activism beyond current international legal obligations significantly undermined the multilateral process as well as its institution. With regard to the immediate agenda before the General Assembly, India was focused on several outcomes, namely support for the finalization of an international legal instrument for the effective protection of TK, TCEs and GRs by 2015. The new norm-setting that was being sought in the IGC would be an important step towards addressing misappropriation of the knowledge of traditional healers and alternative systems of medicine. The texts were now mature and at that juncture it was necessary to have the political will to move ahead and take the negotiations to their logical conclusion. India supported a treaty on the protection of broadcasting organizations based on “the signal-based approach in the traditional sense”, consistent with the mandate of the 2007 General Assembly; however, the issue of a “rights-based approach” to protecting broadcasting organizations, together with the inclusion of any elements of webcasting and simulcasting needed further thought and discussion.

34. The Delegation of the United States of America fully endorsed the statement delivered by the Delegation of Japan, on behalf of Group B. On the normative side, the United States of America welcomed the signing of the BATS and the MVT/Marrakesh Treaties and was working towards implementing them, looking forward to their entry into force as soon as possible. It also welcomed the excellent progress that had been made on the draft DLT and fully supported the convening of a diplomatic conference to conclude that Treaty. Any outcome relating to technical assistance for the Treaty should be decided at the diplomatic conference and not at the ongoing General Assembly session. It would be unfortunate if any Member State blocked the Treaty on the grounds of a predetermined outcome on technical assistance before the convening of a diplomatic conference. The United States of America had been very clear in discussions throughout the preceding year that, while it believed a resolution would be a more effective and timely vehicle for the delivery of technical assistance, it was willing to enter the diplomatic conference with an open mind as to the ultimate form of the provision. It was unfortunate that others did not share that level of flexibility. The time had come to dispense with the idea of setting preconditions and move forward to the diplomatic conference for a Treaty that held significant promise for designers in developed and developing countries. The United States of America welcomed the progress being made in discussions on the proposed broadcasting treaty and stressed that its constructive engagement in those discussions would be pursued. It also favored work aimed at developing shared principles and objectives and improving national limitations and exceptions for libraries and archives as well as educational and research institutions and for persons with other disabilities, although it did not support binding norm-setting in those areas. The United States of America was willing to continue discussions in the IGC in 2015 but regretted that, despite the diligent efforts of the IGC, it was abundantly clear that members were far from agreement on even the most fundamental provisions in the draft texts. There were over 300 brackets in the three draft texts indicating a complete lack of maturity of all three. The United States of America reiterated its long-held position that consideration of a diplomatic conference on the IGC texts was premature and, therefore, opposed any General Assembly decision to set a specific time frame or date for a diplomatic conference on any of the three IGC draft texts. On the topic of meeting management, the Delegation considered that WIPO convened too many meetings at too great an expense to the Organization and to Member States. Given the breakdown of several committee meetings in 2014, and the overall lack of progress in most of them, the Delegation proposed that WIPO convene fewer meetings in 2015. It felt that too many meetings provided no outcome, involved discussions solely on process or degenerated to the point where Member States could not even

agree on adoption of the agenda for the meeting. The funding spent by WIPO and Member States on travel could be decreased and a more issue-focused environment created by reducing the frequency of meetings. The funds saved could be redirected by the Organization to objectives such as creating TISCs, improved databases and other improvements to services. The Delegation welcomed the willingness of the PBC Chair to conduct informal consultations on that very important issue after the Assemblies. It welcomed the selection of the new proposed WIPO SMT, recognizing that it represented an impressive range of experience and expertise from across the globe. It was pleased that Mr. John Sandage, who was highly regarded both domestically and internationally, had been included and believed that he would make a significant contribution to the Organization. It also wished to express its appreciation to the outgoing SMT for its accomplishments and excellent service to WIPO and its Member States. The Delegation thanked Deputy Director General Pooley for his many positive contributions to the Organization over the preceding six years. The Delegation would contribute abundantly to the Audit and Oversight portion of the meeting and would make proposals to further the strength of those functions. The Delegation then provided highlights of IP developments in the United States of America. Regarding patents, legislative activity in Congress had focused on consideration of proposals to address abusive patent infringement litigation practices and the mailing of vague letters to small businesses claiming patent infringement and threatening lawsuits unless the recipients made a settlement. A responsive bill had been passed by the House of Representatives in December 2013 and consideration of a comparable bill by the Senate could occur in 2014 or later. The White House, the Department of Commerce and the USPTO had also been engaged in addressing those issues. In June 2014, the White House issued five executive actions and seven legislative recommendations designed to protect innovators from frivolous litigation and ensure the highest-quality patents in the US system. Updates to those executive actions were announced in February 2014 and those included the Crowdsourcing Prior Art to ensure that patent examiners had the best prior art upon which to make their determinations; more robust technical training for patent examiners on fast-changing technology by experts in the field; and expanding *pro bono* and *pro se* assistance programs to all 50 states. Regarding copyright, the United States of America had been engaged in a process to ensure that its laws reflected changes and developments in digital technology. In early 2013, the US Register of Copyrights testified before the United States Congress, recommending a review of provisions of US copyright law in light of technological change. Since then, the US House of Representatives had conducted 15 congressional hearings on a wide array of copyright issues. The Copyright Office had supported the ongoing congressional review through various formal studies, including the release of reports in 2013 on resale royalties and small copyright claims. It was also engaged in several ongoing studies, including pending studies on orphan works and mass digitization, the "making available" right, and the effectiveness of the existing US music licensing regime. In July 2013, the Department of Commerce, led by the USPTO and the National Telecommunications and Information Administration (NTIA), issued a Green Paper on Copyright Policy, Creativity and Innovation in the Digital Economy, which provided an overview of how national law had adapted to digital technology over the preceding 20 years, and identified three areas on which the Department of Commerce was undertaking further work. The first area was making recommendations on several policy issues relating to the legal framework for the creation of remixes; the relevance and scope of the first sale or exhaustion doctrine in the digital environment; and the appropriate calibration of statutory damages in certain specific contexts. The second area was establishing a private sector, multi-stakeholder forum to agree on ways of improving day-to-day operation of the Digital Millennium Copyright Act's (DMCA) notice and takedown system for removing infringing content on the Internet. The third area was determining an appropriate role for the Government to facilitate further development of the online licensing environment. On the design front, the United States of America had been actively working on accession to the Geneva Act of the Hague Agreement concerning the International Registration of Industrial Designs. It had made significant progress in the implementation process, and the Delegation was hopeful that it would be able to deposit the United States instruments of ratification with the Director General

late in 2014 or early in 2015. Turning to the DA, the Delegation stated that over the preceding year a number of delegations had raised the need to further integrate the DA into all aspects of WIPO's work. Several had even questioned WIPO's overall focus on IP protection. As laid down in the WIPO Convention, WIPO was created "to promote the protection of intellectual property throughout the world through cooperation among States". All Member States had agreed on the DA recommendations in order to work collaboratively to support development through the use, protection and enforcement of IP. However, in recent times, the DA had been used to block progress in a number of WIPO bodies. For example, the Committee on WIPO Standards – a highly technical committee – had been unable for the preceding three years to adopt new standards or even adopt its special rules of procedure because of the insistence of some that the committee report on its DA implementation. The Assemblies had on three occasions been unable to convene a Diplomatic Conference for the Design Law Treaty because some delegations were demanding an article on technical assistance as a precondition. It was unfortunate that in past years, the positive efforts of the Organization – many of which directly benefited developing and LDCs – had been impeded by mischaracterization of the DA. WIPO's role as spelled out in the WIPO Convention was "to promote the protection of IP". That objective had not been changed by the DA, whose task was intended "to ensure that development considerations form an integral part of WIPO's work", not to obstruct such work. The United States of America had long asserted that DA implementation should not negatively impact the substantive work of WIPO committees and the Delegation felt it could be time for a collective rethink on the function of the DA if it continued to be an obstacle to WIPO's substantive work towards its primary objectives. The United States of America remained strongly committed to the issue concerning the relationship of trademarks *vis-à-vis* GIs but was very concerned that recent work to update the Lisbon Agreement had complicated that relationship even further. The Delegation expressed surprise that the Lisbon Union Assembly had gone ahead with approving the convening of a Diplomatic Conference for the Adoption of a Revised Lisbon Agreement without first seeking the advice of other interested Member States, pursuant to Article 8 of the WIPO Convention and Article 9 of the Lisbon Agreement. The manner in which the proposed Diplomatic Conference was being handled was a significant departure from WIPO process and procedures, which were designed to ensure that the interests of all Member States were respected. The United States of America was concerned that the proposed Lisbon Agreement expansion raised significant legal and economic consequences that would negatively impact the export markets of many countries. Unfortunately, for countries that were not members of the Lisbon Assembly, preparations for a diplomatic conference were being made despite numerous objections. While the Lisbon Working Group had added options to the existing treaty text to give the impression that the revised Lisbon Agreement would be flexible enough for any national GI protection system to join, it was patently clear that trademark systems simply would not be in a position to accommodate those onerous new requirements. The provisions of the amended Lisbon Agreement would prevent and otherwise interfere with the ability of contracting parties to apply their own national laws and processes to international registrations under the Lisbon Agreement System. Further, the inclusion of GIs in the system, not only exceeded Lisbon's mandate under a mere revision exercise, but the draft revised agreement also provided an international mechanism to phase out prior trademarks or generic uses in a marketplace. Such costs would all be for the exclusive benefit of a small number of Member States. The Delegation asked that an agenda item at that week's Coordination Committee meeting give that relevant governing body the opportunity to offer advice to the Lisbon Union Assembly regarding the convening of a Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications in 2015. The Delegation looked forward to further discussions on that issue with the Secretariat and the Member States when that agenda item was addressed. The Delegation closed by affirming that the United States of America would continue to work with the Secretariat and other Member States to create a better functioning, more transparent and effective Organization. The United States of America would continue to ensure that WIPO services were world-class and the appropriate respect for IP stayed a major focus.

35. The Delegation of Viet Nam was impressed with the outcomes and the progress made in various areas of normative frameworks, global IP services, use of IP for innovation, development of IP infrastructure, building respect for IPRs and dispute settlement. Such achievements by WIPO not only helped to promote innovation, creativity and IP protection for the benefit of all members, but also reaffirmed and highlighted WIPO's increasingly important role in addressing global and emerging issues. The Delegation confirmed its strong support for the work of the Organization to achieve the objectives set out in the SRP and its appreciation for the progress made by the SCT towards concluding the Industrial DLT and the IGC's work on the protection of GR, TK and TCEs. It reaffirmed its commitment to the swift conclusion of such important international instruments. The Delegation noted the results of discussions at WIPO relating to patents, trademarks, GIs, copyright and related rights, IP standards and enforcement, particularly the positive results achieved in the implementation of projects under the WIPO DA for the benefit of developing and least developed Member States. The Delegation reiterated its strong support for south-south cooperation and encouraged WIPO to develop the most relevant projects to benefit all. The improvements in institutional and governance matters observed in WIPO would make the Organization more user-friendly, transparent, effective and efficient in its important operations. Cooperation between Viet Nam and WIPO had been further strengthened over time. In the previous year, under the DA, Viet Nam had been benefiting from numerous projects, including the distance learning program, access to specialized databases, development of branding, branding strategies for selective products and formulation of its national IP strategy. A number of other cooperation activities between the two sides were being scheduled for effective implementation. The Delegation concluded by expressing the country's full and strong commitment to WIPO's work to develop a modern, balanced system in international IP for the common benefit of all Member States and users for years to come.

36. The Delegation of Hungary endorsed the statements made by the Delegation of the Czech Republic, on behalf of the CEBS Group, and the Delegation of Italy, on behalf of the EU and its member states. Hungary had always worked closely with WIPO. In 2013, the Hungarian Intellectual Property Office (HIPO), WIPO and OHIM had jointly organized the Regional Industrial Design Conference. The Conference had taken place on the margins of the 10<sup>th</sup> Budapest Design Week and had focused on the promotion of design protection as a driving force for innovation. The Delegation reaffirmed Hungary's strong commitment to the adoption of the DLT and expressed regret at the failure of the General Assembly to convene a diplomatic conference in that regard. The DLT would offer designers the same benefits enjoyed by other IP title holders under the Patent Law Treaty (PLT) and the Singapore Treaty on the Law of Trademarks (STLT). Harmonized design law formalities would be of benefit to applicants and users worldwide, making it easier to seek design protection abroad. Member States should be given assurance that WIPO would continue to provide technical assistance in the field of design, particularly within the context of the implementation of the DLT. Hopefully, the Assembly would take a decision on the convening of a diplomatic conference for the adoption of the DLT. The Delegation welcomed the decision by the Lisbon Union Assembly to convene a diplomatic conference for the adoption of the revised Lisbon Agreement on appellations of origin and GIs in 2015. The work carried out by the Working Group on the Development of the Lisbon System would make the system more user-friendly, effective and global in terms of reach. Hungary welcomed the results of the Seventh Session of the PCT Working Group, particularly the recommendation made by the PCT Union Assembly on the adoption of an understanding on the procedures for appointment of International Authorities. The restating of the true expert role of the PCT Committee for Technical Cooperation would enable Member States to make responsive decisions on future appointments. The Delegation fully subscribed to the goal of maintaining or even improving the quality of the work carried out by PCT authorities. There was a need for networking among IPOs, rather than a heavily centralized PCT System that might hamper applicant-friendly initiatives. Finally, the Czech Republic, Hungary, Poland and the Slovak Republic were working on the creation of a new regional PCT authority which would allow users to obtain international patent protection. Users would also be able to communicate

with the new PCT authority in their own languages, promoting innovation, creativity, economic growth and competitiveness in the region.

37. The Delegation of Algeria endorsed the statement made by the Delegation of Kenya, on behalf of the African Group. IP was an important tool for promoting technological innovation and cultural creativity, provided that the development dimension was fully integrated. Above and beyond its mission to promote and protect innovation and creativity, WIPO was also bound to facilitate technology transfer to the developing countries. WIPO Assemblies provided a favorable opportunity for evaluating progress made and defining coordinated strategies which met the expectations of peoples and governments. In that respect, certain questions should be given special attention within the framework of concerted, consensual solutions. The first such issue was the opening of two external offices in Africa during the 2014-2015 biennium, which would no doubt help to bridge the technological gap between the regions and promote IP on the African continent. In that connection, the draft guidelines stemming from informal consultations offered an excellent working basis for further discussions. Secondly, consideration had to be given to the introduction of conditions conducive to the establishment of more balanced, development-oriented international legal standards. In that connection, there was a need to move ahead with negotiations inside the IGC for the protection of GRs, TK and folklore and to ensure their successful conclusion. Algeria was convinced of the pressing need for political will to finalize the work of the IGC. That in turn depended on the preparation of a work program aimed at the adoption of one or more legally binding instruments. Thirdly, as far as copyright was concerned, there were grounds for promoting an agreement on an appropriate work program for exceptions and limitations for the benefit of libraries and archives as well as teaching and research institutions in order to draft one or more legally binding instruments. Fourthly, with regard more specifically to the registration of industrial designs, it was important to ensure that efforts to create conditions conducive to the holding of a diplomatic conference for the adoption of a treaty took due account of the legitimate requests of several delegations for the inclusion of an article paving the way for sound cooperation in the form of technical assistance and capacity-building. Lastly, the Assemblies had to agree to return their attention to the question of governance. The best way of doing so was no doubt to launch a formal process for a transparent exchange of views on all proposals submitted by the Member States. That type of process of reflection and coordination was likely to lead to the introduction, at WIPO, of a more transparent, more equitable and more inclusive governance architecture. The Delegation reaffirmed the importance it attached to the implementation of the DA, which had to remain a strategic priority for WIPO. Indeed, the Organization had to pursue and step up its efforts to mainstream development into all of its programs and activities, while reforming and increasing technical assistance and capacity-building for the developing countries. As far as all of the items included on the agenda of the Assemblies were concerned, the delegations had to display an ability to listen, mutual understanding, a renewed commitment and sincere cooperation in order to make balanced, consensual solutions possible. The Delegation was fully committed to such a course of action.

38. The Delegation of the Republic of Korea wished to share its views on international norm-setting, IP services and the DA. It believed that the IP community should work to develop and improve international norm-setting for the benefit of applicants and users. That was why the Republic of Korea deposited an instrument to the Geneva Act of the Hague Agreement in March 2014 to ensure the highest quality service and then signed the MVT/Marrakesh VIP Treaty in June 2014 to strike a balance between the user and the protection of IP. It was hoped that those efforts would lead to other IP norm-setting activities to bring about immediate and positive results. Regarding IP services, the Delegation believed that external offices should live up to public perceptions as the hub of cutting-edge customer support provision. The Republic of Korea had openly stated its strong investment in that matter and looked forward to seeing it further addressed in an appropriate, constructive and progressive manner. The Delegation expressed its desire to mention efforts in bridging the IP divide existing among Member States.

As a former recipient of foreign aid, the Republic of Korea well understood the plight of struggling economies and had striven to help them reach their full potential. In the past decade, the Republic of Korea had helped to build the capacity of various IPOs and increased global awareness of IP by contributing a total of 10.8 million Swiss francs to the Korea Fund-In-Trust (FIT) program at WIPO. The year 2014 marked its 10<sup>th</sup> anniversary and the Delegation felt its activities had been timely and effective and confirmed its commitment to narrowing the IP divide and assisting in the capacity building of Member States. It then turned to the Republic of Korea's national strategy for achieving an IP-based creative economy and wished to highlight some recent major developments. To boost the securitization of IPRs and force a kick start based on innovative ideas, the Republic of Korea was working to widen the range of potential beneficiaries eligible for IP-based financing. The country had also implemented a new Government policy, called Open Government 3.0, which enabled the public to easily access and utilize Government information, such as IP documents or works, owned, created or commissioned by the Government in order to create new variants. The examination system had been further improved to facilitate the creation of high-quality IPRs by introducing positive examination services which helped the applicant to acquire high quality patents by boosting interactive communication with examiners regarding the scope of invention, and the collective system in which the multiple applications relating to a single product were able to be examined simultaneously. Faced with the new challenges in the modern age of uncertainty, the international IP community had successfully cooperated to develop and improve the international IP system, and the Republic of Korea was eager to lend its full support to WIPO by collaborating further with its fellow Member States, believing that such collaboration was key for overcoming the current economic storm.

39. The Delegation of Madagascar said that its Government was fully aware of the important role that innovation and IP played in economic growth. In that respect, it was grateful to WIPO for its assistance in preparing the document on national innovation and IP strategy and policy, which had already been finalized and which WIPO would be submitting to it shortly for adoption. Efforts were also being made at national level to increase awareness of the IP system and strengthen its role as a vector of economic development. Various nationwide meetings had been held with business people in addition to consultations with universities and researchers. Moreover, the Delegation was giving thought to redefining its IP outreach strategy by moving to proximity outreach based on the promotion of an individual approach to system users, in order to better understand their needs and expectations. The new approach had been adopted following evaluations made after the workshop on patent drafting and the PCT System, which had been organized in cooperation with WIPO the previous month, as well as the Research Fair for the Economic Sector and Employment, launched by the University of Antananarivo. The fair would be replicated by a mobile outreach campaign targeting six universities in Madagascar, to be planned shortly with the valuable help of WIPO. The Delegation was grateful to WIPO for its regular assistance in the form of technical, institutional and legal capacity-building, to the two offices responsible for administering IP in Madagascar, the Malagasy Intellectual Property Office (OMAPI) and the Malagasy Copyright Office (OMDA). The Delegation recalled that following its accession to the Internet Treaty, Madagascar was preparing to accede to the Hague Agreement Concerning the International Registration of Industrial Designs, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and treaties relating to international classification. The procedure at national level had already been launched and the instruments for Madagascar's accession to those international treaties would be forwarded to WIPO in the near future. In that connection, the Delegation supported the convening of a diplomatic conference to adopt a treaty on industrial design law, while hoping that such an instrument might include an article on technical assistance. It therefore appealed to Member States to continue discussions in a constructive spirit. With regard to the work of the WIPO committees, the Delegation fully endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and by the Delegation of Benin, on behalf of LDCs. In particular, it stressed the importance of TK, GRs and folklore, urging the committee responsible for those

questions to continue its efforts aimed at the convening of a diplomatic conference in 2015. The Delegation reported that the Government of Madagascar had taken the initiative to revive the activities of the Malagasy Innovation Institute (IMI), a body specialized in shipbuilding and car manufacturing, which had not been productive for several years. It welcomed WIPO's advice and support, which would be of great help as it took up that challenge. In conclusion, the Delegation welcomed the excellent cooperation between the Organization and Madagascar, to which it attached great importance. It was convinced that that beneficial cooperation would be further strengthened in different ways in the future.

40. The Delegation of Zimbabwe expressed its deep gratification at WIPO's performance over the reporting period as well as their sense of vindication at the appointment of the Director General, Mr. Francis Gurry. The Delegation also wished to align itself with the statement delivered by the Delegation of Kenya, on behalf of the African Group. It shared the sentiments and appreciated the donation made by China towards the DA. The donation was a key step and gesture towards this very important area. In the same connection, in view of the detailed statement made by the Delegation of Kenya, on behalf of the African Group, the Delegation simply wished to reiterate those sentiments rather than repeat them in the Assembly. The Delegation did, however, wish to stress the need to speedily conclude all treaties of interest to developing countries. The subject of external offices had been a highly contested issue during previous Assemblies. The Delegation reaffirmed WIPO's central law in ensuring that all countries should be able to benefit from the use of IP for economic, social and cultural development. The establishment of external offices in Africa would also contribute immensely to the strengthening of Africa's commitments in the field of IP. Thus, the Delegation looked forward to the approval of this initiative and the commitment of the requisite financial resources for the establishment of the offices in question. The Delegation continued to value the technical assistance provided by WIPO to various IP organizations in Zimbabwe and appreciated the Master's program in IP that Zimbabwe had the honor to host at an Africa University. The program continued to command international respect and demand on the entire African continent. The Delegation therefore counted on WIPO's continued support as the program was pivotal for the advancement of IP education and innovation in Africa. The Delegation called for increased resources to be made available for the WIPO academy to enable it to fulfill its mandate in the area of training as this would help build the modest capacities of developing countries. The Delegation was pleased to inform the Assembly that Zimbabwe would soon join the Madrid family, having initiated the accession process of the Madrid Protocol. The Delegation looked forward to contributing to upcoming discussions on specific agenda items before the General Assembly.

41. The Delegation of Paraguay stated that the country was at the forefront of the fight against poverty, and that it attached great importance to IP as a tool for promoting economic, social and cultural development, as well as the sensible development of creative industries and the "orange economy" in Paraguay. The Delegation was grateful for the collaboration and technical assistance provided by WIPO in various projects under way, such as the planning of a national IP strategy. The main aim of the strategy was to implement the reforms needed to create a balanced IP system that promoted technology and innovation, while also providing the legal security required for foreign investment. Although it was difficult to implement initiatives that required such time and patience, the National Directorate of Intellectual Property (DINAPI) was aware of the need to implement short-term measures. That was why it was developing, with WIPO assistance, a project to strengthen institutions. Similarly, DINAPI was learning from good practices in the region by concluding agreements with Chile, Colombia and Mexico, among others. Paraguay was also part of regional and intraregional IP efforts, including the Ibero-American Program on Industrial Property (IBEPI), the LATIPAT database and the PROSUR regional cooperation system (of which Paraguay had recently taken over the pro tempore presidency). The Delegation stated that it was closely monitoring the work carried out in the various WIPO committees, in terms of the normative agenda and IP protection systems.

Accordingly, the Delegation called on all Member States to work towards a rapid entry into force of the MVT/Marrakesh VIP Treaty, with Paraguay expected to deposit the instrument of ratification before the end of the year. The Government of Paraguay was carrying out a national assessment of the benefits for Paraguay of joining the PCT and such a move would require continued support from WIPO. Another priority issue for the Delegation was being able to have Paraguayan representatives at the WIPO Secretariat in the short term, as well as improving the geographical representation of the Organization's staff, such that Paraguayan professionals would be able to hone their skills before using their newly acquired knowledge in their home country. The Delegation concluded by wishing the Director General a successful second term. Just as the New Conference Hall had been successfully built, the Delegation said it hoped that the objectives to benefit the Organization and Member States could also be achieved.

42. The Delegation of the Russian Federation said that 2014 had been a busy year in the field of IP and that the Russian Federation had made significant efforts to improve its IP law. In particular, extensive changes had been made in the areas of copyright, namely the use of the results of intellectual activity on the Internet and other information and communication networks, and patent rights, rights to trademarks and other means of individualization. The bulk of those changes would enter into force on October 1, 2014. Rospatent had hosted an important international conference on industrial designs in April 2014 to mark World Intellectual Property Day. The conference had honored the 150-year anniversary of the first Russian industrial designs law and had attracted the participation of approximately 200 IP specialists, including representatives from international organizations. The conference had been a significant factor in boosting the work of the Russian Federation on acceding to the Hague Agreement concerning the International Registration of Industrial Designs. Another important event was the opening, on July 22, of the WIPO Russia Office in Moscow. A number of planned joint events had already taken place, including – with the active participation of a WIPO representative – a Russian, Chinese and Mongolian seminar in Moscow on considering IP disputes under administrative procedures. Furthermore, the Russian Federation had successfully implemented a project to establish TISCs. There had been much active work in that area and on September 24 and 25, the third meeting of TISCs would take place in Saint Petersburg. Four such centers had been established for 58 regions of the country in a very short time frame and the Russian Federation hoped to continue that project. The Delegation asserted that ongoing cooperation between the International Bureau and national patent offices would bring increased efficiency and effectiveness to work in the field of IP. In the previous two years, significant progress had been made through the activities of the main committees and bodies of WIPO. Indeed, the issue of convening a diplomatic conference to adopt a DLT had already been placed on the agenda and the Delegation called on all Member States to direct their energies towards completing the preparatory work for that international treaty. The Delegation expressed, on behalf of the Russian Federation, its interest in making quick progress in the SCCR and the IGC. It noted that a number of other matters that were important to the activities of WIPO had been set before the Assembly, such as appointing the Deputy and Assistant Directors General of WIPO. In that regard, the Delegation supported the statement made by CACEEC on the need to ensure the principle of equality of geographical representation, both at the highest levels of the Organization and overall in its staffing policy. The Delegation declared that it was open to discussions and would make every effort to find a solution that balanced the interests of all WIPO Member States.

43. The Delegation of Georgia acknowledged that WIPO's work had strengthened the capabilities of national patent offices and encouraged the Secretariat to continue implementing development-related programs. WIPO guidance was requested concerning the implementation of a long-term IP strategy, the development of an innovation strategy and the strengthening of educational institutions to increase public awareness and capacity in the field of IP. The Delegation referred to the successfully-brokered agreement on a package of decisions

relating to the work program of the Committee on WIPO Standards (CWS), the SCT and the SCCR. The Delegation welcomed the results of the substantial work carried out by the committees and expressed its support for the efforts of the Working Group on the Development of the Lisbon System, which had made significant progress regarding the Draft Revised Lisbon Agreement on Appellations of Origin and Geographical Indications and the corresponding rules in the Draft Regulations. A diplomatic conference should be convened in 2015 for the adoption of a single instrument covering both appellations of origin and GIs. The demand for external offices was high.

44. The Delegation of Singapore expressed its confidence that under the leadership of the Director General, the Organization would be able to scale further heights and Singapore looked forward to intensifying its cooperation with the Organization in the coming years. The delivery of quality technical assistance programs to the region in 2013 had borne fruit. Those programs were primarily delivered jointly with the Organization, including those under the joint funding initiative between the Singapore Cooperation Programme and the WIPO Regional Office for Singapore. For the two preceding years under the Government-funded SCP, seven training programs for over 150 officials were conducted jointly. Together with all its other programs, the Singapore Patent Office delivered and was involved in over 20 seminars, workshops and training programs and the WIPO summer school, all of which reached about 500 participants from 20 countries. The Delegation wished to mention that a highlight in the IP calendar was IP week@SG, in partnership with WIPO, at which the Director General was the keynote speaker and over a thousand participants from more than 30 countries including most of the Asia-Pacific region and some European and American countries participated in the week-long IP activities. Singapore in its own right and as Chair of the Association of Southeast Asian Nations (ASEAN) Working Group on Intellectual Property (AWGIPC) expressed its appreciation for the support extended by the Organization and its regional Office to ASEAN and to the whole region. The Delegation announced that Singapore continued to introduce new initiatives to strengthen its IP regime to support local enterprises as well as the 7,000 multinational companies based in Singapore. As an example the Delegation mentioned the move to a system in February 2014 for improving patent quality. To further support the innovative industry sector in Singapore, the patent substantive examination capability had been strengthened and Singapore had entered into further patent work-sharing arrangements. The Patent Search and Examination Unit comprising 95 per cent PhD holders would have work-sharing arrangements with 30 other patent offices by early 2015, an increase of 12 from 2013. The patent work-sharing initiatives included bilateral Patent Prosecution Highways (PPH), the Global PPH Program and the Asian Patent Examination Cooperation (ASPEC) program. Sharing the session examination results enabled faster processing of patent applications and higher-quality results, providing innovators with time and cost savings. The ASEAN-focused ASPEC program included a Patent Examiner Community of Practice which brought ASEAN patent examiners together to share best practices and experiences and assist each other. Singapore would also participate actively in various initiatives under WIPO CASE. The Delegation reiterated its appreciation to the Organization for its partnership, adding that it continued to play an important role in providing benefits to all, which was crucial for the region. Singapore remained committed to its vision and its partnership with WIPO, the WSO and other Member States in advancing those efforts. The Delegation mentioned the Financing Forum, jointly organized by SIPO, the UKIPO and IPOS on Wednesday, September 24, 2014, where Singapore would be sharing its experience in IP funding for SMEs launched earlier in 2014. Together with a purpose-built IP valuation service, it was hoped to enable companies to put IP at the core of their business strategy and encourage them to grow and expand with their IP. A quality and efficient patent system was crucial to support the thriving research and development (R&D) hub in Singapore, which would contribute constructively to the international patent system. A PCT international authority in South East Asia would encourage greater use of the PCT System among IP creators in Asia, as well as among businesses interested in that region. The Delegation looked forward to the support of Member States in its request to be appointed as an international authority. The Delegation

closed by affirming Singapore's commitment to its partnership with WIPO to advance efforts to bring the discussions on IP to greater heights and focus and foster a business friendly and pro-growth IP ecosystem for all.

45. The Delegation of Senegal fully endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs. The major challenges which the Organization would have to face were linked to extremely rapid technological change; increasing demand for and the internationalization of the patent system; knowledge inequalities between developed and developing countries, in particular the LDCs; the proliferation of piracy and counterfeiting; and fair compensation for artistic and literary creations in developing countries. As they were intrinsically linked to the field of IP, those challenges were constant and perpetual. Fortunately, they were not unsurmountable and the Organization was well equipped to face them. It was also gratifying to note that as far as implementation of the strategic reorientation program was concerned, positive results had been achieved during the past two biennia: sound finances and two diplomatic conferences, Beijing 2012 and Marrakesh 2013, in the field of copyright and related rights. The good results which the Organization had achieved in recent years were also due to the pride of place given to development questions, particularly with regard to the implementation of the 45 recommendations of the DA and the essential role of the CDIP, especially as regards the mechanism for coordination, technical assistance and capacity-building. It was therefore necessary to give thought to striking a delicate balance between the public interests and the interests of rights holders, in so far as IP was not an end in itself. Its purpose was to encourage innovation and creativity; and to provide the means of achieving overall policy goals linked to socio-economic means such as health, food, education, research, environment and development in general. In that respect, Senegal attached great importance to the acceleration of the norm-setting process with a view to the effective protection of GRs, TK and TCEs in conjunction with one or more legally binding national instruments; the finalization of efforts to protect broadcasting bodies *via* a treaty and the convening of a diplomatic conference by 2016; the introduction of exceptions and limitations for teaching and research establishments, as well as libraries and archives, by means of one or more legally binding instruments; the continuation of the effective implementation of the DA; and the conclusion of work on the draft treaty on industrial designs, taking due account of the technical assistance and capacity-building needs of developing countries and LDCs. Moreover, at the last session of the SCCR, Senegal had expressed the hope that the Committee would examine the question of resale rights. In view of Senegal's particular interest in all IP issues, consideration was being given to establishing, by presidential decree, a National Council for Intellectual Property Coordination and Development (CNCDPI), which would be placed under the authority of the Prime Minister. Senegal also welcomed the successful outcome of the workshop held in Dakar in cooperation with WIPO, in conjunction with the CDIP project for the strengthening of the audiovisual sector in Africa, with Burkina Faso, Kenya and Senegal as pilot countries. That event had been well received by audiovisual professionals, financial operators, broadcasters and economic and technical bodies working towards a digital transition in Senegal. Finally, Senegal actively advocated an increased WIPO presence through the opening of external offices, a move which would increase understanding of the field and guarantee better targeted technical assistance.

46. The Delegation of Portugal stated that IP protection played a crucial role in terms of the promotion of innovation and creativity and, consequently, in job creation, increasing competitiveness and economic growth. According to a recent study carried out by the EPO and OHIM, around 24 per cent of jobs in Portugal and 34 per cent of the country's GDP were generated through IP-intensive industries. Recent statistics also indicate an increase of the number of registrations of Portuguese patents and trademarks – a firm indicator of a renewed economic environment, which had been also confirmed by the rise of Portugal in international rankings such as the WIPO Global Innovation Index (GII) and the Global Competitiveness Report (GCR) of the World Economic Forum (WEF). Portugal had a longstanding record of

cooperation with WIPO concerning technical assistance, taking part in initiatives such as the recent Training of Trainers Program on Effective Intellectual Property Asset Management by Small and Medium-Sized Enterprises (SMEs) in Portuguese-Speaking African Countries (PALOP). Portugal was ready to take part in further projects designed to promote the use and strengthen the protection of IP in the Community of Portuguese-Speaking Countries (CPLP). The Delegation expressed concern at the lack of progress regarding the normative agenda, despite the heavy work program agreed on in 2013. An agreement must be reached during the current Assemblies on the convening of a diplomatic conference in 2015 for the adoption of a DLT. In the field of copyright and related rights, Portugal supported the creation of an ambitious work plan concerning the negotiation of a treaty on the protection of broadcasting organizations. The Delegation referred to work underway concerning the adoption of a national legislative package to revise Portugal's copyright legislation, designed, *inter alia*, to tackle the challenges in terms of protection posed by the digital market. Portugal had a strong tradition of GIs and appellations of origin. The products in question were associated with major national industries that carried considerable economic, social and cultural weight at the national level. The Delegation was therefore committed to the review of the Lisbon System and was confident that the diplomatic conference scheduled for 2015 would be a success. Ideally, that event would be hosted by Portugal. The Delegation congratulated WIPO on the increase in revenue from the PCT and the Madrid System for the International Registration of Trademarks and expressed the hope that an agreement would be reached during the Assemblies on the establishment of a network of external offices.

47. The Delegation of Australia expressed its confidence that WIPO would continue to implement important constitutional reforms, improve delivery of its global systems and further the normative agenda. It was for Member States to drive the progress of the work of the Organization, and Australia looked forward to working with them to achieve outcomes that would enhance the international IP system. In June 2014, Australia signed the MVT/Marrakesh VIP Treaty and the processes to guide the Treaty through the Australian Parliament for ratification were underway. The Delegation was committed to progress the work of the SCCR and looked forward to building on the momentum of recent meetings. It hoped that future iterations of the Committee would be able to work together to finalize recommendations. Australia continued to actively support the ongoing legal and technical reform of the PCT and Madrid System which were of high importance to IP offices and the innovators and creators they served. Australia wished to acknowledge the commitment and flexibility shown by all Member States in progressing the work of the IGC. The year 2014 would be pivotal to reaching a meaningful outcome. The Delegation urged all countries to continue working together to find agreement on the 2015 IGC work program. Australia was also committed to finding technical solutions to issues in the global IP system. Since its launch in 2011 WIPO Case had allowed examiners in Member Offices a single point to access, search and examine documents. Membership of WIPO Case was expanding and a total of 11 offices were now members with seven joining in 2014. In addition, the link between WIPO Case and One Portal Dossier was being piloted by Japan and would allow interested IP5 and WIPO Offices to exchange dossier information. Australia was working with partners to enhance the capacity of countries on IP issues through the regional patent examination training program, which had a second expanded cohort of trainees, and through Australia's Funds In Trust. Australia looked forward to continuing to work with Member States and the Secretariat to address challenges with the ultimate aim of promoting innovation, creativity and economic growth across all economies.

48. The Delegation of Brazil said that the new WIPO management team would find an improved Organization in comparison to the Director General's first term. Seven years after the adoption of its DA, a revamped institutional structure allowed WIPO to better address the needs of all Member States, regardless of whether they were developed or developing countries. The DA was key to the legitimacy of the Organization. It was a reminder that fair rewards for intelligence, creativity and human talent had to be complemented by guaranteed access to

health, culture, work, knowledge, information and education. Although the DA was a work in progress, many successful initiatives had been carried out, including the studies conducted by the Chief Economist on the role of IP in the economies of developing countries. Under the DA, Member States had concluded the MVT/Marrakesh VIP Treaty, a historic milestone for the Organization and the entire international community. It was important to keep moving forward and to resolve the deadlock that had recently paralyzed the work of the Organization, particularly with regard to issues affecting the interests of more than two thirds of WIPO's membership. Important matters were on the agenda for the Assembly, two of which were key for Brazil: the definition of a work plan for the IGC, and; progress on limitations and exceptions to copyright. The IGC had been debating those issues since 2001; adequate time to establish rules concerning protection against misappropriation of GRs, TK and folklore. Complacency and lesser interests should be put aside in order to effectively implement the mandates conferred on the IGC by the General Assembly. International engagement in discussions on limitations and exceptions to copyright was a priority. IP could not be allowed to become an obstacle to the work of librarians and archivists in their mission to spread and preserve knowledge for billions of human beings. The success of the General Assembly depended on the WIPO membership's collective capacity to address different issues in a way that respected the interests of all. It was therefore essential that the General Assembly should set out a balanced work program that addressed the protection of IP rights and the promotion of development, in keeping with the WIPO DA adopted by all Member States. The insistence on a work program that did not reflect the interests of all – notably of the majority of Member States – had precluded an outcome that was in the interests of all. Ignoring that situation or pretending that the Organization did not have a role beyond the protection of IP rights and the provision of services would only deepen existing impasses.

49. The Delegation of Switzerland endorsed the statement made by the Delegation of Japan, on behalf of Group B, and recalled the successes in norm-setting in 2011 and 2012 with the signing of the BTAP Treaty and MVT/Marrakesh VIP Treaty. Now that a new management team had been formed, the Organization would once again be able to focus on substantive areas, such as the development and modernization of the registration systems and global infrastructures managed by WIPO, as well as the positive outcome of ongoing efforts to set norms for country names, industrial designs and copyright or GRs, TK and folklore. The Delegation looked forward to the conclusion of work on the revision of the Lisbon Agreement and the holding, in 2015, of a diplomatic conference which would crown those efforts, in accordance with the decision of the PBC and the Assemblies of 2013. Improvements to the current Agreement modernized the Lisbon System in order to take due account of the changes which had occurred at the international level since its adoption and to offer an effective system for registration and international protection for appellations of origin registered under the Agreement. Such improvements could make the system more attractive, thereby promoting the accession of new Member States. The Delegation also hoped that it would be possible to draw up a useful work program for the IGC in order to guarantee dynamic negotiations and promote increased interaction between Member States with a view to bringing positions closer together and finally bringing those efforts to a positive conclusion as soon as possible. The Delegation was also determined to find a solution to the opening of new WIPO external offices. The guidelines to be adopted should give the Organization a limited network of strategically located offices, given that some regions far from headquarters still had either no such office at all or only a single office. In conclusion, the Delegation emphasized its willingness to help secure a positive outcome of the Assemblies.

50. The Delegation of Egypt trusted that, in this second term, the Director General of WIPO would foster work to strike the balance that was urgently required between public interest and the narrow IP perspective which, so far and despite recent developments, still focused on raising IPR protection as a goal in itself rather than as a tool used among others to promote innovation for the larger and broader objective of development. In this regard, the Delegation

noted the close of the 2015 MDGs target date, the ongoing work on the future of development worldwide, as well as adoption of the RIO+20 outcome document initiating work on the Post-2015 DA. As a UN specialized Agency, WIPO should not set apart from such broader trends, not the least because its initial mandate as a UN Agency remained closely linked to these global and cross-cutting initiatives. In 2007, WIPO operated a paradigm shift with its DA 45 Recommendations. Nonetheless, in the Delegation's view, things seemed to be moving backwards to pre-2004, when consultations on such Agenda were initiated. There was no doubt for the Delegation that deceleration of DA implementation and mainstreaming throughout WIPO was a major cause behind the currently stalemated negotiation processes in WIPO. Nonetheless, Egypt remained committed to implementation and success of the WIPO DA. The Assemblies had a heavy Agenda, with many outstanding issues on which WIPO committees were unable to make consensual recommendations. The Delegation recalled the much appreciated normative progress WIPO made over the last two years, namely the adoption of BTAP and the MVT/Marrakesh VIP Treaty. However, the current Assemblies would not start with that same positive spirit since Committees had been unable to submit Recommendations to the General Assembly. In the CDIP, due to polarization of positions, work on coordination mechanism was not concluded. Instead of evaluating the DA implementation across WIPO, the CDIP was limited to review technical assistance and capacity building projects for developing countries, hence limiting the DA to a number of projects which, in the Delegation's view, was unacceptable. Differences on DA impacted other WIPO bodies as well. The CWS could not convene due to disagreement on adoption of its Agenda because some Member States objected to the inclusion of an agenda item on "Contribution of the CWS to the Implementation of the Respective DA Recommendations". The Delegation stated that inclusion of such agenda item was in conformity with the 2010 General Assembly mandate on the coordination mechanism. The SCCR failed to reach an agreement on two new treaties on limitations and exceptions for libraries and archives and for educational and research institutions, respectively. While remaining committed to the success of negotiations in WIPO, the Delegation stressed the need for a balanced approach that took into account the various concerns, priorities and development levels of all Member States. Copyright exceptions and limitations should be fulfilled by adopting the two treaties, as equally linked to public interest and the broader development dimension. The Delegation stressed the need to facilitate and disseminate education as a global priority. Similarly, libraries should be supported in their role of increasing awareness and disseminating culture. The IGC embarked on a new phase after almost 14 years of steady but relatively slow progress. Support was needed for the IGC to conclude its consultations by adopting a balanced program for 2015 in view of convening a diplomatic conference to adopt relevant legal instruments. On the issue of external offices, the Delegation appreciated efforts by the Facilitator to reach an agreement on guiding principles regarding WIPO external offices. In this regard, Egypt looked forward to an agreement during the current Assemblies, taking into account specific issues voiced by the African Group. On the national level, the Delegation highlighted that the newly adopted Egyptian Constitution expressly provided for legal IPR protection and the establishment of a competent authority, in line with its broader public obligations, including in the fields of education, public health, sustainable development as well as knowledge economy for overall development. Inspired by the Egyptian Constitution, particularly Article 227, Egypt was keen on promoting innovation and creativity, protecting IPRs in order to achieve development objectives. In conclusion, the Delegation reiterated commitment to the success of WIPO activities. However, the Organization reached a stalemate which required rethinking the international IP system and management in order to avoid adverse effects which could undermine its important role within the UN system.

51. The Delegation of Chile stressed the importance of a balanced IP system, which was essential for promoting industry and guaranteeing access in a knowledge-centered world. The BTAP marked a major step forward; it was consistent with Chile's process of modernization and offered an important tool for the nation's artistic community. The BTAP was in the process of being ratified by the National Congress. In addition, the MVT/Marrakesh VIP

Treaty represented a landmark on the multilateral landscape. The Treaty would also be tabled before the Chilean Parliament for ratification. The year 2014 was a multilateral landmark in that the TRIPS Agreement with the World Trade Organization (WTO) was in its twentieth year. The implementation of the TRIPS Agreement continues to pose a challenge for many countries and while WIPO did not have direct oversight of it, there was still a direct relationship to and influence over how countries implemented the Agreement. Moreover, 10 years ago, Argentina and Brazil, backed by various other countries, including Chile, had proposed a DA to the General Assembly, which had culminated in the adoption of 45 recommendations, the application of which was part of WIPO's work. Chile tabled a proposal to protect and promote the Public Domain. In Chile, this led to a tool launched by the Chilean National Industrial Property Institute (INAPI), the basis for inventions in the public domain. The DA was not a cyclical issue; rather, it formed an indissociable part of the Organization; accordingly, WIPO should keep moving forward in that respect. As for IP, on October 22, 2014, INAPI would celebrate a red-letter day in the presence of the WIPO Director General: it would officially begin operating as an International Search and Preliminary Examination Authority. That marked the culmination of a process initiated over four years ago with the cooperation of WIPO and the input of the PCT members, to which the Delegation expressed its profound gratitude. The National Congress was examining a new IP law which incorporated new areas of protection and improved existing ones, such as the use of trademarks; that would make for more efficient registration of rights, reduced processing time, and stricter compliance standards. The Delegation noted that the Assemblies were being held at a time when the knowledge society was becoming increasingly widespread. The new revolution engendered by the development of the Internet had led to the gradual democratization of knowledge. Artificial intelligence had become a reality. According to the International Telecommunication Union (ITU), almost 40 per cent of the population used the Internet and it was expected that by 2017, 85 per cent of the population would have access to high-speed mobile Internet. China's user population, 81 per cent of whom accessed the Internet *via* mobile phones, was equivalent to the population of the United States of America. More than eight million devices were connected to the "Internet of Things", a figure which could increase by 40 to 80 billion by 2020. The Delegation speculated on the consequences for the intellectual and industrial property if all had access to virtually all knowledge generated globally, to 3D printing and to artificial brains. The question arose as to who would own the goods produced by artificial intelligence systems; what rights and obligations would be generated; and who would regulate and oversee proper application. Member States needed a forward-looking vision to examine future scenarios in order to manage the present, which would make a significant contribution to those realities. Hence, Member States had much work to do in both the present and the future, to anticipate the inevitable changes which were under way.

52. The Delegation of Germany was ready for constructive and fruitful dialogue and aligned itself with the statements made by the Delegation of Japan, on behalf of Group B, and the Delegation of Italy, on behalf of the EU. IPRs were essential legal, economic and cultural assets for enterprises and society as a whole. As evidenced in daily reports from around the world, IPRs incited passionate discussion. WIPO, as an important focal point for global discussion on IP, faced the challenge of responding to issues and fulfilling its mission to promote IP and effectively protect it in order to create sustainable development and wealth. One of the major yet delicate tasks would be refuting the fear that WIPO favored certain groups and demonstrating that WIPO aimed to find the optimal balance between rights holders and various segments of society, including in the context of health and the environment. The Delegation expressed support for a robust and appropriate international IP framework that balanced different interests and concerns, encouraged innovation, and fostered the development and transfer of technology. Stakeholders, including IPOs, would benefit from a simpler and more harmonized international framework, including substantive provisions on copyright, patent and trademark law. As the custodian of global legislation and harmonized practices, WIPO should keep the harmonization of those legal concepts on its agenda.

Great importance was attached to the seamless functioning of WIPO registration services, which constituted a core activity of WIPO and its main source of income. German users filed a large number of applications and very much benefited from that service. As demonstrated by the deliberations within the SCCR, the international harmonization of legal concepts in that field was a complex task that required time and dedication on all sides. However, if Member States worked together in a spirit of consensus and with the firm intention of striking a fair balance for all stakeholders, WIPO would continue to provide the framework within which positive results could be achieved. One example was the MVT/Marrakesh VIP Treaty, which Germany had signed. WIPO should also keep other areas of legal international harmonization on its agenda. Germany was committed to improving the protection of broadcasting organizations by reaching consensus on an international treaty with a scope of application that took into account modern technologies. The protection offered needed to be updated and to address emerging technological issues and should be addressed with the same urgency as the protection of authors and other rights holders who were already protected by international treaties. Germany would therefore actively support the work of the SCCR in order to advance work on the text of an international treaty for the protection of broadcasting organizations. Patent law had been of practical and theoretical importance since the beginning of international IP cooperation and the founding of WIPO. Users of the patent system around the world were seeking further developments and improvements to the patent system – a call to be heeded by WIPO and the SCP. Although the continuing work of the SCP was recognized, the Committee should remain true to the principle of a balanced agenda, in order to properly reflect the various demands for discussions. The Delegation was eager to continue working on issues of patent quality, including opposition systems and the confidentiality of communications, since that work was beneficial to all countries, irrespective of their level of development, as it would enhance the credibility, reliability and stability of the international IP system. The Delegation to the SCP had focused and would continue to focus on patents and health. The efforts undertaken in that area by other WIPO committees and Geneva-based international organizations should, however, be respected. The Delegation recognized the importance attached to the issues of exceptions and limitations to patent rights and considered that further work in that area should maintain an appropriate balance between the interests of rights holders and the general public. The future work of the SCP should avoid lengthy debates on agendas and procedural matters, in order to concentrate on matters of substance. The latest figures on the development of application numbers under the PCT showed the importance of the PCT System to innovation and wealth. The PCT remained the most important tool for a functioning patent system in an ever more globalized world. As a very active State in the national and international patent systems, Germany was grateful for the functioning of the PCT System. In 2012, the German Patent and Trademark Office had processed 5,253 international applications – an increase on the previous year – of which 80 per cent were filed by applicants from outside Germany. The Delegation therefore remained committed to all necessary further developments in the PCT System and encouraged all WIPO Member States to take advantage of the PCT System. The recent PCT working group had made good progress in dealing with the necessary adjustments to the PCT rules and the Delegation welcomed the constructive spirit of the working group, which had given rise to fruitful, technical discussions. With reference to the 31<sup>st</sup> session of the SCT, the Delegation noted the progress achieved in harmonizing and simplifying design registration procedures. A multilateral agreement would consolidate the protection of designs, in turn strengthening innovation and creativity and contributing to market order worldwide. The Study on the Potential Impact of Work of the SCT on Industrial Design Law and Practice was considered sufficient and should not be kept open. The Delegation therefore supported the convening of a diplomatic conference in 2015, since the draft text of the treaty was ready for adoption. In the event that the present Assembly did not reach agreement on that matter, further negotiations on the DLT should be suspended. The protection of designs was increasingly important for creative businesses in highly competitive markets. It was essential for enterprises trading across borders to obtain sufficient design protection for their products with the easy and cost-effective registration of industrial designs under the Hague System. While

noting the successful work of the Working Group on the Legal Development of the Hague System for the International Registration of Industrial Designs, the Delegation looked to the further modernization of the Hague System, including a discussion on ways to focus in future solely on the Geneva Act of the Hague System and its up-to-date provisions. There was broad consensus among Member States to continue work in the IGC and the Secretariat had played a highly constructive role in that difficult negotiation process. The Delegation supported the continuation of the work on text-based negotiations. There might still be some way to go to achieve the aim of reaching consensus on a *sui generis*, legally non-binding instrument that took into account the vested interests of holders of TK, GRs and TCEs and, at the same time, did not harm the functioning of the international IP system. It was regrettable that the IGC had been unable to agree on a recommendation to the General Assembly. Member States should all commit to efficient and concentrated participation in future sessions, to cooperating in a constructive and transparent manner and to making use of the results of the facilitators' process. The quality of future *sui generis*, non-binding legal instruments was of far greater importance than the speed of their development, since the issues at stake in the IGC were so important. It was therefore obvious that it was not yet time for further steps. Although it might be frustrating that the milestone of considering the adoption of legal instruments had not yet been reached, it was a fact that the Assembly would have to accept. The Delegation remained fully committed to further progress in the field of development and supported the continued implementation of the 45 DA recommendations in a balanced and consensus-driven way. The previous year had seen progress and a positive evaluation of several projects led by the CDIP. Nonetheless, the Delegation was concerned that discussions had reached stalemate on a number of issues, including preparations for the Conference on Intellectual Property and Development. The 2014 meeting of the ACE had been widely perceived as a success. The effective protection of IP required a good enforcement framework and the challenge was to find solutions that took account of all interests concerned in a balanced manner. The Committee's theme-oriented approach in past sessions of the ACE had provided useful insights into how to tackle infringements of IPRs. The Delegation expressed the hope that the ACE could continue to contribute to a comprehensive discussion on technical questions regarding IP enforcement. The Delegation was open to the idea of a small, limited, strategically positioned and geographically representative network of WIPO external offices, provided that there was true added value to the organization on the basis of a clear set of principles. Progress made in the development of guiding principles was welcomed. The Delegation opined that careful consideration should be given to the important topic of WIPO governance and stressed the importance of good governance within WIPO and its leadership. That included transparent and clear management structures and readily comprehensible decision-making processes. Moreover, Member States should engage in an in-depth discussion to find balanced and sustainable solutions within the current framework of the Convention. Practical measures relating to the management of meetings and documentation could serve as a starting point. Serious consideration should also be given to a reduction of the frequency of meetings and the efficient use of meetings of experts nominated by Member States. Expert groups, with experts nominated by Member States, could contribute to a less politicized and more constructive discussion, provided that all interested Member States had the opportunity to nominate an expert who would take part in the meetings. The common goal should be to have a constructive debate in order to overcome the prevailing deadlocks in several Committees. The German Patent and Trade Mark Office (DPMA) had enjoyed successful cooperation with WIPO, other IPOs and IP-related organizations. In July 2014, the DPMA welcomed a delegation from WIPO under the lead of Deputy Director General Dr. Wichard to discuss future cooperation. The talks were held on the margins of two WIPO Roving Seminars taking place in Munich and Berlin that attracted more than 100 participants. The DPMA and WIPO intended to organize an advanced training course on patent search and examination in the field of biotechnology for patent experts from developing countries, which would be held in Munich in October 2014. The DPMA had maintained a fruitful dialogue with partner offices worldwide that had included discussions on current IP topics with its counterparts. It also maintained strong relationships with its partner

offices at a working level. Patent examiner exchanges were one example of this. In May 2014, the DPMA welcomed patent examiners from the United Kingdom Intellectual Property Office (UK IPO) and later in the year would cooperate with patent examiners from Australia, Japan and the Republic of Korea. The DPMA had expanded its Patent Prosecution Highway (PPH) network, running PPH pilot program with the Finnish Patent and Registration Office (PRH) and the Austrian Patent Office (APO) in the first half of 2014 and launching a further program with the Intellectual Property Office of Singapore (IPOS) in October 2014. In addition, the DPMA had previously run PPH pilot program with the IPOs of Japan, the United States of America, Canada, the United Kingdom and China, four of which had been extended up until 2016. The PPH improved the efficiency of patent examination by sharing results and allowed users to benefit from accelerated examination. In order to raise awareness of it among users, the DPMA had held an international PPH user seminar together with eight of its PPH partner offices on July 22, 2014, where information on PPH pilot programs was provided and relevant trends and issues were discussed with more than 60 participants from all over Germany. The DPMA had also been involved in many other seminars and training programs, including the Munich International Patent Law Conference in June 2014, and further events planned included the German-Japanese Symposium and the ICT Roadmap Meeting. The Delegation reiterated its support for WIPO and its mission to promote innovation and creativity for the economic, social and cultural development of all Member States through a balanced and effective IP system, and trusted that consensus would be achieved on the items on the agenda.

53. The Delegation of Poland thanked the Chair for her efforts over the preceding year and for seeking a comprehensive solution to all of the outstanding issues. It also thanked the Secretariat and the Director General of WIPO for the reports presented, which reflected the progress made and the results achieved in 2013 and 2014 and placed on record their appreciation of the transparency and efficiency with which they were drafted. Further, the Delegation wished to associate itself with the statements made by the Delegation of Italy, on behalf of the EU, and the Delegation of the Czech Republic, on behalf of CEBS. The Delegation noted with great concern a constantly increasing polarization of the debate in the Organization. Politics should not and could not be the dominant influencing factor in its work and such a development was regrettable. The Organization must be allowed to implement its charter on delivering on its strategic goals, particularly those relating to global IP systems, the global legal framework, global infrastructure, world reference resources and development for maximum impact, those being the areas where the Organization had a comparative advantage and could make its mark. Poland attached great importance to the creation and maintenance of a balanced and effective international IP system, considering IP to be an important tool for sustainable growth and wealth creation. It emphasized the crucial importance for the Organization to create a secure environment for investment in scientific and industrial research and to foster innovative products and services. The Delegation reiterated its support for the Organization in its mission. It expressed its satisfaction at the numerous achievements outlined in the Program Performance Report (PPR) and encouraged the Secretariat to improve and even to extend the scope of its efforts and activities in order to achieve greater viability and efficiency for the Organization. It expressed satisfaction with the Organization's efforts to provide an international forum for in-depth dialogue, to promote effective use and protection of IP worldwide and to reinforce its global role, as these efforts would continue to foster economic, social and cultural development worldwide. Good performance relied on good management and the work of various committees and that important steps to streamline and improve the coherence of the governance arrangements were needed; the current approach had proved to be unaffordable and the time had come to consider the working methods of the standing committees and working groups, the effectiveness of which was questionable. The most important element for improving meetings to benefit all stakeholders would be the separation of substantive issues from politics. Poland welcomed the progress made and the positive developments with regard to the functioning of the international IP registration and filing systems operated by the International Bureau. It also welcomed the growth in the international

registration systems under the PCT, the Madrid Agreement Concerning the International Registration of Marks and its Protocol as well as the Hague Agreement Concerning the International Registration of Industrial Designs. The increase in membership in regard to these instruments had contributed to furthering the global expansion of registration services for the benefit of all. Poland recognized the advantages of the Hague Agreement, and in a bid to facilitate procedures before the OHIM, as well as the procedure for the international registration of industrial designs through WIPO, Poland had acceded to the Locarno Agreement Establishing an International Classification for Industrial Designs with effect from January 23, 2014. Poland welcomed the progress made during the 20<sup>th</sup> session of the SCP; however, it was regrettable that the development of the SCP was slow, although the activity of the Committee was of significance for all WIPO Member States. It hoped for substantive results in the near future and looked forward to continuing work in the SCP on the basis of the vast future work program which would include consideration of the international harmonization of patent law. Regarding the SCT, Poland hoped the Assemblies would set a date for a diplomatic conference on a DLT in 2015 in Geneva. The Delegation was convinced that such a treaty would greatly benefit Member States wishing to operate abroad and render the Hague Agreement more effective, significantly reducing costs and bureaucracy. Regarding the CWS, Poland recognized the importance of the technical work of that Committee and regretted that no consensus had been reached on its organizational and special rules of procedure. The Delegation then turned to copyright, pointing out that in the recent past, two major treaties had been concluded and it expressed the hope that more could be achieved. Poland considered that the future work of the SCCR should primarily be focused on working out the proposal for a treaty for the protection of broadcasting organizations, with the objective of reaching a decision to convene a diplomatic conference in 2016. Adequate protection for broadcasting organizations at international level was badly needed and updating for the 21<sup>st</sup> century was long overdue. Poland was looking forward to further fruitful discussions and exchanges on the issues relating to the activities of libraries and archives as well as educational research and training institutions in the framework of existing international treaties and national laws. The Delegation stressed the important work carried out by those institutions in dissemination and exchange of experience. The Committee should facilitate the functioning and effective application of the exceptions and limitations in those areas in both analog and digital worlds. It acknowledged the important work carried out by the IGC and remained committed to continuing discussions in the firm belief that any international instrument or instruments envisaged should be flexible, sufficiently clear and non-binding. Many different activities were carried out by the Polish Patent Office, which had continued to organize a wide range of conferences, seminars, workshops and training sessions targeting various institutions and professions. Among the most important initiatives aiming at dissemination of knowledge on industrial property were, for example, World Intellectual Property Day celebrations held jointly with WIPO during which a conference, "Patents for medicines, intellectual property protection in pharmacy was held". In early September 2014 the 10<sup>th</sup> International Symposium in the series "IP in Innovative Economy" was held in Krakow under the title "Ideas to Profit, Creating Business from Innovation". The Symposium was attended by representatives of the EPO, the IPOs of a number of EU member states as well as experts from Poland, Western Europe, the United States of America, New Zealand and countries of the Far East. In 2013, as well as the competition for academic dissertations and posters, organized by the Polish Patent Office, two new competitions were added. These involved a news release and a short film focusing on the promotion of the benefits generated by IP protection. As a consequence of further implementation by the Patent Office of a systemic project, "Supporting Effective Use of Industrial Property in Innovative Economy", which focused on stimulating the use of industrial property rights in the development of the Polish economy, there were many initiatives targeting various groups. These groups included entrepreneurs, in particular in macro-, small- and medium-sized enterprises, as well as business support institutions, including universities and scientific units, patent attorneys and other units and organizations engaged in the protection and use of industrial property. The Delegation concluded by taking the opportunity to thank the

Secretariat and in particular the Department for Transition and Developed Countries (TDC) for its ongoing cooperation and assistance in carrying out the many initiatives undertaken by the Polish Patent Office. The contribution of the Organization in promoting IPRs in Poland was much appreciated.

54. The Delegation of Thailand wished to align itself with the statements made by the Delegations of Bangladesh and Singapore. The Delegation announced that after a long consultative process, it would be adopting the Post-2015 DA. To this end, the Assembly should be cognizant of the important role IP could play in helping to transform economies, eliminate poverty and reduce the development gap. Accordingly, the Delegation attached much importance to the WIPO DA. Since its adoption in 2007, both developing and developed countries had benefited from the Organization's technical assistance and capacity-building programs in promoting IP as a tool to add value to products and to further innovation, growth and development. Nevertheless, there remained impediments to developing countries fully and equally enjoying the benefits of IP. WIPO could do more to further provide support for legal framework advice structures. Hence, the Delegation stressed the importance of refining the definition of development expenditure, which should reflect not only how much is spent on and who benefits from development related activities, but also its impact in accordance with the implementation of the DA. To address these and other issues, the Delegation reiterated its readiness to work with other Member States, particularly with the CDIP, in order to insert the DA into all aspects of WIPO's work as well as to ensure that it was translated into actionable and concrete projects. One of WIPO's main tasks was to set norms. The Delegation noted the successes in the BTAP and MVT/Marrakesh VIP Treaty. Much more needed to be done. Differences needed to be ironed out and the common ground existing on the many outstanding issues before the Assembly needed to be built on. The Delegation attached particular importance to the IGC. The Committee's work on TCEs had reached a level of sufficient maturity that it was time to consider the work plan for next year that would lead to the convening of a diplomatic conference. Turning to administrative issues, the Delegation welcomed the surplus the Organization would continue to achieve despite the erratic global economic recovery. The Delegation further noted the Director General's selection of candidates and welcomed the consideration given to geographical representation. The Delegation looked forward to the formal appointment later that week. The Delegation reiterated its thanks to the Secretariat and assured the Organization of Thailand's full support and cooperation to work together to achieve a balanced and effective international IP system.

55. The Delegation of Indonesia endorsed the statement made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group. The Delegation further wished to share information on the progress made by Indonesia in cooperation with WIPO in the area of IPRs. Such rights were essential to national economic development and Indonesia had taken measures to develop its IP system. It had devised copyright law incorporating provisions stipulated in the BTAP and the MVT/Marrakesh VIP Treaty. The information on the revised copyright law was to be shared with the Assemblies during the discussion on matters relating to the SCCR. Indonesia was still in the process of accessing the Hague Agreement Concerning the International Registration of Industrial Designs and the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. The Government of Indonesia and WIPO had recently signed an MoU on dispute resolution. Indonesia was ready to work on the modalities for the implementation of that MoU. Indonesia also benefitted greatly from WIPO technical assistance. Indonesia welcomed WIPO's assistance in preparing the ASEAN IPR Strategic Plan for 2016-2025. As to the IGC, it was unfortunate that no solution had been found regarding the current financial situation affecting the Voluntary Fund for Accredited Indigenous and Local Communities. Indonesia attached importance to ensuring predictable funding and therefore felt that the budget for the IGC program should not be reduced. Regarding the recommendation of the WIPO General Assembly on the work of the IGC for 2015, the WIPO General Assembly should reach a consensus on the fulfillment of the Committee's mandate.

At the Twenty-Second Session of the PBC, there had been a proposal regarding the establishment of open-ended informal consultations involving all WIPO Member States. That was a valid proposal and any such consultations should be guided by the Chair of the WIPO General Assembly.

56. The Delegation of Canada stated that Canada had formally announced its intention to accede to the PLT and the STLT, and join the Hague System for the International Registration of Industrial Designs, the Madrid System for the International Registration of Trademarks and the Nice Classification. As a result of the amendment of the Canadian Trade-marks Act, the country was closer to acceding to the three trademark instruments. Those steps had also assisted Canadian businesses operating internationally or looking to expand into new markets, as well as providing support to foreign businesses wishing to file in Canada. Canada had ratified both the WIPO Internet Treaties, which had entered into force on August 13, 2014. New IP rights enforcement legislation included the Combating Counterfeit Products Act, amending and strengthening the Copyright Act and the Trade-marks Act. Amendments in that regard included new border enforcement measures and the creation of new civil clauses of action and criminal offences. The new legislation modernized and streamlined application and opposition processes. Canada was concerned that several WIPO committees had been unable to agree on a recommendation to the General Assembly. The fact that some of those Committees conducted beneficial work of a technical nature and did not address normative issues was a matter of particular concern. Canada addressed every issue by assessing each proposal on the basis of its own merits. The Delegation urged delegates to work together in 2015 towards the continued achievement of WIPO's fundamental objectives and welcomed the broad consensus that existed on the core substance of the draft DLT. Harmonized, more efficient registration procedures would benefit industrial designers. However, Canada would continue to oppose any proposals that set preconditions concerning the adoption of treaties. As to the IGC, further work was required on the draft texts under discussion at the Committee level to address differences regarding key issues such as objectives and scope of protection. None of the three texts were sufficiently developed to proceed to a diplomatic conference. Negotiations within the IGC should continue on the basis of a pragmatic work program that could help to pinpoint the measures needed to address the issues at hand with a view to reaching a mutually agreeable outcome. The Delegation looked forward to seeing further progress on the protection of broadcasting organizations within the SCCR and to continuing work on limitations and exceptions consistent with the recommendations approved by the General Assembly in 2012. Canada advocated for sound planning and reporting and RBM in all WIPO activities. It was on that basis that Canada was assessing the ongoing discussion on draft guiding principles regarding WIPO external offices. Canada was a long-standing contributor to WIPO technical cooperation activities and the Canadian Intellectual Property Office (CIPO) had been working with WIPO since June 1997 to organize and deliver annual specialized training courses for officials from developing countries. In 2014, 10 senior IP officials had participated in the WIPO/CIPO Executive Workshop on the Application of Management Techniques in the Delivery of IP Services. The Workshop had provided participants with an insight into the Canadian IP system and CIPO management techniques, the aim being to build the capacity of IP Offices in developing countries and provide a forum for the exchange of ideas and best practices.

57. The Delegation of Zambia associated itself with the statements made by the Delegation of Kenya and the Delegation of Benin, respectively on behalf of the African Group and LDCs. The Delegation reiterated its commitment to the work of WIPO, including the activities undertaken to promote the use of IP as a tool for development and the ongoing negotiations in the IGC. Regretting the length of the negotiations, the Delegation wished to see the IGC's work completed in good time, taking into account all the points of contention, so that a diplomatic conference could be convened. The important support WIPO continued to provide to developing countries, through development programs and projects, was commendable. Significant progress had been made in the previous year in improving the operations of the

Zambian Patent Office and the IPAS had been upgraded to the Java system, incorporating electronic document management that allowed applications to be scanned and stored. Two projects commissioned by WIPO on appropriate technology in Zambia for the purification of drinking water and for harvesting would facilitate access to clean water and improve the yield of small-scale farmers in rural areas. Consultations between WIPO and Zambian officials had been held throughout the projects and the issues highlighted included the importance of using appropriate technology to build national capacity to respond to development challenges. The technology had been officially handed over to the Zambian Ministry of Health on May 23, 2014, and a pilot initiative had been launched in a drought-prone district of Zambia, with funding from the Patents and Companies Registration Agency. Similarly, the TISC project, which had been launched two years previously, was well established and had generated a great deal of interest. The Delegation therefore called on WIPO to provide more equipment for the TISCs. The Delegation had closely monitored discussions on the draft DLT, especially with regard to technical assistance and capacity-building and in order to ensure that the final document responded to the development interests of developing countries.

58. The Delegation of Greece associated itself with the statement made by the EU and its member states and the statement delivered by Japan, on behalf of Group B. The Delegation attached great importance to IP as a vehicle for achieving and protecting financial growth on a solid basis. Concurrently, the Delegation recognized the distinctive role of WIPO within the UN family and was pleased to attend the Assemblies of the Member States of WIPO. The Delegation had closely followed WIPO's input during the recent past and believed that the Organization's work had reached a crucial juncture. It was highly regrettable that none of the highly-qualified EU Member State candidates had been included in the SMT; however, the Delegation was anticipating the effective stewardship of the new team in implementing the Organization's strategic goals. With regard to the DLT, the extant draft was mature enough to be submitted to a diplomatic conference. Accordingly, although technical assistance and capacity-building should be accommodated, they should not hinder the overall effort of improving the IP system worldwide. Referring to pragmatic economic deliverables, the Delegation strongly supported the convening of a diplomatic conference on the revision of the Lisbon System according to the decision taken during the 2013 WIPO Assemblies as such a conference would certainly pave the way for the wider protection of GIs. The discussions in the SCCR, in particular the exceptions and limitations of libraries and archives as well as educational teaching and research institutions were a matter of some concern. The Committee should identify the issues upon which agreement existed and concentrate on those issues, rather than continuing a never-ending general discussion which reduced the likelihood of leading to a practical outcome. The increasing globalization of supply chains and trade highlighted the importance of international cooperation in relation to IP rights and their protection and enforcement. Accordingly, the Delegation strongly supported the adoption of an additional standing item on the agenda of the ACE which would allow for voluntary presentations of national enforcement regimes. Although progress had been achieved in the work of the IGC, many outstanding issues remained unresolved. Further examination of the elaborated texts was required and a realistic work program should be established for the next two years, taking into consideration the cost of meetings and the lack of agreement in past sessions. The Delegation also strongly supported the international harmonization of patent law and for that reason, supported the continuation of discussions in the SCP. That support was extended to the work of the PCT Working Group. Improvement of the PCT System should be a continuous effort to respond to the changing needs of users, third parties and patent Offices worldwide. The Delegation looked forward to the discussion of the agenda issues and expressed its willingness to contribute towards finding fair and balanced solutions in a spirit of cooperation and to the benefit of all parties involved.

59. The Delegation of Pakistan endorsed the statement made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group. The Delegation emphasized Pakistan's interest in the development of a flexible, balanced IP system, capable of catering for the diverse needs of Member States and civil society at different levels of development, while simultaneously promoting innovation and technological advancement. The effective and continued importance of the DA and its relevance to all organs of WIPO, consistent progress on the part of the CDIP and the implementation of the DA recommendations were all crucial to a balanced IP regime. The Delegation expressed its concern at the impasse within the SCCR regarding exceptions and limitations for libraries and educational institutions. There was a need for tangible progress towards an international legal instrument which catered for the principles of human rights, especially the right to education and development. Similarly, the IGC needed to move beyond mere renewals of its mandate towards the establishment of a legally-binding instrument to protect traditional assets from misappropriation. Pakistan supported the inclusion in the DLT of an article on capacity building and an adequate disclosure requirement to ensure protection and prevention of misappropriation. The sale of traditional shoes from Peshawar, Pakistan, known as "Peshawari chappal" at four times the normal prices was an example of such misappropriation. As to external offices, a comprehensive set of guiding principles outlining the criteria, mandate and cost-efficiency regarding such offices must be finalized as a part of a Member State-driven process. Needs assessments and feasibility studies should also be carried out regarding any potential external offices. More needed to be done to ensure that the principle of equitable geographical distribution was respected within the Organization, particularly at the senior management level.

60. The Delegation of Nigeria endorsed the statement made by the Delegation of Kenya, on behalf of the African Group. Member States had gathered together at the Assemblies burdened by disagreements and inflexibility. The Delegation was discouraged to note that, in some cases, divisions had deepened concerning the work of the Committees. Most WIPO negotiations were characterized by deep disagreements and an unwillingness to demonstrate flexibility, rendering a critical reflection on the trends in terms of WIPO's activities essential. Striving for a balanced and empowered global IP system was a crucial part of the Organization's goals, but work to promote innovation and creativity regarding the economic, social and cultural development of all countries through a balanced and effective international IP system had been less than successful. It was important to emphasize that point and thereby avoid the temptation to bask in past successes. The role of WIPO in the socio-economic life of individuals, corporations and nations was too important to allow for complacency and the current international IP framework must be revised if progress was to be made. Given the proprietary and sometimes ambivalent nature of the existing structure, it was difficult to make the kind of progress sought by all. Those legitimate concerns were magnified by the dynamism of the prevailing global, social, economic and technological environment and it was every delegation's responsibility to find mutually accommodating solutions and common ground on which to build at least a minimum of consensus on the contending issues. The African Group had consistently demonstrated a readiness to engage with all stakeholders in a spirit of transparent commitment, good faith, flexibility and political will to move beyond areas of disagreement. The Delegation prioritized the advancement of WIPO's normative work in a responsible and functional manner that could be accepted across the system. The budgetary provisions for external offices in the following biennium had been agreed on, and the Delegation looked forward to the conclusion of discussions on the matter and on the establishment of two external offices in Africa in the next biennium. The Delegation stated that IP investment in Africa would be an investment in a shared and mutually beneficial future and that the leadership of WIPO was aware that Africa offered unique opportunities for growth and development.

61. The Delegation of Ecuador welcomed the proposal to appoint Ambassador Mario Matus as Deputy Director General for the Development Sector and endorsed the statement made by the Delegation of Paraguay, on behalf of GRULAC. With regard to GRs, TK and TCEs, even though progress had been made towards preparing texts in those fields, much remained to be done to reach a consensus that would enable the convening of a diplomatic conference during the 2015-2016 biennium with a balanced work program. It was essential to retain both the requirement of disclosure of the country of origin in patents and the origin of GRs in patent applications for the plant variety system, as well as the definition of prior informed consent. As for TCEs, recognition at the international level was important. The Delegation supported the holding of a high-level segment for the exchange of views on key policy issues, which could take place after the last IGC session, leaving a year for technical work in accordance with the GRULAC proposal. With regard to copyright and related rights, the SCCR had to move ahead on the basis of a balanced work program that provided an opportunity to discuss broadcasting, limitations and exceptions for libraries and archives as well as educational and research establishments. The General Assembly should settle the matter of WIPO external offices and adopt by consensus the principles governing their opening. In a second phase, there was a need to decide on their number and siting, without forgetting that the decision to set up three such offices was pending for the 2014-2015 biennium. In that connection, Ecuador strongly supported the establishment of an external office in Latin America and the Caribbean. It intended to sign a cooperation agreement with WIPO for the creation of a National IP Academy, as it appreciated the Organization's cooperation with Member States in that field and was convinced that the WIPO Academy's program was the main source of education and training for development. Likewise, Ecuador supported the activities to be implemented as part of the "Arbitration and Mediation Centers" program, with WIPO's help. It had asked WIPO for technical cooperation in the field of extrajudicial dispute settlement methods. In closing, the Delegation expressed its support for and commitment to the smooth functioning of the Organization.

62. The Delegation of the United Kingdom supported the statements made by the Delegation of Italy, on behalf of the EU, and the Delegation of Japan, on behalf of Group B. The United Kingdom would be co-hosting a seminar on September 24, 2014, with the national offices of China and Singapore around the theme "IP as an enabler of innovation, finance and business" and the delegates were invited to join the event to discuss that important issue. As IPRs became increasingly significant in modern economies, it was vital for both the public and private sectors to be able to use their IP assets to attract the necessary finance to commercialize their ideas. Governments had an important role to play in such a process and if it were appropriately managed, this would unlock significant funding and foster even greater innovation. The United Kingdom had been encouraged to seek continued growth in the membership of key WIPO systems over the preceding 12 months and the Delegation was pleased to announce that a provision in its national IP Act of 2014 enabled the United Kingdom to become a member of the Hague System in its own right instead of as part of the EU. Such an initiative allowed for greater flexibility for businesses at home and abroad to choose the best coverage for their rights and a business strategy to suit their goals. The United Kingdom believed strongly in furthering efforts to increase engagement from businesses in Member States at all stages of development so that the Organization could tailor its approach for the most effective impact. The Organization's goal was to serve the users and consumers of the global IP system and increased input from it could only benefit the services provided. The Delegation was therefore delighted to be cohosting with colleagues from the Organization, a series of seminars across the United Kingdom in October 2014 in order to raise awareness of WIPO's services and to gather feedback from businesses and professionals. The Delegation was pleased to note that the Organization continued to make significant improvements in its financial monitoring and reporting processes, believing them to be essential to the effective management of an Organization of its size. A number of major financial challenges would need to be addressed in the years ahead. Future liabilities related to staff pensions and after-service health insurance;

the key to addressing those challenges would be the establishment of a robust investment policy, ensuring that WIPO made the most of its significant reserves. The Delegation looked forward to working on that challenge ahead of a new budget year in 2015. It had been a difficult year in a number of WIPO committees, and it was clear that many challenges in finding a shared approach to future work needed to be faced. The Delegation felt that continual improvements in working together needed to be made. Committees were too often unable to discuss the important issues they were tasked to address and, given the importance of the creation and reform of international IP systems and agreements, it was imperative that those committees be allowed to work on technical issues where it was clear that sufficient convergence existed and that they be given time to explore different viewpoints where it did not. The Organization had the potential to create a global IP system that worked for all concerned and the Delegation looked forward to a constructive meeting of the General Assembly with that goal in mind.

63. The Delegation of Cambodia associated itself with the statements made by the Delegations of Bangladesh, on behalf of the Asia and Pacific Group, Singapore, on behalf of ASEAN, and Benin, on behalf of LDCs, and highlighted the progress it had made under its current leadership where a comprehensive economic policy which included IP had been established. This policy served to encourage innovative and creative activities, technological development as well as to attract foreign direct investment into Cambodia. A national IP strategy was before the national committee for IPRs of Cambodia. The Delegation expressed confidence that implementing an appropriate IP strategy would create wealth and contribute to economic growth and poverty reduction. It had achieved 8 per cent growth per annum for the last 10 years from 2004 to 2013. GDP per capita income had increased from \$380 in 2000, to 1,043 US dollars in 2013 and the volume of trade stood at 16 billion US dollars in 2014. IP had partly contributed to these economic achievements. The Delegation announced that it expected to join the Madrid Union and expressed its appreciation to the Brands and Designs Sector for facilitating its accession before the establishment of the ASEAN Economic Community in 2015. For a LDC, that was a significant step in developing an IP system to support its national development goals. In conclusion, the Delegation stressed the importance it attached to the development of a sound IP policy as a tool for economic development and poverty reduction. The Delegation expressed confidence that it would receive the support of its partners, especially WIPO, in achieving these goals.

64. The Delegation of the Philippines believed that, in an era of globalization and rapid advances in technology, IP would play a larger and more crucial role in shaping the future. What was decided at the Assemblies would either strengthen or weaken a system that fuelled human creativity. With the second fastest growing economy in Asia, the Philippines had been tipped to be the region's next economic power house. An effective, dynamic and more developed IP regime would ensure full and inclusive economic growth for the country's increasing population. The Philippines had made significant progress in recent years regarding IP enforcement and other aspects of IP development. The Philippines aimed for a holistic approach to IP reform, including implementing amendments to its IP legislation, increased investment in capacity-building, support for innovation and research in universities and fresh approaches to IP commercialization. With the advent of Republic Act No. 10372, the country was gearing up for the implementation of a stronger IP legal foundation. Work had been carried out to prepare for the establishment of an IP rights enforcement office that would work in conjunction with other law enforcement agencies. Preparations were also being made regarding the establishment of a copyright bureau to support the competitiveness of the country's growing and promising creative industries. The Philippines was developing IP literature and policies in cooperation with academia, the business sector and other government offices through its newly-established IP law and policy center and was considering shaping new, stakeholder-friendly IP policies on issues such as IP valuation, commercialization and technology transfer. The WIPO-backed alternative dispute resolution (ADR) program had

gained acceptance among stakeholders. Between February 2011 and July 2014, 674 parties in 1,096 cases had opted for mediation. The program had a 61 per cent acceptance rate, with 42 per cent of cases being successfully resolved. The Philippines continued to invest in capacity-building regarding the judiciary and IP-enforcement, seeking to enhance the skills of judges, prosecutors, investigators and clerks of court in terms of handling IP cases. Work was ongoing to further democratize the process by encouraging more stakeholder participation. Central to the agenda was the need to bolster education programs by encouraging the younger generation. The aim was to make the system more useful, not only to specialized sectors, but also to the general public. Not only should innovation be fostered and respect for IP be enhanced but the general public should also be educated on how to make the best use of the system. The Innovation and Technology Support Office (ITSO) was now working with 74 colleges, universities and research institutions, providing them with access to technologies and patent databases to improve research and development activities and facilitate wider technology transfer. In addition, the Delegation welcomed the nomination of the IPOS as an International Searching Authority (ISA) and an International Preliminary Examining Authority (IPEA) under the PCT. The Delegation reiterated its support for the discussions and efforts to expedite the necessary agreements and instruments within the IGC. Given the speed of technological development, the longer it took to arrive at an agreement, the greater the danger that IP rights would be diluted. The Delegation feared that, in the absence of an agreement, the efforts of the Committee would not bear fruit and called for the momentum to be sustained in terms of building a framework to protect human ingenuity in the fields of science and technology.

65. The Delegation of Antigua and Barbuda expressed confidence that innovation and creativity in leadership would be witnessed at the meeting and supported the statement made by the Delegation of Paraguay, on behalf of GRULAC. The Delegation commended the Director General on his continued efforts and creativity in transforming WIPO to respond to the new global environment as well as his prudent management of resources. The Delegation announced its unwavering aspirations and commitment to create a modern IPO and expressed appreciation to the Organization for coordinating successful meetings and workshops over the preceding year as well as for the excellent administrative and technical support aimed at ensuring success at all levels. Antigua and Barbuda pledged to continue to partner with WIPO on issues and platforms of common interest and anticipated continued support from WIPO Secretariat in its country's ongoing endeavors. The recent implementation of IPAS in Antigua and Barbuda had been a positive step in the creation of a modern office. Antigua and Barbuda remained cognizant of the importance of IP for its national development plans and goals. In that regard, the Government had embarked on an aggressive legislative and administrative agenda, designed to ensure that its laws governing IP kept abreast of ongoing global developments in that sector. The country currently had the Patent Act 2012 and the regulations should be passed shortly. It was also in the process of reforming its Trademark and Copyright Act. The youth of Antigua and Barbuda encountered IP systems daily and the country was trying to incorporate IP into its educational curriculum. The IPO and the Ministry of Education were continuing discussions in that regard. In fact, World Intellectual Property Day was celebrated in 2014 by the Office and the Ministry of Education in conjunction with Scotia Bank, which hosted a short video competition for primary and secondary schools nationwide. That initiative was a tremendous success as many schools participated. Trophies to the winners were provided by the Organization and the Delegation wished to thank WIPO for its assistance with gifts. With WIPO's assistance, key legal and sub-regional institutions, agencies and officials had been exposed to and benefited from IP training in Antigua and Barbuda, to include in 2014 a conference on IP branding with the focus on the Antigua black pineapple. Finally, Antigua and Barbuda commended the work of the SCCR, the SCP and the SCT, Madrid, Industrial Designs and GIs. The Delegation trusted that with the country's continued collaboration with WIPO, many benefits in 2015 and beyond would accrue to the country.

66. The Delegation of Italy hailed the role of WIPO in promoting the protection and use of IPRs worldwide, citing the remarkable outcomes achieved in the normative agenda and the importance of recent administrative reforms, while noting the continuing growth of applications in IP systems since 2009. The Delegation urged WIPO to build upon such progress in order rapidly to respond to changing needs of Member States and the wider IP community, and saluted the human resources strategy and cost efficiency measures in place for 2013-2015, as well as WIPO's acceptance of recommendations by the JIU. While acknowledging improved governance of the Organization, Italy encouraged improved management of committee work and sought a consensual outcome on the external offices, noting the benefits of a limited and sustainable network of offices actively supporting the delivery of strategic goals. The Delegation affirmed its support for activities aiming to increase the use of IP rights by small and medium-sized enterprises, and identified a demonstrable need for international normative action in respect of the harmonization of industrial design registration formalities, stressing that a treaty facilitating same would prove advantageous to all Member States. Italy endorsed further progress in discussions on a treaty to protect broadcasting organizations and hoped that a reasonable and constructive spirit would lead to compromise in the work on GRs and TCEs. The Delegation further endorsed extending the scope of the Lisbon agreement to GIs to ensure that WIPO could accommodate existing differences in the way GIs were protected at the national level, and welcomed the decision to convene a diplomatic conference in 2015. The revision of the Lisbon Agreement would make the Lisbon System more attractive to producers from both developed and developing countries, enabling use of GIs to add value to products, and promoting investments in the preservation and exploitation of TK and skills. To that end, continued funding to the Lisbon Union through the WIPO budget would be essential.

67. The Delegation of Colombia noted that the present series of Assemblies had before it a heavy, wide-ranging agenda, with pending matters and topics which required a spirit of compromise, pragmatism and flexibility. In the Delegation's view, it was imperative to reach agreement on the IGC's work plan for 2015. Referring to the difficulties and differences of views within that body with regard to the nature of the possible instruments, the Delegation emphasized that they were not necessarily an obstacle to the establishment of a balanced working framework. Another high-impact topic of great interest to Colombia was the need to define the future work of the SCCR, where it should be possible to discuss each and every topic which the Committee took up until the balance which all of its members desired was reached. The Delegation noted that there were different topics of interest of varying scope on which it hoped that agreement could be reached. For example, it underscored the importance of adopting a handbook for opening WIPO external offices that would contain guidelines enabling Member States to follow a predictable and transparent process in meeting needs as they arose. The Delegation reaffirmed the importance of WIPO's support for Colombian technical bodies and for the policy-makers represented on the Intersectoral Commission for Intellectual Property, whenever such support was required. WIPO provided key backing for national efforts to lay the foundations of the National Development Plan in the fields of science, innovation and technology. The Delegation reiterated its request for support in executing the new Development Plan for 2014-2018, with a view to maintaining economically, socially and environmentally sustainable growth. It concluded by saying that, as it had done in the Assemblies held in September 2013, it trusted in WIPO's good offices to bring to a successful conclusion initiatives aimed at increasing, improving and facilitating levels of protection and multilateral systems of industrial property rights, provided such rights took due account of the interests and rights of those participating in or observing the said initiatives.

68. The Delegation of Sudan recalled that its country had recognized IP in early times with a legal system based on one of the precepts of divine rule, namely that "men own what they create". Equality and justice underpinned that rule which recognized human effort, physical and intellectual alike. With that in mind, Sudan was among the first to join the WIPO Convention in

1974 and currently a Member to various IP-related international treaties, namely, the Paris Convention (April 10, 1984), the PCT (April 6, 1984), the Harare Protocol (April 25, 1984), the Madrid Agreement (May 16, 1984), the Berne Convention (December 28, 2000), the Madrid Protocol (February 16, 2010), the PLT (2000), and the Geneva Act of the Hague Agreement (1999). In addition, negotiations were underway for accession to the WTO. In Sudan, IP protection was ensured by various authorities, including General IP Registrar under the Ministry of Justice, the Federal Council for the Protection of Literary and Artistic Works under the Ministry of Culture, Customs Authority, IP Prosecutor (2004), IPR Tribunal (2001), IPR support organizations, as well as Centers for IP studies. The Delegation explained that the General IP Registrar which was composed of three Sections, under the Ministry of Justice, was entrusted with registration of trademarks, patents and industrial designs; participation in national, regional and international meetings and advising the Ministry of Justice in any IP-related matters. First, the Trademark Section, responsible for registration of domestic trademarks under Law on Trademarks of 1969, with a total of 53,500 trademarks to date. The Delegation recalled that trademark registration dated back to 1899 by virtue of a Declaration published in the Gazette. Further, protection was governed by the Sudan Criminal Law of 1898. The first Law on Trademarks was promulgated in 1931, subsequently repealed by virtue of the current Law on Trademarks of 1969. Trademarks were subject to formal as well as substantive examination. Accepted trademarks were published in the Gazette. The Delegation further explained that the Trademark Section also processed international trademark applications under the Madrid Agreement and Protocol, totaling 8,750 international applications to date. The Delegation mentioned that in order to keep abreast with new international developments, a new draft Law on Trademarks had been elaborated, and was currently in final stages. The Intellectual Property Department was completing digitalization of documents from all Sections. Second, the Industrial Design Section's work was governed by the Law on Industrial Designs (of 1974). Applications were subject to formal examination, and industrial designs were classified upon filing in accordance with the International Classification for Industrial Designs under the Locarno Agreement. The number of registered Industrial Designs totaled 1280. Accepted applications were published in the Gazette. In terms of capacity building requirements, the Delegation explained that the Section looked forward to more training on design registration and classification for staff. Third, the Patent Section, responsible for patent registration under the Law on Patents of 1971. Patents were subject to formal examination. Currently, there were 3,750 domestic patents protected under that Law. Notwithstanding, the current Law on Patents needed to be reviewed in order to be in conformity with international treaties. In addition, the Patent Section received PCT applications. There were currently 520 PCT patents in Sudan. However, the Delegation emphasized the need for technical assistance for Office staff. In the field of copyright and related rights, work of the Federal Council of Literary and Artistic Works was initially governed by the Law on the Deposit of Works (1966), subsequently replaced by the Law on Copyright and Related Rights (1974) which was repealed by virtue of the Law on Copyright and Related Rights of 1996 and the Law on Artistic and Literary Works of 2000. The Federal Council was established under the 2000 Law which also included provisions on folklore and collective right management. WIPO's expertise had been instrumental in such achievements. The Customs Authority was responsible for combating and preventing infringements of IPRs, in collaboration with other competent authorities. In 2008, a specialized IP unit was created within the Customs Authority. The Delegation then referred to Commercial Prosecution, established by virtue of a Decision by the Minister of Justice in April 1, 2003. The mandate of the Commercial Prosecution was subsequently revised to include IPR infringements. The IP Tribunal, established in July 21, 2002, as a unique IP-specialized tribunal in the Arab Region, was competent in criminal and civil IPR cases. In the field of plant variety protection, the Delegation mentioned the Law on Plant Variety Protection (2012) and the establishment of the National Council for Plant Varieties composed of users, contributors, experts and specialists. Under the 2012 Law, protection was granted for a plant variety that was new, distinct, uniform and stable; had a denomination; and satisfied other requirements as prescribed by the Council. The Delegation also referred to the National Technical Committee

on Intellectual Property, established in 2011 and composed of various IP-related departments, including from the Ministry of Agriculture, Ministry of Culture, Science, Technology and Industry, Customs Authority as well as scientific research centers. As a focal point for the Committee, the General Registrar for IP was responsible for coordinating work among all parties concerned. The Committee initiated work by requesting reports from all parties on the status of IPR protection and any strategic planning in their respective sectors. The Delegation hoped that WIPO would provide assistance in developing a strategy in that regard. Society in Sudan was gaining a better understanding of IP. A Center and a library were established within the General Registrar premises for IP awareness-raising and capacity-building purposes. IP in universities had been integrated in various Law curricula; and IP books and publications made available in libraries. In addition, the Library of Higher Education of the University of Khartoum held many postgraduate research papers in the field of IP. In addition to the IP Department, the Delegation mentioned other entities involved in the dissemination of IP culture, such as the Khartoum IP Academy, the Azza IP Association, the Sudanese Association for IP Protection and Promotion and Sudanese IP Center. Sudan participated in many national awareness-raising and capacity-building seminars and workshops such as Innovators Union and National Research Center workshops. Looking forward to 2014, the Delegation highlighted the importance attached by the Ministry of Justice to the role of IP as a tool for economic, social and cultural development. In that regard, preparations were underway for the future construction of the IP Department new building. Planning for 2014 would also include: reviewing and modernizing all IP legislation for conformity with relevant international treaties- a draft of Trademark Law was already prepared; establishing a database on registered trademarks, patents and industrial designs; developing of Office IP services; promoting Innovation; establishing strong partnerships with universities, research centers and IPRs enforcement authorities; disseminating IP culture through media, workshops and IP seminars; as well as developing human resources through seminars, workshops and awareness campaigns. In conclusion, the Delegation looked forward to support from WIPO for a better future for IP in Sudan.

69. The Delegation of Guatemala endorsed the statement made by the Delegation of Paraguay, on behalf of GRULAC, and reiterated its country's desire to continue working to meet the goals and targets set by the Organization for the next six-year period. In particular, it underscored the role which IP played in the economies of countries worldwide as a fundamental element for strengthening public policy management, emphasizing WIPO's role, in its capacity of a specialized agency, as the partner body for formulating and implementing national strategies to promote the use of IP systems. The Delegation hoped that the recommendations of the WIPO DA would be applied inclusively within the framework of the Organization's projects and efforts to strengthen the culture of development. The WIPO initiative to set up TISCs in Central America, more specifically in Guatemala, was key to ensuring the countries' economic development, given the pressing need to promote the exchange of technological information for the generation of new inventions. Moreover, such centers had consolidated and strengthened academic research and innovation institutions in the country. Consequently, the establishment of a Subregional Network of TISCs was essential in terms of facilitating the protection, exercise and management of IPRs and encouraging the generation of technical knowledge. The aim was to promote technology transfer and the creation of cooperation services based on existing capacities and advantages in the country, so as to set up a sustainable service structure capable of self-financing. The Delegation appreciated WIPO's standard-setting efforts to establish multilateral negotiating fora for drafting and applying legal instruments which met Member States' concerns and needs in relation to the new topics taken up, as was the case with the MVT/Marrakesh VIP Treaty. Guatemala was in the process of ratifying the Treaty, in view of the advantages it offered the visually impaired in the country. The Delegation drew attention to the work done by the SCCR, where discussions were continuing on texts relating to copyright exceptions and limitations for libraries and archives as well as for educational institutions, teachers and research. The question of GRs, TK and TCEs was of great interest in the light of Guatemala's multicultural biological diversity. Consequently, it was essential to

develop international legal instruments which offered solutions preventing their misappropriation and misuse and guarantee that all shared fairly in the benefits deriving from their use.

The Delegation therefore urged Member States to continue discussing that issue with a view to convening, in the medium term, a diplomatic conference for the adoption of such instruments. Finally, the Delegation thanked WIPO, through its Director General, for the efficient support and assistance in the field of technical capacity-building, project preparation and ongoing training which were made available to the National Office and to the sectors working in the various spheres of IP. It looked forward to the debates which would take place during the meetings and trusted that it could make a constructive contribution in that respect, in order to reach concrete agreements of benefit to millions who believed and trusted in IP.

70. The Delegation of Mali fully endorsed the statement made by the Delegation of Kenya, on behalf of the African Group, and said that its country continued to welcome WIPO's constant support for efforts to develop IP, notwithstanding the unprecedented crisis which Mali had endured. In particular, the Delegation emphasized the signature in 2009 of a Memorandum by Mali and WIPO on the preparation of a national IP development strategy in Mali. The study in question had been carried out and was in the process of adoption by the Government of Mali. On 8 October 2012, an agreement had been signed to set up a TISC. However, the crisis which the country had experienced had impacted the implementation of that agreement. Accordingly, the Delegation reiterated the hope that cooperation between Mali and WIPO would be pursued and strengthened. The point should also be made that Mali had initiated and would shortly complete the procedure for ratification of the MVT/Marrakesh VIP Treaty. The Delegation further welcomed the fact that all of the efforts made had enjoyed constant support from WIPO, in the form of human resources capacity-building in the country. In conclusion, it urged all delegations to display a spirit of compromise so that significant progress could be made on the matters of substance included on the agenda, thereby ensuring the successful outcome of the Assemblies.

71. The Delegation of Mexico said that, as it was aware that IP was a tool for the development of countries, Mexico had taken steps to promote innovation and research as it modernized its IP management systems. One example was the Protected Innovation Program 2013-2018, which was designed to boost domestic economic development *via* the facilitation and promotion of IP protection and an increase in the number of national applications to promote innovation in Mexico. That program, combined with other measures, had significantly boosted IP, making Mexico the No. 15 country for trademark registration and the No. 1 country in Latin America for patents granted, with a growth rate of 252 per cent between 2004 and 2012. The IP measures taken by Mexico were not limited to the national level. Mexico's cooperation activities had been stepped up at regional and international level: 31 IPOs now benefited from the Support System for the Management of Patent Applications (CADOPAT) introduced by Mexico. In addition, agreements had been renewed or signed with the main IPOs worldwide with a view to implementing the Patent Prosecution Highway (PPH). As a reflection of the importance which Mexico attached to WIPO, cooperation with the Organization was on the rise: during a visit to Mexico in March 2014, the WIPO Director General had met with senior officials from the Executive, the Senate of the Republic, the Supreme Court of Justice and with academic institutions. As far as capacity-building was concerned, Mexico had hosted the WIPO Academy's Summer IP Course in June 2014; the IP General Course "DL-101S" had been organized; and the Advanced Training Course for Trademark Examination for Latin American Countries had been held recently. In the standard-setting field, the MVT/Marrakesh VIP Treaty had been signed *ad referendum* as proof of Mexico's commitment to persons with visual disabilities, given that it had already initiated the process of ratifying the treaty in order to deposit the instrument with WIPO in the near future. In that connection, the Delegation was concerned at the increasingly frequent cases of paralysis in the work of some WIPO committees. That was an alarming trend, because the lack of progress not only hindered the development of the IP system worldwide but also had a negative impact on the human and

financial resources of the Organization and Member States. Even though WIPO had a solid financial standing, it faced strong pressures, which would have to be taken into consideration when preparing the next program budget for the 2016-2017 biennium. As for governance at WIPO, the Delegation endorsed the recommendations of the JIU and deemed it essential to arrive at a common, consensual vision on how to move ahead, stressing the need for progress in the short and medium term, regardless of how modest it might appear. Mexico intended to work with all countries to develop clear policies and strategies which would make it possible to strengthen governance and thus guide and oversee the work of the Organization for the benefit of its contracting parties. The Delegation hoped that the Assemblies would open the discussion on governance and lay down a road map for the completion of that process. It also urged WIPO to take into consideration the JIU recommendations to correct the current imbalance in the geographical distribution of staff and the need to ensure transparency in recruitment processes and human resources management. The Delegation reiterated Mexico's interest in hosting a WIPO External Office, an aspiration which was consistent with the technical capacity-building efforts and initiatives to protect and promote IP that Mexican institutions were already making with various countries from Latin America and the Caribbean and from other regions. Finally, the Delegation hoped that the Assemblies would adopt the necessary guidelines for ensuring a clear framework and process for opening WIPO external offices. In that respect, it saw a need to make a distinction between offices which would not have an impact on the Organization's ordinary budget and would be self-financing, as would be the case with Mexico, and offices which would require financial support.

72. The Delegation of South Africa endorsed the statement made by the Delegation of Kenya, on behalf of the African Group. Ten years after the DA had first been tabled, the mainstreaming and implementation of all DA recommendations remained a challenge. The DA sought to balance IP protection with broader public policy concerns regarding technical assistance and capacity-building; two areas critical for developing countries in terms of implementation of and benefits arising from IP protection regimes. The Delegation therefore strongly supported the inclusion of technical assistance in a legally-binding provision in the DLT. While success had been achieved with the adoption of the MVT/Marrakesh VIP Treaty, South Africa remained concerned that work in other areas continued to lag behind. Momentum and political will were required if the Committee was to fulfill its mandate. South Africa firmly believed that it was time for action and for the negotiations within the IGC to culminate in a diplomatic conference in 2015. The text was mature and the Delegation supported the African Group's position that there were ample opportunities to further refine it ahead of any diplomatic conference. The SCCR had complied with the mandate bestowed upon it by the 2007 General Assembly. Significant progress had been made and the Delegation called for a diplomatic conference to be convened in the near future. However, with regard to limitations and exceptions to copyright, the Delegation expressed its disappointment at the breakdown of discussions at the Twenty-Seventh and Twenty-Eighth Sessions of the SCCR. The Delegation attached great importance to the discussions on libraries, archives and educational and research institutions and reiterated its support for an international legally-binding instrument. The Delegation also welcomed the recommendations of the External Auditor and the JIU and urged that they be fully implemented, particularly Recommendation 1 of the JIU. Governance was a critical issue and needed to be addressed to build confidence and ensure greater transparency and accountability in the Organization. A proper definition of "development expenditure" was also required to ensure coherence and transparency in the tracking and reporting of the WIPO development share. The Delegation urged the General Assembly to provide guidance on the way forward.

73. The Delegation of Liberia aligned itself with the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs, and appreciated WIPO's technical support for IP development particularly in LDCs and for the progress in the development of the intellectual property development plan (IPDP) for Liberia. The Delegation enumerated steps taken in Liberia, which included finalization of the new IP

Laws with the assistance of WIPO, review for ratification of all IP conventions, protocols and treaties to which Liberia was party, and establishment of a collective management organization for copyright matters, adding that education and awareness programs for the public had commenced. The Delegation expressed gratitude for training provided for the legal staff of the IPO at the University of Turin and the African University in Mutare, Zimbabwe, and for the assistance provided at the National SMEs Conference in early 2014. The Delegation further requested WIPO's assistance in the organization of workshops for the judiciary and also on GIs, as Liberia had identified "red rice" and "loofah country cloth" as potential products for GIs. The loofah cloth was produced by women in the Calhun District of Liberia, and it was hoped that the production of a proposed weaving center could be branded with WIPO assistance. The Delegation reported with sadness the outbreak of the Ebola virus which had caused the deaths of more than 2,000 Liberians, including that of the mayor of the city where loofah production was centered. Recalling that Liberia had recently celebrated 10 years of peace and stability, the Delegation lamented the invasion of the Ebola scourge and its impact on the people of Liberia, calling it a global threat which required a global response. The Delegation expressed Liberia's gratitude for the positive response from the international community to contain the disease and appealed to the network of inventors and innovators to join the rest of the world in combatting this global threat to humankind.

74. The Delegation of Sri Lanka aligned itself with the statement made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group. The Delegation recognized the significant achievements of WIPO in the previous year, including the conclusion of the MVT/Marrakesh VIP Treaty, following the BTAP. The Delegation hoped that WIPO would continue to achieve important results for developing countries and the IP system by ensuring mainstreaming of the DA. Sri Lanka attached great importance to IP as a contributor to socio-economic growth and technological development. While it took note of ongoing work at WIPO, including the mainstreaming of the DA as well as the deliberations relating to broadcasting and design law, the Delegation took the view that it was also necessary to develop substantive discussions on the larger conceptual framework of development to ensure that IP regimes contributed to socio-economic growth and development. As the only body authorized to oversee the DA implementation as a whole, the WIPO General Assembly should carefully review and devote more time to discussing the report of the CDIP on the implementation of the DA by all WIPO bodies. The Delegation noted the audit reports of WIPO, especially the recommendations regarding mainstreaming development considerations in WIPO's activities, and highlighted the need to enhance implementation of the DA through the various WIPO committees as well as to formulate targeted country plans with specific areas of cooperation for providing WIPO's technical assistance. In the light of the recent discussions in the SCCR on protection of broadcasting organizations and limitations and exceptions to copyright and related rights, Sri Lanka proposed that a technologically neutral approach be adopted with regard to the working document for a Treaty on the Protection of Broadcasting Organizations. The protection granted under the new treaty should be consistent with the mandate vested in the SCCR in 2007, for signal transmission, irrespective of the platform, by traditional broadcasting/cablecasting organizations as beneficiaries of this treaty, including the protection of the pre-broadcast signal. Regarding the draft DLT, while Sri Lanka noted the progress made in the negotiations and the proposal to convene a diplomatic conference, the Delegation also emphasized that further work was needed to reflect the different levels of development of Member States in the text of the treaty. It also highlighted the need to ensure that the activities of the SCP were in line with the implementation of the DA and the need to assess regularly whether the ongoing process was helping the SCP to advance towards establishing a concrete, balanced and consensus-based work plan. The Delegation attached the greatest significance to the normative work being carried out by the IGC. Its efforts to formalize an international legal instrument that would offer the necessary protection to human and natural resources would be of great benefit to the developing world. While the work of the experts on the finalization of the draft legal instrument had been exhausted, political will was necessary to bring the IGC negotiations to a legally

binding instrument through a diplomatic conference which would contribute in a fair and balanced manner to the preservation of biodiversity, TK and TCEs. As a developing country, Sri Lanka believed that WIPO should consider it a matter of priority at the ongoing General Assembly to reach agreement on a decision regarding a new work plan for the IGC that set out a date for a diplomatic conference. The Delegation went on to express its appreciation for the visit of the Director General to Sri Lanka during November of the previous year, which rejuvenated the IP field in Sri Lanka and strengthened cooperation between the Government of Sri Lanka and WIPO. A ten-point action plan proposed during the visit became operational in 2014. That action was expected to enhance the capacity of the National Intellectual Property Office (NIPO), as well as other relevant stakeholders in Sri Lanka. Under that plan, preliminary discussions were held on the implementation of TISC networks in Sri Lanka and a project document was finalized to establish TISCs in the Universities and Research & Development Institutes in Sri Lanka. A Service-Level Agreement was signed between NIPO and WIPO in that regard. A Sub-Regional Workshop on Patent Drafting was also organized in Colombo, from April 21 to 25, 2014. A WIPO mission visited Colombo in June 2014 and discussions were held with relevant stakeholders to examine the innovation policy in Sri Lanka, identify gaps and needs from an IP perspective and make recommendations on integrating the IP actors and the IP system into the innovation system. As a developing country, Sri Lanka needed to integrate IP into national policy formulation, as it considered innovation, science and technology and creativity as means of economic development and empowerment. Sri Lanka believed that the collaboration between the Government of Sri Lanka and WIPO could serve as a useful model for developing countries in upgrading their IP protection regimes and delivering the benefits of IPR to a broader spectrum of stakeholders. In conclusion, as the coordinator of South Asian Association for Regional Cooperation (SAARC) countries for the WIPO-SAARC consultation meeting on cooperation in the field of IP held on September 16, 2014, Sri Lanka highlighted the need to enhance implementation of the DA, the importance of developing targeted country plans to achieve the objectives of WIPO's technical assistance and the need to formulate a definition of development expenditure that facilitated better tracking of development expenditures. The proposed MoU to strengthen mutual cooperation between WIPO and SAARC countries, expected to be considered during the summit in November 2014, would further contribute to the development of IP regimes in SAARC countries.

75. The Delegation of the Dominican Republic thanked the Director General for his proposed appointments to positions of Deputy Director General and Assistant Director General and congratulated the incumbents, wishing both them and the Director General every success. It also expressed its thanks to the outgoing management team, in particular Mr. Geoffrey Onyeama and Mr. Trevor Clarke. The present Assemblies had to reach a consensus on such important topics as the future work of the IGC and the Delegation was confident that the GRULAC proposal to continue negotiations in 2015 could act as a bridge for accommodating all of the countries' positions and enable the convening of a diplomatic conference. In conjunction with the National Intellectual Property Strategy, which was under the auspices of the National Industrial Property Office (ONAPI), strategic partnerships had been formed between the Association of Industries of the Dominican Republic (AIRD) and the National Competitiveness Council (CNC). Those alliances were designed to promote the system of innovation and the strategic use of IP and to strengthen the innovative capacity and competitiveness of the country's industrial and entrepreneurial sector. One of the ONAPI activities and inputs was the sponsorship and supervision of the first study on the "Management of Intellectual Capital and Industrial Property in the Dominican Republic: Incentives and Articulation of the National Innovation System", which had led to an analysis on "Systems of Innovation and Intellectual Capital: An Approximation of the Case of the Dominican Republic". In addition, ONAPI had modernized its customer service platform in July 2014 with a view to offering users an expedited, efficient procedure for applying for the registration of trademarks and trade names *via* the ONAPI web site. In 2014, ONAPI had launched a publication campaign, the high points of which were the first statistical bulletin, handbooks for patents for

inventions and utility models, the second technology monitoring bulletin for the dairy sector, and information handbooks on patents, trademarks and industrial designs, with a view to continuing to help disseminate and promote the use of the IP system in the country. The Delegation participated in the SME Support Network (SME Network) through the Deputy Minister for the Promotion of SMEs and the Minister of Industry and Trade. The Network's main aim was to coordinate efforts between entities providing services to national MSMEs. In that connection, ONAPI participated in round tables on management, formalization and business management, at which it worked to improve and promote IP registers, depending on the role, purpose and area of production of each MSME. As for the National Intellectual Property Institute (ANPI), it had broadened its range of activities since its founding, training more than 1500 people with over 35 academic activities developed over the past year, targeting professionals from different areas, research centers and universities, and MSME sectors. For its part, the TISC had managed to establish contacts with sectors of interest, namely, universities and research centers, with a view to boosting use and knowledge of IP, in addition to promoting the establishment of additional peripheral TISCs. The Delegation thanked WIPO for all of the support provided to the National Academy and the TISC. It hoped that efforts to strengthen both programs would continue and that they would be given the necessary human and financial resources to pursue human resource training through programs for education, training and research. It underscored the importance for its country of the national IP strategy, in which connection the Delegation requested WIPO's support so as to ensure more effective application. With regard to the WIPO staff composition and language policy, it was important to note that appropriate representativeness of the different Member States was maintained within the Organization with regard to both the decision-making body and the number of professionals. In that respect, the Delegation hoped that efforts would continue to strike an appropriate geographical and gender balance for the benefit of Member States and the Organization. Finally, the Delegation endorsed the statement made by the Delegation of Paraguay, on behalf of GRULAC.

76. The Delegation of Turkey said that the Turkish Patent Institute (TPI) had a new, dynamic team to address its many strategic objectives. The Government of Turkey had recently adopted a National Design Strategy. The strategy included more than 30 priorities for increasing competitiveness in the designs sector. The National IP Strategy Paper and National Strategy on Geographical Indications, aimed at further enhancing the Turkish IP system, were in the pipeline. As the 20<sup>th</sup> anniversary of the establishment of the TPI was celebrated, the Delegation proudly noted that the TPI received the highest number of trademark applications in Europe and the second highest number of design applications. By the end of 2013, it had received about 109,000 trademark, 45,000 design and 12,000 patent applications. Cooperation with national offices and international organizations continued to grow thanks to the good results Turkey had garnered from such agreements. In 2014, it had signed a cooperation protocol with the Spanish Patent and Trademark Office and in the margins of the General Assembly, another protocol would be signed with the Tajikistan National Center for Patents and Information (NCPI). Turkey was also in the planning stages for revising its protocol with SIPO. By the end of 2014, Turkey would have 25 cooperation agreements with national offices around the world. It also had cooperation agreements with international organizations. In line with the 2014 Action Plan between WIPO and Turkey, in the first half of 2014, Turkey organized a workshop on Geographical Indications Strategy and a seminar on Innovative Capacity Building in SMEs, also hosting two WIPO missions on cooperation for the establishment of an IP Academy in Turkey and launching a master's program in cooperation with a Turkish university. The second half of 2014 would see a variety of conferences, seminars and workshops on IP management in universities, genetic resources and traditional knowledge, training of trainers, patentability criteria of pharmaceutical inventions, licensing and negotiation skills, the Madrid System, as well as a final mission from WIPO to TPI for enhancing electronic communication on the Madrid System. In the margins of the General Assembly, WIPO and TPI would sign a Memorandum of Understanding (MoU) on enhanced cooperation on the Madrid System and the electronic

communication concerning its applications. With regard to cooperation in the field of copyrights, the Turkish Directorate General for Copyrights and WIPO had recently completed a joint study entitled "Surveying the Economic Contribution of the Copyright-based Industries". As regards cooperation with the EPO, patent examiners from Turkey had participated in a number of extensive training courses provided by the EPO Academy. Successful cooperation with the EPO had brought about a positive trend in the number and the quality of search reports issued by Turkey's examiners. The University Awareness Project had continued. The TPI had hosted the 2014 PATLIB Conference, with 300 participants from 38 countries and 72 Turkish patent information centers. Best practices and information on the latest development on patent libraries had been discussed. In the margins of that event, the TPI has signed a cooperation protocol with 14 universities for restructuring their patent information centers. Cooperation had continued in 2014 with OHIM in the form of seminars to promote the community trademark and community design system and seconded national experts. Furthermore, Turkey had integrated the TPI's trademark database with the TMView system of OHIM and completed integration with TMclass. The next step was to integrate the TPI's design database with OHIM's Designview system. Turkey also took part in the Convergence Projects of OHIM and in line with ongoing studies, accepted approaches for black and white trademarks and the guidelines on relative grounds for refusal had been adopted by TPI. Regarding the normative agenda of WIPO, Turkey appreciated the arduous work accomplished by the SCT on the DLT and would fully support the convening of a diplomatic conference for its adoption in the near future. Despite the considerable progress made concerning the important topic of GRs, TK and Folklore, it was too early to decide on a diplomatic conference on that subject. As regards the possible change of criteria for the appointment of International Search Authorities, Turkey supported the view that appointments should continue based on the current criteria until new criteria were identified. The Delegation expressed the hope that the synergy achieved in Marrakesh would be reflected in upcoming sessions on protecting broadcasting organizations and limitations and exceptions for libraries, archives, educational and research institutions and for persons with other disabilities. In that context, the Delegation welcomed WIPO's efforts to create a more efficient and balanced international copyright system. Turkey also welcomed the ICT Strategy of WIPO, whose implementation could be observed in line with the TPI-WIPO cooperation for enhanced communication in Madrid System. The TPI has been following a similar approach in upgrading its electronic services and was on the cusp of launching an IT Project to digitalize all patents, trademarks and designs database dating back from 2004. The digital database would then be integrated into totally new software that was being developed for running the routine registration operations of the TPI. The Delegation reiterated its willingness to host an external office in Turkey, which would create synergy with the prospective Technology Bank for LDCs. The Technology Bank was a project run under the auspices of the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States. The project, devised in 2011 during the 4<sup>th</sup> United Nations Conference on Least Developed Countries, aimed at establishing a UN Office in Turkey, which would provide technical assistance and expertise to innovators and researchers in LDCs in identifying the most appropriate technologies for their research and act as mediator in negotiating licensing agreements. The project also sought to facilitate contact among researchers in LDCs and developed countries working on the same subjects. Turkey believed that integrating WIPO into this study would ensure the sustainability of the project and create a synergy for the success of both efforts. Turkey looked forward to working with Member States and the relevant Committees to achieve an IP system that supported innovation and creativity for the benefit of all.

77. The Delegation of Ukraine had come to the General Assembly during a difficult time in the fight against violations of Ukraine's territorial integrity and sovereignty. The Government of Ukraine had upheld the principles of non-violence throughout recent events and was working to de-escalate the situation and set out a process to stabilize the country, so that its people could feel confident that they had the right to a voice and a job and hope for a better future.

The Delegation expressed its gratitude to the international community for its firm commitment to supporting economic stabilization and structural and other reforms as the country moved forward during a challenging period. The international community's ongoing support and sympathy for the Ukrainian nation was welcomed, alongside its expression of support for the restoration of Ukrainian territorial integrity, especially with regard to the illegal annexation of the Crimea. Ukraine grappled daily with complicated issues, but efforts were being made to continue protecting the legal rights of applicants and rights holders as guaranteed by the Constitution and laws of Ukraine, as well as by the international IP framework, including the Berne Convention, the PCT and the Madrid Agreement. Ukraine was endeavoring to maintain enforcement of the IP protection mechanism in the Crimea. In that respect, the Delegation wished to voice its hope for a peaceful resolution of the situation and for the future support of its highly valued international partners. Considering the difficult situation in the region, there could be no claims of proactivity on Ukraine's part in the field of IP in 2014, but IP was recognized as the backbone of a competitive economy, innovation and prosperity. Accordingly, despite the hardships, maintaining and supporting a strong, comprehensive and efficient IP regime remained a key focus of the State. The Delegation attached great value to WIPO's assistance and contribution to enhancing the IP protection system in Ukraine. WIPO had long been an attentive and trustworthy interlocutor, alive to the concerns of each Member State and had mobilized the international community to the transformation of the concept of wealth-creating work and sustainable economic development from physical to knowledge-based economies. WIPO had also played a significant role in bringing together the national and international efforts of Member States to promote creativity and technology, support cultural diversity, back State, business and private sector stakeholders, and build effective infrastructure for IP, among others. The Delegation expressed its hope that cooperation between IP agencies in countries with transitional economies would lead to equal partnerships between all Member States of WIPO. Particular thanks were due for assistance in drafting the National Intellectual Property Strategy of Ukraine and the forthcoming agreement covering WIPO assistance for the Ukrainian State Intellectual Property Service (SIPS) for the period up until 2016. Particular thanks were due to the Director of TDC for its work in the region. The Delegation remained ready and willing to collaborate and hoped that fruitful discussions would take place during the Assemblies.

78. The Delegation of Tunisia, which fully endorsed the statement made by the Delegation of Kenya, on behalf of the African Group, said that Tunisia gave pride of place to IP and the rules governing it, as wealth creation and growth remained the primary means of achieving the goals set. In that respect, the IP system was a powerful lever of growth and a vector for openness to the world. Tunisia's IP policy was mainly designed to help the Tunisian economy transition from a low value-added economy to an innovative economy with a high technological content that was open to its partners. That vision had been confirmed by Tunisia's new Constitution, Article 41 of which guaranteed the protection of IPRs. The country was thus making every effort to adapt its rules and procedures to the highest international standards and to accede to international conventions and treaties. For example, the end of July 2013 had marked the adoption of a decree setting the conditions and modalities for intervention by the fund for the promotion of literary and artistic creativity. As a result, authors, performers and producers were henceforth entitled to subsidies to promote literary and artistic creativity. In October 2013, Tunisia had acceded to the Madrid Protocol concerning the international registration of marks. In April 2014, the African Union ministers of science and technology had reaffirmed their agreement with Tunisia's offer to host the headquarters of the Pan-African Intellectual Property Organization (PAIPO) and had been followed by the Heads of State and Government of the African countries, who had adopted a similar decision in June 2014. In early July 2014, Tunisia had signed an agreement with the EPO on the validity of European patents extended to Tunisia, which would offer the advantage of consolidating the Tunisian patent issuing system. Tunisia, which benefited from a structured program of regular assistance for not only modernizing IPOs and copyright but also promoting the activities of all parties concerned, expressed satisfaction at the level of its relations with the International Bureau and hoped that

those cooperation ties would be further strengthened, primarily through the continuation of the assistance which WIPO provided to the country. The Delegation endorsed the strategic goals set by WIPO, especially in connection with the WIPO DA, and stated that Tunisia would spare no effort to support the development programs and plans which had been prepared.

79. The Delegation of Nepal associated itself with the statements made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group, and the Delegation of Benin, on behalf of LDCs. The Delegation commended the important role played by WIPO in helping LDCs to align their systems and noted that countries such as Nepal faced a multitude of development challenges that required human and institutional capacity building, technology transfer and the ability to commercialize IP, including TK. WIPO initiatives to establish TISCs, provide technical skills development, build and modernize national IP institutions and transform the informal sector were of great importance to LDCs. The Government of Nepal had completed the draft national IP policy and had carried out public-private dialogues in five parts of the country. Efforts were underway to modernize IPOs, develop human resources, determine the compatibility of legislation with the relevant international treaties, and strengthen the capacity to enforce IP rules. Once the IP policy came into force, all categories of rights would be provided with effective and adequate protection and due respect would be given to both the rights of creators and the broader needs of society. The Delegation welcomed the projects being carried out by WIPO on capacity building and the use of appropriate technology and looked forward to receiving further assistance from WIPO in the areas of capacity building and human and social development, with a focus on providing opportunities for young people. The progress made in negotiations on the draft DLT was welcomed and the Delegation emphasized the inclusion of a legally-binding provision on technical assistance and capacity building in the text of the treaty. LDCs like Nepal were rich in GRs, TK and TCEs and their abundance and diversity played a vital role in the daily lives of their people. The effective protection and prevention of misappropriation of GRs and TK had therefore become critical issues. The adoption of a new treaty in that field would send a clear message to LDCs that their needs and requirements had been taken into account in the IP system. A definitive settlement of those issues was crucial for all and it was therefore time to strengthen efforts to conclude the negotiations. The Delegation expressed the hope that, to that end, the Assembly would consider the text submitted by the IGC.

80. The Delegation of New Zealand stated that, as a part of New Zealand's commitment to modernizing national IP legislation, the Patents Act 2013 had fully entered into force on September 13, 2014. The Act brought New Zealand's patent regime into line with the country's international trading partners, aligned national patent laws more closely with international best practice and would boost innovation and help create a more productive and competitive economy. The new patent regime introduced examination for inventive step and absolute novelty, in line with acceptable international standards and would go some way to addressing Māori concerns relating to the granting of patents for inventions derived from indigenous plants and animals or from Māori TK by establishing a Māori Advisory Committee to advise the Commissioner of Patents. The regime also required applicants and their appointed agents to file and correspond with the Intellectual Property Office of New Zealand (IPONZ) *via* electronic communications. In advance of updating national patent law, IPONZ had launched a modern case management facility across all IP divisions. In the past year, 99.8 per cent of IP applications made to IPONZ had been filed electronically. The facility had reduced the work involved in compliance for small and medium-sized enterprises in New Zealand and helped IPONZ to maintain high-quality public information and examination outcomes supported by ISO 9001 certified operational processes. In the past financial year, New Zealand had seen a 10 per cent increase in the number of trademark applications filed. That trend could mainly be explained by New Zealand's accession to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks in December 2012 and an improved global economy. The Delegation welcomed the healthy uptake of the Madrid Protocol System by New

Zealand businesses wishing to file trademarks around the world. New Zealand had seen a 13 per cent increase in the number of design applications filed. Conversely, there had been a decrease in the number of patent standard applications and national phase entries. New Zealand had been active in sharing its knowledge and experience with other countries over the past year. IPONZ had hosted a week-long study visit from representatives of Cambodia, Indonesia and the Lao People's Democratic Republic. IPONZ would continue to support its Association of Southeast Asian Nations (ASEAN) colleagues as they prepared to accede to the Madrid Protocol through the activities of WIPO and the ASEAN--Australia-New Zealand Free Trade Agreement Intellectual Property Committee. As a part of the Business Growth Agenda of the Government of New Zealand, IPONZ was working with a number of government and private-sector agencies to improve the equality of the IP information available to New Zealand businesses. The aim was to provide enterprises with better information, resources and tools to improve their understanding of IP, as well as more information on how to commercialize IP. New Zealand would also continue to work with Australia on the Single Economic Market (SEM) initiative that would benefit applicants seeking patent protection in the two countries.

81. The Delegation of Malaysia was pleased with WIPO's financial statements for the year 2013, which recorded a surplus. There had been prudent financial management in implementing programs and Malaysia had benefited from those programs in building up its national IP system. The Delegation endorsed the statement made by the Delegation of Singapore, on behalf of ASEAN. The Intellectual Property Corporation of Malaysia (MyIPO) was currently finalizing amendments to the Patents Act and the Trademarks Act to bring them into line with international practice. Malaysia was ready to accede to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. As a part of plans to transform the country into a high-income nation by 2020, Malaysia had included IP as a crucial area to be strengthened and promoted. The rise in the value of intellectual capital and intangible assets had helped place IP at the center of the economy. MyIPO had been instructed to engage more with the financial sector and to promote the acceptance of IP as collateral, in order to facilitate IP-based transactions and to promote the notion of IP as a valuable, tradable asset. In June 2014, MyIPO had launched its IPR Marketplace Portal. The Delegation acknowledged the progress made in terms of addressing the evolving IP landscape and the need to provide access to IP knowledge. Successes in that regard included the conclusion and adoption of the BTAP and the MVT/Marrakesh Treaty. Those agreements were evidence of good faith on the part of all Member States. Hopefully, such efforts would be extended to the proposed treaties being discussed at the Committee level. Malaysia was a mega-diverse country and it was crucial to protect the nation's tangible and intangible assets. The IGC should continue to work to reach an agreement on relevant international legal instruments that offered protection. The Delegation welcomed WIPO's continued efforts to help Member States develop, protect, enforce and exploit IPRs with a view to achieving economic, social and cultural development; the continuation of WIPO assistance should be a priority for the next biennium.

82. The Delegation of El Salvador was confident that the Director General would continue to work in a spirit of compromise, paying special attention to the needs of Member States, like El Salvador, which were developing countries. The Delegation planned to work together on ordinary and standard-setting activities and on activities aimed at institutional capacity-building. It was convinced that the latter activities would continue to be marked by a high degree of social awareness and recognition for humanity as the ultimate aim to which countries aspired. As for WIPO's standard-setting efforts, especially the work of the SCT, the Delegation congratulated the Member States and the Secretariat for their arduous efforts to finalize discussions on the adoption of a treaty for the protection of industrial designs. El Salvador supported the convening of a diplomatic conference for the adoption of the said treaty and invited all parties to continue to show flexibility in order to resolve the sole point that was still pending in that respect. For Member States which were developing countries, such as El Salvador, one of the topics which formed the backbone of the treaty was relying, as always, on WIPO's commitment to

strengthen the human and institutional capacities offering the necessary security to take on industrial property commitments. The treaty would provide the guidance which national IPOs needed to offer industrial designs better protection. The Delegation referred to the intense activity taking place within the IGC framework and stressed the progress made as well as the status of technical efforts, underscoring the need to accelerate the pace of work with a view to adopting one or more instruments for the protection of TK, GRs and TCEs. That was why the Delegation, along with GRULAC, had supported the “high-level segment” such as the one held in February 2014, whose recommendations provided a basis for national experts in their technical and specialized activities. The Delegation was mindful that much remained to be done; however, it stressed the need for optimism and was confident that the work would be finalized in accordance with the timetable adopted, in order to provide protection to the sectors concerned which, in the majority of cases, were the most vulnerable. The Delegation reiterated that the subject matter under consideration required the presence and active participation of experts from its country’s capital. In that connection, it emphasized the necessity of allocating sufficient funds to ensure their participation and attendance. With regard to the CDIP, the Delegation expressed satisfaction with the work done, especially the adoption of major projects to benefit all Member States. It called on all regional groups to keep working together and to continue displaying their characteristic high level of commitment with a view to moving ahead with the WIPO DA and implementing the decision taken at the 2010 General Assemblies on a mechanism for the coordination of DA recommendations. If all members of the Organization were to display goodwill, diplomatic skills and social awareness, that would contribute to the introduction of such a mechanism. As far as the SCCR was concerned, the Delegation commended the work done by Mr. Trevor Clarke. His diplomatic experience and human wisdom had made it possible to adopt key agreements for the benefit of humanity, such as the unprecedented agreement represented by the MVT/Marrakesh VIP Treaty of 2013, designed to facilitate access to public works for persons who are blind, visually impaired, or reading-disabled. In that respect, the Delegation congratulated all Member States on their commitment and dedication to changing the course of history by improving the quality of life for the blind all over the world, who could now enjoy their freedoms and human rights and could enrich themselves *via* better access to the literary and cultural heritage and to the knowledge afforded by books. The Government of El Salvador had finalized the domestic legal procedures for ratifying the treaty and planned to deposit the instrument of ratification during the present Assemblies. Member States should continue taking concrete action and finalize their administrative and legal procedures so that the treaty could enter into force and so that the sectors directly concerned could begin to enjoy its tangible benefits. As for the technical work completed by the PCT Working Group, the Delegation expressed its appreciation to those offices which offered guidance aimed at improving the quality of the examination of patent applications. As the Delegation had already stated on other occasions, its country’s IPO enjoyed quality certification. Accordingly, such procedures were not only known to it but also encouraged it to make ongoing improvements for the benefit of its users. As regards the Group’s standard-setting work, Member States had to recognize that the deadline set in the PCT road map had been reached. Before the next steps were taken, there was a need to give thought to the “levels of development” of the States party to that treaty, such as its country. In that connection, and especially with regard to innovation, the pace of R&D growth was due to researchers from developing countries who were relocating to countries which had “traditionally” occupied the top rankings in world innovation indices. That provided further proof of the need to ensure that IP was a tool for promotion and development that would help Member States with vulnerable economies, such as El Salvador, tackle global challenges. With regard to the question of external offices, the Delegation praised the work begun by Mr. Fook Seng and continued by Mr. Fitschen. For El Salvador and for all of the Member States, being able to rely on guidelines for establishing and supervising external offices was a priority. Accordingly, it was necessary to continue to display signs of compromise and to finalize the guidelines. Under the leadership of the President of El Salvador, a commitment had been made to ensure continuity with regard to IP public policy for the benefit of all citizens. To that end, it was planned to

continue with the strategy of offering IP benefits to SMEs national companies; in the health sector, to take advantage of platforms for continuing R&D efforts, such as those provided by WIPO ReSearch and WIPO Essential; in the legal sector, through institutional capacity-building programs; in the administrative and cultural sector; and in the National IP Office. WIPO could make a decisive contribution to offsetting the effects of the world economic and financial crisis, through the development and promotion of a platform for technology transfer and innovation. In that connection, El Salvador was participating in the national network of TISCs which, with WIPO support, were now located throughout the country and helped to promote higher-quality, personalized technical assistance for the creative efforts of citizens, helping to strengthen and promote technology transfer. There was already a coordinating TISC hosted in the Directorate for Innovation and Quality (DICA) as well as three peripheral centers inside the country (two in San Miguel and one in Usulután). The TISCs were intended to help strengthen the national network and provide a basis for communication and cooperation between participating institutions. Other major projects which had been consolidated during the period under review were the ones relating to the strategies for developing distinctive signs for collective use, based on the geographical origin of products; the establishment of the WIPO Depository Library at the National Center of Registers; the conclusion of the third phase of a compliance project for judges and public administrators; and ongoing efforts to disseminate IP in universities. The Delegation stressed the importance for its country of maintaining, expanding and ensuring the sustainability of WIPO development activities, which had been strengthened by the inclusion of "personalized" national programs offering tangible benefits and translating into strategic projects which formed part of the national work program. El Salvador continued to establish ties between all institutions in charge of or involved with IPRs and to strengthen the specialized IPO of the National Center of Registers. In conclusion, the Delegation thanked all of the chairs of the committees and working groups for their leadership and enlightened guidance of the work entrusted by the Assemblies. It expressed its gratitude to the Director General, Secretariat and the staff of WIPO for their commitment to accompanying, supporting and coordinating activities and projects initiated by the Government of El Salvador. The Delegation reiterated its confidence in the work done by the Director General and his team, which quite rightly continued to focus on consolidating WIPO as a service provider in the world economy and the best administrator for international IP treaties.

83. The Delegation of Ethiopia extended its good wishes to the outgoing members of the Secretariat's SMT for their future endeavors. The Delegation expressed its satisfaction at the selection of Ambassador Minelik Alemu Getahun as a candidate for the post of Assistant Director General and expressed the belief that the Ambassador's wide experience would be an asset to WIPO. The Delegation endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and by the Delegation of Benin, on behalf of the LDCs. The past year had been marked by the opening of two regional IP Offices. Furthermore, the Ethiopian IP system had undergone a major overhaul, involving, among other things: the enactment of legislation on the creation of a collective copyright management society, and; the setting up of a copyright royalties collection mechanism. Ethiopia was also speeding up the process of acceding to various WIPO-administered treaties. The Organization had provided support for a number of projects, including: the finalization of a national IP policy and strategy; the establishment of TISCs; the strengthening of the functionality of the IP start-up academy; the assessment of the contribution of the copyright system to national GDP; the digitization of the national IP-filing system, and; the selection and implementation of appropriate technologies. Owing to its rich biodiversity and wealth of diverse cultures, traditions and languages, Ethiopia attached great importance to the safeguarding of GRs, TK and TCEs. The protection of such assets at the international level played a critical role in the promotion and advancement of science, technology and the arts. In that regard, it was important to take into account national needs and interests in terms of socio-economic development, particularly in the case of the developing and LDCs. Ethiopia strongly supported the adoption of a legally binding instrument or instruments to protect GRs, TK and TCEs at the international level. The Delegation called on

the General Assembly to adopt a decision to convene a diplomatic conference in that regard in 2015. There was no WIPO regional office in Africa; by opening external offices on that continent, the Organization could both do away with that disparity and promote regional and international IP interests. The region would also benefit from enhanced facilities in terms of innovation, technology transfer and IP tools. The Delegation urged the General Assembly, as a matter of priority, to adopt a decision to open two African external offices during the 2014/2015 biennium. The 45 DA recommendations should be put into practice as soon as possible and should continue to guide the implementation of technical assistance activities devised to bridge the IP gap and support the least developed and developing countries. Efforts to mainstream those recommendations should be further strengthened.

84. The Delegation of Peru strongly supported the IGC's efforts to develop legal binding texts guaranteeing the protection of TK, GRs and TCEs. Although substantial progress had been made, it was time to inject a sense of urgency into the discussions to ensure the soonest possible development of a binding instrument guaranteeing effective protection of GRs and TK, which were important not only for Peru and Latin America, but also for humanity. To ensure the speedy finalization of negotiations, all parties should display a spirit of compromise. Moreover, it would be extremely useful to append a high-level segment after the technical work in 2015, as GRULAC had proposed, at which decisions could be taken enabling the following General Assembly to convene a diplomatic conference. That did not imply sacrificing results, as some believed, but rather closing the discussion on topics which had been outstanding since the process was initiated 14 years ago. The Delegation further praised the work of the ACE, which had approved a Peruvian proposal to conduct studies on the economic impact of piracy and counterfeiting. In addition, it expressed appreciation for the trust which the SCCR members placed in its Chair, Mr. Martín Moscoso. The Peruvian School of Competition and Intellectual Property had demonstrated that it could contribute to the consolidation of a South-South cooperation agenda. INDECOPI and WIPO had played a key role in that respect, as reflected by the regional course on patent examiners held in 2014 and the one on copyright scheduled for 2015. On a different note, the Organization should strengthen its coordination efforts with Member States in order to work more effectively, taking the particularities of each region into consideration. That should be the focus with regard to the new external offices and the relevant guidelines should be adopted at the ongoing series of meetings, to allow a decision on the number and siting of the new Offices. As Peru was convinced that IP protection was a vector for development, it acknowledged the importance of formulating public policy as a key tool of economic development. The country was in the final stage of a process designed to end with a national IP strategy at the end of 2014, which would provide a comprehensive vision for action over the short, medium and long term. Moreover, that strategy should help secure Peru's admission to the Organisation for Economic Co-operation and Development (OECD) as a member.

85. The Delegation of Slovakia associated itself with the statements made by the Delegation of the Czech Republic, on behalf of the CEBS Group, the Delegation of Italy, on behalf of the EU, and the Delegations of Hungary and Poland. The Delegation urged an early decision on convening a Diplomatic Conference for the Adoption of the Design Law Treaty in 2015, as said treaty would simplify formalities for obtaining design protection and improve access to same worldwide. The Delegation welcomed further progress made by the Lisbon Union Working Group and the decision of the Lisbon Union Assembly to convene a diplomatic conference in 2015. The revised Lisbon System covering also GIs would be attractive for many countries from different regions as well as for various intergovernmental organizations (IGOs). Bearing in mind the significant benefits for users, the Delegation expressed support for further development of a well-balanced PCT System open for new regional PCT Authorities to guarantee the quality and accessibility of services. The Delegation took the view that IP had been gradually gaining greater recognition in Slovakia thanks to the active engagement of the Industrial Property Office of the Slovak Republic (IPOSR) and assistance from international

partners. Acknowledging the importance of co-operation with WIPO, the Delegation expressed special thanks to the Secretariat for its support and for the assistance provided to the IPOSr. The Delegation regretted that the visit of the Director General planned for February 2014 had had to be cancelled, yet believed that Slovakia would be honored by his visit in the near future and regarded that as an opportunity further to enhance mutually supportive relations, and to raise the awareness of the Government of Slovakia about the importance of IP to a modern society and the leading role of WIPO in the IP system. The Delegation reported that the IPOSr had been actively engaged in numerous national or inter-regional activities relating to IP education and awareness, with events welcoming policy-makers, business leaders and academia having been organized with WIPO to build adequate recognition of the role of IP in national economic, social and cultural development. May 2014 had seen an inter-regional meeting in Bratislava on economic aspects of IPRs organized by WIPO, the IPOSr, the Slovak Centre of Scientific and Technical Information, the Ministry of Economy and the University of Economics, while two further events were still in the pipeline, a Regional meeting on “Recent Intellectual Property Challenges” organized by WIPO and the IPOSr to be held October 28 and 29, 2014, in Banská Bystrica, and a workshop on “Intellectual Property Policies in Universities and Research Institutions” organized by WIPO, the IPOSr and Trnava University to be held in Trnava on November 17, 2014. The Delegation further reported that the IPOSr had enhanced cooperation with the Slovak Customs Administration and on September 17, 2014, had organized a workshop on the work of the EU Observatory and the new EDB database of OHIM. The IPOSr also continued intensive cooperation with the Judicial Academy in Pezinok and with the European Law Students’ Association (ELSA), while Slovak experts had delivered many lectures on IP topics to business and academia. In 2014, the IPOSr had successfully continued implementation of an IP education project first launched in 2012 for pupils of elementary and secondary schools, and aimed to introduce a minimum of knowledge about IP into school curricula, in which regard negotiations were under way with the Ministry of Education. The IPOSr had started a new information campaign in May concerning fraudulent invoices. With the first official communication after filing an application and with issued certificates of protection, the IPOSr sent an information leaflet to clients warning them of fraudulent invoices, and public warnings had been published on the IPOSr web site. The Delegation emphasized the efforts of the IPOSr, in concert with national and international partners, especially WIPO, to apply effective legal and informal measures against specific entities. The IPOSr had continued in 2014 the campaign to raise public awareness about IP and enforcement by means of IP forums and the distribution of printed materials, which continued, and the preparation of a mobile exhibition, “At Home with Invention”. The Delegation further reported that Slovakia had improved its national legislative framework in respect of copyright in 2014 and planned to adopt a new Copyright Act in 2015.

86. The Delegation of Morocco welcomed the progress made by WIPO, particularly in terms of achieving the objectives of the Strategic Realignment Program (SRP), implementing the DA and posting positive financial results (as demonstrated in the Organization’s excellent financial situation). The Delegation applauded the advances made by the SCT on the proposed DLT and called for the work to be accelerated, with a view to convening a diplomatic conference and adopting an international legal instrument by 2015 at the latest. Regarding WIPO external offices, the Delegation reiterated Africa’s legitimate aspiration and backed the proposal to open two WIPO external offices in Africa in the 2014-2015 biennium, in the hope that the issue would be positively resolved during the session to adopt the text of guiding principles. In that context, the Delegation repeated the country’s wish to host one of the two offices. According to the Delegation, IP would play a crucial role in progress and the economic and socio-cultural development of humankind in the framework of the post-2015 DA. In that connection, Morocco had undertaken a comprehensive initiative to upgrade its IP system in keeping with its international commitments, in order to accelerate sustainable socio-economic development. The reform of the country’s legal framework for industrial property was intended to strengthen the industrial property rights protection system at national level while taking into account the

expectations of the business community and international developments. A new law on protecting and improving the industrial property system in accordance with international standards had been adopted by Parliament on February 12, 2014. As part of actions aimed at improving the country's industrial property environment, Morocco was continuing to implement its National Action Plan on Industrial Property and Counterfeiting. The Delegation stated that it attached great importance to developing cooperation partnerships to promote IP with WIPO and foreign partners (particularly with African and Arab nations), and that it considered IP to be a critical dimension of its South-South cooperation policy. In that context, the Delegation thanked WIPO (and more specifically the Regional Bureau for Arab Countries) for the ongoing support in the development of pilot projects on IP in Morocco. The Delegation was pleased with the country's participation in various WIPO projects, particularly the pilot project on the management of industrial models and designs to promote Moroccan businesses. The Moroccan Industrial and Commercial Property Office continued to provide training courses to foreign operators and experts from Algeria, Libya, Palestine, Qatar, Sudan, Yemen and member countries of the African Intellectual Property Organization (AIPO). In the area of copyright and related rights, this year Morocco had undertaken reforms aimed at strengthening transparency and governance mechanisms in copyright management by guaranteeing the participation of rights holders. That was the rationale for the adoption in December 2013 of the law to change the Moroccan Industrial and Commercial Property Office into an independent body, as well as for the law on private copying, the introduction of WIPOCOS software in collaboration with WIPO and the Government Council's adoption of a bill to approve the MVT/Marrakesh VIP Treaty on May 2, 2014. The Delegation concluded by indicating its willingness to make an effective and constructive contribution to the Assembly discussions and particularly to finding positive and consensual conclusions to all issues pending.

87. The Delegation of the Republic of Moldova subscribed to the statement made by the Delegation of the Czech Republic, on behalf of the CEBS Group. It appreciated WIPO's efforts to guarantee its political and financial stability and looked forward to further improvements of institutional governance and WIPO-administered legislation systems. Moldova recognized the need to improve the activity of WIPO committees and working groups. The Delegation took note of the progress achieved with the development of the treaty on the protection of broadcasting organizations, the revision of the Lisbon System and other emerging issues from the WIPO agenda, adding that it was committed to working with all Member States to reach decisions that would reward all the effort invested. It expected the dates for convening the Diplomatic Conference for the Adoption of the Design Law Treaty to be settled in the near future. The harmonization of design-related registration would strengthen the confidence of authors in IP values, as well as increasing the use of the design protection system by creative industries. With reference to the development of the treaty on the protection of broadcasting organizations, the Delegation stated that it supported further discussions on the existing text, with a view to convening a diplomatic conference for the adoption of the broadcasting treaty at the 2015 General Assembly. The Delegation expressed its strong support for the CEBS Group's position expressed during the 53<sup>rd</sup> General Assembly meeting and the PBC in terms of the WIPO policy on external offices (and more specifically the need to agree on an effective, balanced and cost-effective mechanism for establishing and managing WIPO offices). In that sense, it was necessary to adopt principles for the proper functioning of existing and future WIPO external offices in the long term. On September 1, 2014, an agreement between Moldova and the EU had entered into force (including a comprehensive free trade area). Such an important political development would stimulate economic growth and the increased use of IP in Moldova. The enactment of the law on the Moldovan IP agency was another important achievement that would consolidate the national IP system and secure the agency's independence and its position as the strongest element of the country's IPR system. The Delegation concluded by affirming the importance of WIPO building an up-to-date and balanced international IP environment, while also hoping for the Organization's continued support of national IP systems.

88. The Delegation of Niger welcomed the considerable progress made in implementing reforms, strengthening development cooperation (which had been instrumental in raising awareness of IP in developing countries), carrying out remarkable work on normative matters and achieving financial results for 2013 that attested to the Organization's robust financial health. Two important items, which had attracted the attention of Member States in previous sessions, had again been included on the agenda. The first was the convening of a diplomatic conference on the conclusion of a proposed DLT. The second related to the conclusion of IGC negotiations to convene a diplomatic conference in the short term to adopt legal instruments to protect GRs, TK and TCEs. States needed to be flexible enough to reach consensus and resolve both issues as soon as possible. In terms of convening the diplomatic conference to conclude a DLT, the consensus that had emerged on the need to provide technical assistance to help developing countries strengthen their capacities should be capitalized upon (regardless of the form that took in the treaty). Accordingly, the Delegation hoped that a consensus would rapidly emerge within the Assembly, so that the diplomatic conference could finally be convened. As for the IGC negotiations, Niger welcomed the progress made and encouraged participants to reach a rapid consensus on issues pending, such that a diplomatic conference could be convened in 2015. As an LDC, Niger encouraged WIPO to continue strengthening assistance to LDCs, in accordance with the Plan of Action adopted at the end of the Fourth United Nations Conference on the Least Developed Countries held in Istanbul in 2011. In Niger, the ambition of the authorities was to make IP a development tool, in particular by integrating it into development policies and programs. Thus, the Delegation welcomed the recent WIPO mission to Niger to provide the country with a development plan for IP and innovation. Following the drafting of that plan, Niger wished to request WIPO assistance in implementing the resulting action plan. Lastly, Niger associated itself with the statements made by the Delegation of Kenya, on behalf of the African Group, and Benin, on behalf of LDCs.

89. The Delegation of Panama endorsed the statement made by the Delegation of Paraguay, on behalf of GRULAC, adding that since 2012, Panama had undertaken the regulation of copyright laws and industrial property. In collaboration with WIPO, trademark and patent manuals were being updated and the computing platform of the Directorate General of the Industrial Property Registry was being modified and updated according to the new rules and trade treaties signed by Panama, as well as the technical requirements for publication of the patent database LATIPAT. In training, priority was being given to universities and research centers and the first workshop on IP, organized jointly with WIPO, had taken place at national universities. The workshop focused on the use of the industrial property system in the management of the results of innovation in universities and research centers. Another event has seen the participation of employees of IPOs and copyright and national experts. During the 10<sup>th</sup> International Book Fair of Panama, in which Mexico was the guest country, the 9<sup>th</sup> National Conference on Copyright was organized in coordination with WIPO and saw the participation of high-level experts. The Delegation appreciated the invaluable assistance of WIPO in the collective trademark development project, "Café de Palmira". According to the testimony of small producers in the region of Palmira, the registration of the trademark in 2011 had had a positive impact on their lives and created a sense of identity for the product which, coupled with the unique qualities of the coffee, made it a major new competitor in the domestic and international markets. The Delegation welcomed the JIU report with its 10 recommendations for improving the administration and management of WIPO. The report also identified many implicit, though no less important, recommendations which must be given serious consideration by the WIPO Secretariat and Member States. It was hoped that the Director General would publish information on the intended approach to all the recommendations and report promptly and in detail on the implementation of the relevant work. A particularly important and long-unresolved issue was referred to in recommendation 6: the need for the Coordination Committee to reexamine the principles governing geographical distribution in order to ensure greater geographical diversity among the professional staff of WIPO. The Delegation expressed the hope that the letter sent to the President of the Coordination Committee on May 20, 2014,

would galvanize the Committee to address the issue as soon as possible. The JIU had highlighted the need for a rational and transparent process for establishing new offices abroad and the need to avoid the subjective practices of the past. Panama had worked actively, constantly and constructively towards the adoption of the principles for the establishment of new external offices, which is the initial step in ensuring that the process of opening these offices was clear and transparent. The Delegation recalled that since 2007, Panama had expressed interest in hosting a WIPO External Office, having submitted a proposal taking into account the competitive advantages of Panama in the region.

90. The Delegation of Romania endorsed the statements made by the Delegation of the Czech Republic, on behalf of the CEBS Group, and the Delegation of Italy, on behalf of the EU and its member states. Significant progress had been made in the field of IP rights in the past few years, including the successful conclusion of the BTAP and the MVT/Marrakesh VIP Treaty. Diplomatic Conferences on the Adoption of the Design Law Treaty and protection for broadcasting organizations should be held during the next biennium. In the case of broadcasting organizations, there was a need for an international instrument that was fully adapted to the technological realities of the twenty-first century. The Delegation also reiterated its willingness to participate in discussions on issues on the agenda of the SCCR, such as limitations and exceptions. The Delegation had closely followed the debates within the SCP and looked forward to discussions on patent law-related issues that would lead to harmonization in that field. As to the IGC, the Delegation recognized the value of TK, TCEs, folklore and GRs. The Delegation reaffirmed its commitment to continuing the debates on IGC issues with a view to achieving flexible and non-binding instruments on the basis of a realistic future work program. IP right enforcement continued to be Romania's main priority; both the State Office for Inventions and Trademarks (OSIM) and the Romanian Copyright Office (ORDA) had carried out numerous activities to strengthen co-operation with law enforcement agencies. Romania took a particular interest in the activities of the ACE and was committed to the fight against counterfeiting and piracy. In recent years, much had been done in Romania to raise awareness among young people concerning IP and plans to introduce the topic into the high school curriculum were at an advanced stage. The Delegation looked forward to the achievement of a consensus on the guiding principles concerning WIPO external offices.

91. The Delegation of Cuba congratulated the Director General on his re-election and said that his term of office had to be geared to meeting the strategic goals of the Organization, in particular applying the DA recommendations and mainstreaming development into all WIPO activities. With regard to the topics to be discussed at the present session of Assemblies, there was a need to review the legal texts adopted and the progress made within the IGC and to decide whether to convene a diplomatic conference. In that connection, Member States should display the necessary political will to agree on a date for such a conference, making it possible to move ahead and agree on concrete points in the negotiating texts. The WIPO DA was one of the pillars of the Organization and its Member States. Of utmost importance were the results achieved in applying some of the DA recommendations, made possible by the execution of various projects. It was necessary to solve problems linked to the application of the coordination mechanism and monitoring, assessing and reporting modalities in conjunction with the mainstreaming of development into all of the Organization's activities. Member States should establish a dialogue on IP and development as the third pillar of the CDIP and continue to rely on the Organization's ordinary budget for the implementation of DA recommendations and for the remaining cooperation and technical assistance activities. It was essential to secure the entry into force of the MVT/Marrakesh VIP Treaty. That in turn implied taking the necessary measures to facilitate international cooperation with a view to its application. The Delegation hoped that there would also be tangible results with regard to exceptions and limitations for libraries and archives and for educational and research establishments guaranteeing that the visually disabled were able to access those tools of learning and human development. The work of the SCP should be geared towards continuing studies on patents and health,

emphasizing exceptions and limitations and highlighting patent obstacles to transfers. The Delegation underscored the support provided by WIPO, in particular through its Cooperation Office for Latin America and the Caribbean, with regard to national capacity-building in the various domestic IP bodies, IT infrastructures and the introduction of IT services to computerize IP (patents and trademarks unit), including steps taken and the new management tool introduced, which had improved management of IPOs. Those efforts had helped develop the Office's technological infrastructure and the capabilities and skills of the national system administrators. Moreover, the TISC project had contributed to the development of the national network by creating capacity and skills for the use of IT technology. In conclusion, the Delegation expressed support for the statement made by GRULAC.

92. The Delegation of Uruguay was confident that during the Director General's second term of office, efforts to mainstream development in the Organization would continue at the same level of commitment, so that the IP system could become a strategic tool for supporting development. It also endorsed the statement made by the Delegation of Paraguay, on behalf of GRULAC. Uruguay was closely monitoring the discussions at WIPO and hoped that policy decisions would be taken at the present series of meetings which reflected a genuine desire to make progress on the topics that had given rise to heated debate between Member States. In that connection, there was an urgent need to implement the decisions relating to the CDIP contained in document WO/GA/46/10, as the adoption of a relevant decision would help ensure the successful outcome of the present series of meetings. As a specialized agency of the UN, WIPO could not stand on the sidelines and neglect the importance and central nature of the development dimension in its agenda and in the work of the different committees. Mindful of the efforts made to incorporate and implement the recommendations of the DA, the Delegation said that significant progress had been made and successful projects had been implemented. Noting that Uruguay had benefited from projects to promote innovation and development, the Delegation expressed special thanks to WIPO for finalizing the study on the economic impact of IP in the pharmaceutical and forestry and timber sectors, as its conclusions made a significant contribution to the preparation of IP strategies. The Delegation also referred to the TISC project, which had made possible the creation of a TISC network and local capacity-building. In that connection, WIPO's cooperation in training and organizational design had been crucial. WIPO's support and technical assistance would continue to play an important role. Consequently, it was necessary to ensure an appropriate, transparent and balanced allocation and distribution of funds and resources guaranteeing the sustainability of development-oriented projects. In that respect, the Delegation welcomed WIPO's efforts to strengthen the capacities and technical skills of IPAS administrators in the region, as well as the decision relating to the "Conditions of use for the IT programs provided by the International Bureau", and recalled that users' commitment to IPAS had been reaffirmed at the recent training workshop held in Costa Rica. Yet, WIPO had not finalized a genuine process of technology transfer, as requested by the user countries. Nor had it agreed to the request for access to system source codes in order to ensure the sustainability of a system that was essential for the functioning of the offices. On August 29, 2014, the Executive of Uruguay had promulgated Law 19,262 ratifying the MVT/Marrakesh VIP Treaty. The Delegation hoped that it would shortly be depositing the instrument of ratification, with the firm intention that the Treaty would enter into force as soon as possible. Accordingly, the Delegation urged the other signatory countries to proceed with the prompt ratification of the Treaty and appealed to WIPO to guarantee the technical assistance and human and financial resources to ensure its effective application. Finally, the Delegation stressed the need to enhance Latin America's role within the Organization. That would require steps to guarantee greater geographical diversity and gender equality among the WIPO professional staff. Moreover, promotion of a geographical balance and a balance of interests were key pillars of the reform process at WIPO. Noting that it was not impossible to reach agreement at the present series of meetings, the Delegation said that Uruguay was committed to finding balanced solutions which offered benefits to all Member States and improved the strategic positioning of the Organization.

93. The Delegation of Latvia endorsed the statements made by the Delegation of Italy, on behalf of the EU and its member states, and the Delegation of the Czech Republic, on behalf of the CEBS Group. The intersession period had been a busy one, making for a heavy agenda for the General Assembly. Latvia was ready to engage in a constructive manner to overcome any differences and find solutions suitable for all Member States. The DLT had a long past and the Delegation was confident that existing differences, which, in the Delegation's view, were not due to the substance of the treaty as such, would be resolved and a diplomatic conference would be convened in the near future. The Delegation remained open and constructive regarding negotiations on the treaty on broadcasting organizations and the convening of a diplomatic conference in 2016. The period after the previous General Assembly had been intense for the IGC and there had been a number of thought-provoking discussions. Nevertheless, the Delegation felt that the result did not correspond to the high number of meeting days. Common ground still needed to be found to achieve results that would ensure the effective protection of GRs and TK. There were numerous examples of the implementation of the DA that illustrated the effect of IP on economic development and the Delegation was waiting for the evolution of the implementation process, which it felt should be based on robust principles.

94. The Delegation of Afghanistan reported that the MVT/Marrakesh VIP Treaty as signed by Afghanistan in 2013 would soon be concluded, and declared its support for the proposed MoU between WIPO and the SAARC countries. The Delegation endorsed the statement made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group, and confirmed its commitment to continued cooperation with the efforts of WIPO to address the multiple challenges facing the international IP system in an evolving global commercial and technological environment. While welcoming the outcomes of both the 28<sup>th</sup> session of the IGC and the 28<sup>th</sup> session of the SCCR, the Delegation expected that further discussions would address normative work and the needs of Member States, including Afghanistan as an LDC. The Delegation also endorsed the proposal to set up transparent procedures and criteria in respect of the establishment of new external offices. Noting the concern of the Government of Afghanistan for the IP system in the country, the Delegation recognized that while in recent years WIPO had organized workshops, seminars and study visits for IP officials and related private sector entities, a real and realistic approach to IP rights was a new experience for Afghanistan, and while the nation's Constitution guaranteed the rights of authors and inventors, the Government sought to strengthen cooperation with WIPO to overcome challenges in the implementation and enforcement of IP laws arising from the lack of IP experts, of awareness and of enforcement, and the lack of academic studies addressing IP. The Delegation stated Afghanistan's need for technical support from WIPO, including in the establishment of a technology and innovation support center within Kabul University to provide inventors access to relevant technology and information services, and concluded by reiterating Afghanistan's support for IP principles.

95. The Delegation of Bhutan reported that Bhutan continued to enjoy a very fruitful association with WIPO in terms of technical inputs and capacity-building programs conducted under the bilateral framework. The invaluable contributions of the Secretariat to the design and implementation programs addressing the development needs of LDCs were very much appreciated. In order to provide effective and adequate protection of IPRs, Bhutan had completed the drafting of its National Intellectual Policy and amendments to IP legislation. Bhutan was also exploring the possibility of establishing TISC and a Traditional Knowledge Digital Library (TKDL). While the importance of IP as a powerful tool for economic development and wealth creation was widely recognized, LDCs like Bhutan had not yet been able to take full advantage of the benefits of IP as part of their economic development. The Delegation called on WIPO to continue to facilitate the use of IP for development purposes of LDCs and also to continue focusing on development-oriented activities, particularly on the enhancement of human resources capacity, the strengthening of legislative and institutional frameworks, technical infrastructure, increased access to knowledge created by the global IP system as well as

facilitating the participation of LDCs in norm-setting activities at international level. The Agenda of the Assemblies contained many important issues of a complex and technical nature, which had been under deliberation in different bodies and standing committees of WIPO in the past year. The Delegation commended the work carried out by a wide range of the Organization's committees. The Delegation appreciated the Secretariat's active engagement with various projects. The Delegation looked forward to constructive deliberations on all agenda items in the coming days and pledged its support to bring substantive progress on all the issues before the Assembly.

96. The Delegation of Brunei Darussalam endorsed the statement made by the Delegation of Singapore, on behalf of ASEAN. The successful deployment of WIPO's IPAS in June 2014 had led to significant improvements within the Brunei Darussalam Intellectual Property Office (BrulPO) in terms of work quality and efficiency. The turnaround time for applications had been reduced and notifications were being issued much more promptly. WIPO would provide support regarding the digitization of IP documentation to allow for online filing, searches and status enquiries. Plans were under way to implement a plant variety protection system, in line with BrulPO's goal of establishing a fully-fledged IPO to provide protection for all forms of IP under one roof. Brunei Darussalam intended to reach its targets concerning the implementation of the ASEAN Intellectual Property Rights Action Plan 2011-2015 and accession to the core international registration treaties by 2015. Brunei Darussalam had acceded to the PCT in 2012 and the Hague Agreement Concerning the International Registration of Industrial Designs in 2013, and intended to become a party to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks by 2015. WIPO had provided support for 12 events scheduled to take place in Brunei Darussalam in 2014, ranging from training courses for trademark examiners to national technology management seminars. BrulPO and WIPO had jointly organized a successful seminar on enforcement in September 2014 and both of those bodies would be cooperating with the Japan Patent Office (JPO) regarding a sub-regional seminar on effective utilization of trademark classification systems. The seminar would be held back-to-back with a training course for BrulPO staff on the Nice and Vienna Classification Systems. One immediate priority for Brunei Darussalam was the completion of the national IP policy, which was currently being developed with the assistance of WIPO.

97. The Delegation of Argentina endorsed the statement made by the Delegation of Paraguay, on behalf of GRULAC. It singled out two topics which had been the subject of standard-setting negotiations and which were of particular interest to Argentina: industrial designs and protection of broadcasting bodies. Work on industrial designs was virtually finalized; all that remained was to reach an agreement on the question of technical assistance. The Delegation was confident that Member States would display the necessary political will to overcome the divergences which persisted and that a diplomatic conference could be convened to adopt a treaty as soon as possible. As for the negotiations on the protection of broadcasting bodies, which had begun many years ago, significant progress had been made. Even though some outstanding issues remained, it was possible to agree on a clear timetable for their conclusion so that a diplomatic conference could be convened during the next biennium. The Delegation reiterated what the Director General had emphasized in his report with regard to training, namely, that the Academy played an important role in building human resources capacity in the developing countries. The Academy carried out various activities in Latin America and the Caribbean, such as the regional IP Master's program implemented with the help of the *Universidad Austral* of Buenos Aires which was of great importance for the region. The Delegation hoped that the Academy would pursue its capacity-building efforts in developing countries, thereby enabling the latter to participate in the IP system. In conclusion, Argentina was committed to the implementation of the DA. In that respect, it recognized the progress made in applying the 45 recommendations which made up the Agenda and hoped that Member States would continue working in a constructive spirit to resolve outstanding issues.

98. The Delegation of Congo associated itself with the statement made by the Delegation of Kenya, on behalf of the African Group. The Director General's report had provided an overview of WIPO's work over the past two years. The Delegation had noted the sound financial situation of the Organization, as set out in the document, and in particular the platforms for cooperation between WIPO and Member States. Congo welcomed the continuous support it had received from WIPO for IP development. With a view to strengthening such cooperation, the Government of Congo has set up an IP coordination and development committee whose duties included issuing opinions on all IP matters in Congo and coordinating IP policies and strategies. With regard to the management of GIs, an instrument to establish the national coordinating committee for GIs was being drafted. The Delegation hoped to work with WIPO to launch a new program for the validation of the national IP development plan and to continue the establishment of the TISC. Negotiations in various committees dealing with norm-setting had continued, although some issues were yet to be resolved. Such issues included the convening of a diplomatic conference for the adoption of a less binding legal instrument for the protection of GRs, TK and TCEs in 2015. Exceptions and limitations for libraries and archives as well as educational and research institutions were being discussed in the SCCR, as were draft instruments for broadcasting organizations. The inclusion of an article on technical assistance on industrial designs in the draft instruments was still under negotiation. The creation of external offices was also a matter of concern for Africa. In this regard, the Delegation hoped that the adoption of guidelines and the decision to open two external offices in Africa, as well as their location, would be discussed concomitantly.

99. The Delegation of Kyrgyzstan said that the State Program for Intellectual Property and Innovation Development in the Kyrgyz Republic for 2012-2016 was aimed at promoting the use of IP for development and empowerment and encouraging innovation and capacity building in the country. WIPO's ongoing support for the IP system and the organization of IP seminars was much appreciated, since it permitted Kyrgyzstan to develop and protect national intellectual resources. Kyrgyzstan was an active member of WIPO and was committed to supporting the Organization and achieving excellence by promoting best practices for the benefit of all Member States. Kyrgyzstan also fully supported WIPO technical assistance initiatives, particularly regarding the provision of training for experts from developing and LDCs. Access to information was a major aspect of the development of IP and it was extremely important to provide countries with the opportunity to achieve their political, economic and social objectives. The Delegation supported the adoption of a WIPO strategy on information and communication technologies; an important means of disseminating information in the field of IP.

100. The Delegation of Burkina Faso endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs. For African countries and Burkina Faso in particular, IP and technology represented true prospects for providing appropriate solutions to the various challenges they faced on a daily basis. Burkina Faso was aware of the important role to be played by IP, and had therefore introduced measures including an Intellectual Property Development and Coordination Committee; a National Strategy for the Development of Technologies, Inventions and Innovations; a network of skills and technical partners for innovation; a Steering Committee on Geographical Indications; and an operational plan for the national strategy for the National Strategy for the Development of Technologies, Inventions and Innovations. Furthermore, by the end of 2014, Burkina Faso would have an IP documentation center. Efforts were already under way on the part of the country's authorities, with the support of various partners in the area of IP development. However, many challenges remained. High-level authorities in Burkina Faso were therefore requesting WIPO's support in drafting Burkina Faso's IP development strategy and effectively introducing the technology and innovation support center (CATI). In the context of a knowledge economy dominated by the large-scale use of information and communication technologies, the Delegation emphasized the importance and need for WIPO to step up its program to modernize IPOs and improve access to information technology (IT). In that context,

Burkina Faso welcomed WIPO efforts to integrate access to knowledge, technical assistance and technology transfer into its activities to promote development. Regarding the project to strengthen and develop the audiovisual sector in Burkina Faso and other African countries, the Delegation applauded the organization of a workshop in Ouagadougou in July 2014 for the purpose of strengthening the capacities of authors, scriptwriters, directors, film score composers, audiovisual producers, banks and financial institutions, performers, specialized lawyers, broadcasters and representatives of public administration in the audiovisual sphere. The Delegation also shared its conviction that positive and balanced results could be achieved during the Assembly and reiterated its determination and commitment to making an active and positive contribution to the discussions in the interests of an exchange of views conducive to the achievement of concrete results.

101. The Delegation of Sierra Leone aligned itself with the statements and sentiments expressed by the Delegations of Kenya and Benin, respectively on behalf of the African Group and LDCs. Sierra Leone was profoundly grateful for WIPO's continued efforts worldwide to meet challenges faced by the IP system in management and technological innovation. The Delegation expressed its appreciation for WIPO's initiatives to strengthen and streamline technical assistance to LDCs, which included Sierra Leone. That had enabled Sierra Leone to participate in and benefit from seminars, workshops, and training programs organized by WIPO or with its support. The Government of Sierra Leone also noted with much gratitude the stance of WIPO in implementing the seven WIPO deliverables agreed upon in the High-Level Forum in Istanbul towards the advancement of the IP system in LDCs. In April 2014, as part of the preliminary work in WIPO's proposed formulation of a national strategic IP development plan for Sierra Leone, WIPO successfully funded and held a workshop on the use of IP as a tool for economic growth in Sierra Leone and also conducted a needs assessment for the establishment of a copyright office. The strengthening of Sierra Leone's IP system was foremost in the schedule of the Government of Sierra Leone. In that respect, the trademark bill with provisions that met international standards and were in line with the TRIPS Agreement was tabled before Parliament in July 2014. The Copyright Act 2011 had been enacted and the patents and industrial designs bills were expected to be enacted when Parliament resumed sittings in October 2014. Sierra Leone's patent law was inherited from the United Kingdom in the 1940's and allowed only for registration of patents registered in the United Kingdom. The draft patent bill, when enacted, would enable Sierra Leone for the first time to undertake the original registration of patents. IP was also taught in the University of Sierra Leone.

102. The Delegation of Namibia aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group. The Delegation stressed that in view of the progress achieved in 2014, the time had come for the Assemblies to decide on convening in 2015 a diplomatic conference to adopt a legally binding instrument or instruments for the effective protection of GRs, TK and TCEs. The Delegation noted that as the mandate of the IGC would end in 2015, a decision to convene the diplomatic conference must be taken during the current session. The Delegation appreciated the progressive work of the CDIP, adding that the promotion of IP protection could not be divorced from development as such a framework would undermine the overall responsibilities of every state to promote sustainable development. Recalling that Namibia had passed a new industrial property act in 2012 with WIPO's assistance, the Delegation reported that in 2014 the country had created a Business and Intellectual Property Agency (BIPA) which grouped all IP-related matters within one body. In conclusion, the Delegation called for technical assistance and support from WIPO and other development partners in the implementation of Namibia's National IP Programs.

103. The Delegation of Botswana aligned itself with the statement made by the Delegation of Kenya, on behalf of the African Group, and went on to express concern at the slow progress in the normative committees since the last Assemblies, noting that the flexibility and political will of all Member States was needed to achieve progress. WIPO Member States were at different

levels of development and the impressive increase in patent filings and marks registrations involved only a few countries, the African continent continuing to lag behind and requiring technical assistance and capacity building. While IP could contribute greatly to sustainable development, WIPO must continue to mainstream DA recommendations into committee work and ensure implementation and monitoring. The Delegation underscored the importance of concluding IGC negotiations and those on the exceptions and limitations for libraries, archives and educational institutions, and hoped due guidance would result from the Assemblies. The Delegation reported that the National Intellectual Property Development Plan had been approved in 2012 and that Botswana was discussing with the Secretariat assistance in developing national IP policy. Following the establishment of the CMO in 2010, distribution of royalties in the music industry occurred in February and again in September 2014, bringing encouragement and confidence to rights holders enjoying the fruit of their creativity. The Delegation appreciated the assistance received from WIPO in developing an IP regime, and cited deployment of the electronic document management system (EDMS) in May 2014, development of Botswana's draft bill for the protection of new plant varieties, counterfeit legislation and copyright arbitration rules, noting the value of these in promoting efficiency, protection and economic growth. The recent establishment of the Companies and Intellectual Property Authority as an autonomous body would also need continued WIPO support.

104. The Delegation of Barbados aligned itself with the statement made by the Delegation of Paraguay, on behalf of GRULAC, and commended the work of the CDIP towards the common goal of providing IP protection for all, saluting the emphasis placed on training, and urging in particular further training of trademark and patent examiners in developing countries. Recognizing that some distance lay ahead, the Delegation stressed the vital effectiveness of IP in accelerating economic development. The work of WIPO was highly valued, and even in such areas as industrial designs, where Barbados was not very involved, there remained a great deal of benefit to developing countries. The Delegation affirmed support for the negotiations on broadcasting and looked forward to greater progress being made during the months ahead, and also endorsed the effective implementation of the DA, as much could be achieved if work continued in a constructive manner. A diplomatic conference on GRs, TK and TCEs was to be encouraged in 2015 and, with respect to external offices, the great need for same in developing countries should be supported by the development of guidelines to ensure smooth decision-making processes. The Delegation hailed WIPO's involvement in the Conference on Small Island Developing States in Samoa and acknowledged the importance for small states of the guidelines WIPO presented there. The Delegation reiterated its commitment to the further development of IP in developing countries, especially in small states of the Caribbean, and confirmed the support of Barbados for the activities of the Secretariat.

105. The Delegation of Austria associated itself with the statement made by the Delegation of Japan, on behalf of Group B, and the statement by the Delegation of Italy, on behalf of the EU and its member states. Emphasizing the ability and role of IP to stimulate creativity and innovation and thereby contributing to the economic, cultural and social development of all countries, the Delegation welcomed the record of WIPO's activities and positive achievements outlined in the PPR for 2012/13, highlighted by the signing of the BTAP and the MVT/Marrakesh VIP Treaty. The Delegation would wholeheartedly continue to support WIPO's efforts to act as the international forum for in-depth dialogue on all IP matters and looked forward to jointly achieving further progress in developing the relevant international legal framework. WIPO's normative work should rely on evidence-based social and economic demands and needs and should, after thorough assessment of the specific and overall impact, establish legal clarity and certainty. A further source of satisfaction was the increasingly effective functioning of the international IP registration and filing systems operated by the International Bureau, especially the PCT and the Madrid Systems, which were the main generators of WIPO's income. The Organization and its staff should continue and expand efforts and activities to further strengthen these systems during the current biennium, thus maintaining a viable and

efficient Organization and securing a balanced and effective international IP system for the benefit of all stakeholders. Note was taken of the information about work in the CDIP which in its 12<sup>th</sup> and 13<sup>th</sup> session continued to discuss the implementation of the DA. The respective reports and documents considered by the Committee, as well as the PPR for 2012/13 and the various reports of relevant WIPO bodies in their entirety, demonstrated numerous positive developments and achievements of this important initiative to further enhance the development dimension in WIPO. In the light of the importance and complexity of the subject matter, the Delegation supported the proposed decision to allow the CDIP to continue the discussions based on the decision of the General Assembly in 2013 and report back to the General Assembly in 2015. The Delegation took positive note of the reports mentioned in paragraph 3 of document WO/GA/46/4 and supported their forwarding to the CDIP. In regard to the report of the previous session of the SCCR, there had been no consensus on the future work of the Committee. While reiterating its special interest in finalizing the work for the protection of broadcasting organizations, the Delegation reaffirmed its commitment to discussing opportunities to incorporate limitations and exceptions into national legal frameworks based on the flexibilities offered by existing international treaties. The results of the deliberations in the SCT were a welcome development. The Delegation reiterated the importance it attached to the harmonization and simplification of design registration and formalities, which deserved to be brought before a diplomatic conference as soon as possible, in light of the status of work and progress achieved so far. The General Assembly was urged to convene a Diplomatic Conference for the Adoption of a Design Law Treaty in 2015 at the ongoing session. The progress achieved during the three sessions of the IGC in 2014 in considering and drafting texts for an international instrument to ensure effective protection of GRs, TK and TCEs was a welcome development. Nonetheless, there was still work to be done and it was therefore regrettable that there was no consensus on a recommendation regarding future work. The Delegation remained committed to working with all delegations and the International Bureau to arrive at conclusions and decisions establishing a reasonable future work program for the Committee. In regard to the instrument(s) to be developed, Member States should have the flexibility to choose one or more forms of protection to satisfy the diversity of possible demands. This argued for flexible and non-binding separate instruments. Convinced that a viable and harmonized patent system would be beneficial for all stakeholders, the Delegation noted the report on the 20<sup>th</sup> session of the SCP and welcomed the decision to continue discussions based on the work program established in the 19<sup>th</sup> session, in particularly on the topics "Quality of Patents, including Opposition Systems" and "Client-Patent Attorney Privilege". The respective findings and conclusions could further improve the patent system as a whole in the short term. Representing an International Searching Authority (ISA) and an International Preliminary Examining Authority (IPEA) under the PCT, Austria had taken active part in the deliberations in the PCT Working Group. The Delegation therefore fully supported the proposed amendments to the PCT Regulations as contained in document PCT/A/46/3 and the recommendations concerning future work of the PCT Working Group in document PCT/A/46/1. It also supported the adoption of the proposed Understanding on "Procedures for Appointment of International Authorities" as contained in document PCT/A/46/4 and the recommendation of the Working Group concerning entry into force of that Understanding. Sharing the view that a manifold and continuously developing family of PCT Authorities was beneficial to the system and its users, the Delegation looked forward to the appointment of the Intellectual Property Office of Singapore as ISA and IPEA in the Committee for Technical Cooperation and in the PCT Assembly. The results achieved so far under Phase II of the Madrid System Information Technology Modernization Program, as evidenced by the Progress Reports, were laudable. Its launch in early 2015, which would offer users and the offices of contracting parties improved and up-to-date services in regard to registration and administration of international marks, was welcome. Having taken active part in the 11<sup>th</sup> session of the Working Group of the Madrid System, the Delegation fully supported the recommendations for amendments to the Common Regulations which should enter into force on January 1, 2015.

106. The Delegation of Belgium expressed support for the statements made by the Delegation of Japan, on behalf of Group B, and the Delegation of Italy, on behalf of the EU and its member states. The Delegation called for a diplomatic conference on the formal adoption of a DLT to be convened in 2015. Given the maturity of the text, the Delegation did not think any further work in the context of the SCT would be justified after the current Assemblies. Realism, balance and pragmatism were key principles to be taken into account when developing any normative project. However, the status of discussions within the IGC regarding the three texts had led the Delegation to believe that the convening of a diplomatic conference in the near future would not currently be realistic. Nevertheless, the Delegation stood ready to engage in further discussions on a reasonable and efficient work plan for the IGC. With regard to governance, the Delegation emphasized the need for a robust set of guiding principles and guidelines, which would eventually govern the establishment of a coherent network of strategically- located external offices in a small number of states. Transparent, efficient and democratic governance was important for any organization. Working with the Delegations of Spain and Mexico, the Delegation had drawn up a proposal that included a number of practical measures to enhance the effectiveness of meetings. Finally, it was important to establish a culture of transparency in terms of governance and the Delegation welcomed the reports and activities of the WIPO IAOC, IAOD and the External Auditor.

107. The Delegation of Cameroon stated that its country had fully apprehended the impact of the strategic use of IP on the diversification of its production sector and the development of its economy. Thus, a five-year IP development plan had been adopted by the Government of Cameroon. Furthermore, Cameroon welcomed the signature in March 2014 of a partnership agreement with WIPO for the setting up of TISCs. The enthusiasm for and the expansion of this network across universities and research centers augured well for the future of innovation and technological development in the country. Diversification in and development of agri-business products and the cultural industry were the main elements of this strategy. Cameroon strongly campaigned for an intensification of state cooperation and technical assistance, both in terms of infrastructure and in technical and human areas so that the ideals of development, equality and equity espoused by the Organization could become a reality. That was why the Delegation had endorsed the declaration of the African Group presented by the Delegation of Kenya. The Assembly had been called on to take a view on questions that could not be settled in the various technical committees, in particular, the convening of diplomatic conferences in 2015 on the IGC and on the protection of designs and models or the revision of the Lisbon Arrangement. It should be recalled how important Assembly decisions were for the recognition of and respect for IP law that the Organization advocated throughout the world and that delegations relayed back to their respective countries. The Delegation was convinced of the possibility of finding a favorable outcome to these issues, if the work was carried out in a spirit of compromise, consensus and collaboration. In conclusion, the Delegation reiterated the firm will of its country to promote, with the help of WIPO, IP for the purpose of developing the economies of the various States.

108. The Delegation of Croatia commended WIPO's cooperation activities, which strengthened IP legal protection at the global level and provided a forum for dialogue on the development of the IP system. The Delegation welcomed WIPO's efforts to ensure the effective functioning of the international IP registration and filing systems and the increase in the number of filings. WIPO was urged to update and modernize cooperation programs with countries such as Croatia that had finalized the process of transition but were still experiencing specific problems in terms of establishing a fully-developed IP protection system. The particularities of each system should be taken into account when planning and implementing cooperation activities. Such activities should not be limited to the provision of technical assistance for specific developmental goals. A more open and flexible approach should be taken to the promotion of the global IP system. The Delegation appreciated the progress made in recent years, including the adoption of the BTAP and the MVT/Marrakesh VIP Treaty. Regrettably, that success had not been replicated

regarding the adoption of a DLT but hopefully that process would be finalized in 2014. The Delegation noted that work within the SCT had reached a stage where a diplomatic conference could be convened. The Delegation highlighted the need for the WIPO Academy to provide appropriate programs and activities and called on the Organization to continue to support the Summer School on Intellectual Property held in Dubrovnik, Croatia. Proper enforcement of IPRs and success in combating the problems of counterfeiting and piracy depended on the level of public awareness regarding the protection of IPRs. Croatia was ready to share its experiences concerning awareness-raising programs and cooperation with other countries.

109. The Delegation of the Czech Republic associated itself with the statement made by the Delegation of Italy, on behalf of the EU and its member states, and the Delegation of the Czech Republic, on behalf of the CEBS Group. The Czech Republic closely monitored the role of IP in innovation and creativity, competitiveness, economic growth and social development, and was aware of the needs of the digital and knowledge-based society. Accordingly, it welcomed and supported WIPO's efforts towards further improvement of the international normative framework for IP in accordance with technological and economic development in order to respond to new global challenges. The Delegation highlighted its continued commitment to the work of all WIPO committees and working groups, but called for greater efficiency. The work of the SCT in the field of industrial designs was particularly laudable and the Delegation fully supported convening a diplomatic conference to adopt the DLT in 2015, also expressing its conviction that texts elaborated by the SCT were sufficiently technically mature for such a decision. The Czech Republic recognized the importance of the protection of appellations of origin and GIs and continued to support the work of the Lisbon Union Working Group on the development of the Lisbon System to extend and make that international registration system more attractive. The decision of the Lisbon Union Assembly to convene a Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications in 2015 was greatly welcomed. Moreover, the Delegation believed that the work of the SCP would foster discussion on technical issues concerning patent law with a view to patent harmonization. The Delegation also paid great attention to WIPO global databases as sources of valuable technological, patent and other IP information and various knowledge services and supported further development of technical IP infrastructure enabling access to and sharing of this information. The Czech Republic recognized the importance of the work done by the SCCR and especially supported progress towards the long-awaited international treaty for protection of broadcasters' rights. Finalization of that treaty should be the main priority of the SCCR in the immediate future. Ensuring adequate protection at the international level for broadcasting organizations was crucial and an update for the 21<sup>st</sup> century was long overdue. As to the IGC, the Delegation fully shared the view that further discussion on the effective protection of GIs, TK and Folklore was necessary and believed that a new work program for the IGC for next year would be realistic. The Delegation highlighted activities of the ACE for building better understanding of the importance of an effective IPRs enforcement system and for raising public awareness in this area. The Delegation remained committed to the work of the CDIP. Finally, the Delegation expressed its continuing support for WIPO's activities geared towards the improvement of the WIPO global PCT and the Madrid, Hague and Lisbon Systems, which provided valuable global IPRs services to applicants and right holders. As to the WIPO external offices, the Delegation was of the opinion that the proposed guiding principles should be finalized and adopted as soon as possible. In conclusion, the Delegation reported that in 2014, the Czech Industrial Property Office was celebrating the 95<sup>th</sup> anniversary of the establishment of the Patent Office on the territory of the Czech Republic. To mark that anniversary the Czech Republic organized, in cooperation with WIPO, the International Conference on "Industrial Property Protection in Europe", in Prague two weeks prior to the Assemblies, in the presence of the Director General of WIPO, the Czech Deputy Prime Minister, the Minister of Industry and Trade, Presidents of EPO, OHIM, many IP offices from various regions, including Asia, and many representatives of business, industry,

technology, research institutions and academia. The Czech Republic looked forward to future cooperation with WIPO.

110. The Delegation of the Democratic People's Republic of Korea firstly expressed its expectation that the series of meetings would bear fruit and secondly expressed its gratitude to the Director General and his team for their meticulous efforts of organization. Although more than a decade of the 21<sup>st</sup> century had passed, climate change stood as an important challenge to the world, being the main cause of natural disasters and disease, while the global financial crisis persisted. In targeting those challenges, the Democratic People's Republic of Korea considered it essential that the activities of WIPO focus not only on the provision of legal and institutional mechanisms to protect IP but also on the effective use of existing and proven scientific and technological progress in resolving global issues, promoting socio-economic development and improving people's livelihoods. The Delegation appreciated the efforts already made by the Organization to strengthen the global framework for the protection of IP, consistent with the requirements of the knowledge economy era. The BTAP was adopted in 2012 followed by the MVT/Marrakesh VIP Treaty in 2013 and discussions were under way to adopt a DLT, as well as treaties on IP and GRs, TK and folklore. While the Organization's past achievements were appreciable, its activities should also be directed to resolving global challenges. As the post-2015 UN sustainable development goals were being drafted, it was important for the Organization to focus further on IP protection system addresses, global issues in environment, energy, food security and health care through science and technological development. The Delegation emphasized the importance of establishing a well-balanced mechanism for IP to enable scientific and technological success and to contribute to the welfare of humankind as a moral obligation, while protecting the rights of scientists and researchers. It would be necessary to extend support to developing countries to strengthen their ability to set up their IP protection as befitted their particular situation. It was also essential to afford considerable attention to developing countries as they drafted their own national IP strategies and developed their infrastructure. Hence, developed countries should fulfill their commitment of financial aid, fully support the Organization's technical assistance and allow technology transfer to developing countries without any preconditions. Successful implementation of the DA and South-South cooperation needed to be enhanced to narrow the gap between the North and the South and overcome social problems such as the brain drain. Regarding the DLT, the Delegation fully supported the request made by several countries to set out technical assistance for developing countries and hoped that the Organization would strengthen its cooperation with international organizations, including the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Environment Programme (UNEP) and WHO, and continue to pay attention to the tendency to politicize its projects and activities. The President of the Democratic People's Republic of Korea paid close attention to the development of science and technology, as well as the protection of IPRs and urged that science and technology be the means of accelerating the building of a thriving nation. Large-scale activities to boost those aims were being conducted to meet the demands of the knowledge economy era. In the Democratic People's Republic of Korea, many exhibitions, namely the National Scientific and Technical Exhibition, the National Machine Design Festival, the National Industrial Art Design Exhibition, the National Invention and New Technology Exhibition and the National Youth Science and Technological Successes Exhibition, were held annually to increase social awareness on the need for technological development as well as the protection of IP. Assisted by the Organization, the Government of the Democratic People's Republic of Korea was framing a national strategy in order to develop a mechanism for the protection of IP rights and produce more creative and cultural works to reflect the high ideals of its people. In its role as a WIPO Member State, the Government of the Democratic People's Republic of Korea would further develop protection mechanisms for IP rights, fulfill its obligations and enhance its international cooperation in that field.

111. The Delegation of Gambia endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs. The Organization played a vital role in terms of establishing a more balanced global IP landscape in line with the DA. Notwithstanding the tremendous gains made by WIPO in the preceding two years in terms of norm-setting, the Delegation noted with concern the slow progress of the negotiations concerning the norm-setting agenda of the IGC. The Delegation called on all Member States to deliver strong commitment and political will, so that meaningful progress could be achieved within the IGC regarding a treaty. Gambia had made considerable efforts in the fields of norm-setting, institutional capacity-building and awareness-raising with the aim of creating a lasting national IP culture. Gambia had ratified the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks in August 2014. The necessary arrangements for the deposit of the instrument of accession should be completed by the end of 2014 and Gambia was working to ensure that its trademark legislation was compatible with the Madrid legal regime. Similarly, Gambia had ratified the Swakopmund Protocol on the Protection of TK and Expressions of Folklore and had implemented the IPAS. With WIPO's support, a study on the contribution of the copyright industry to the economic development of Gambia had been commissioned. It was vital to reach a critical mass of IP practitioners and Gambia had integrated IP law into university syllabuses. WIPO and ARIPO provided support for an MA program on IP law. Efforts to develop an IP policy with the assistance of WIPO were proving to be successful.

112. The Delegation of Ghana associated itself with the statement made by the Delegation of Kenya, on behalf of the African Group, and expressed its appreciation to WIPO for its contribution to creating the necessary awareness on the importance of IP in the promotion and protection of innovation and creativity as well as the use of the IP system globally as a tool for development and wealth creation. It commended the Organization for the healthy financial situation which resulted in a surplus in the 2012-2013 biennium. It welcomed the considerable progress made in the intense work program of the IGC in the course of the year and hoped that the future work of the IGC would focus on and accelerate the development of an international legally binding instrument. The Delegation noted that significant progress had been made on the proposed DLT, and trusted that the proposal for the inclusion of technical assistance to developing countries would gain consensus to ensure a successful outcome of the process. The Delegation looked forward to a positive outcome for the ongoing work by the SCCR on a new treaty to update the protection of broadcasting organizations and address issues of exceptions and limitations in respect of libraries, archives and educational institutions. It urged all delegations to cooperate in a transparent and flexible manner and build on completed work with a view to attaining consensus on areas that had hitherto been problematic. The Delegation expressed its appreciation to WIPO for the various activities undertaken in Ghana to strengthen the IP system which included *inter alia* Workshops on Building Respect for IP for the judiciary and IP enforcement agencies and a training program on the strategic use of patent information for research institutions and academia. TISC Project for research institutions and universities was awaited. The Government of Ghana was firmly committed to modernizing the national IP regime to support innovation, competitiveness and economic growth and had to that end taken a number of initiatives which included the review of seven IP laws; the passing of the Trademark Amendment Bill in May 2014 which incorporated provisions under the Madrid Protocol extending protection for shape and sound marks, including provisions to reduce trade in counterfeit products; and finally the National IP Policy, scheduled for launching in the near future. The Delegation extended special thanks to a number of countries which included the Government of Switzerland, the State Secretariat for Economic Affairs (SECO) and the Swiss IPO for the continuation of the Swiss-Ghana IP Project aimed at improving the IP landscape and the establishment of a National IPO for Ghana, which cooperation resulted in the review of five IP laws; the Government of the Netherlands for providing training activities in IP; the Korean IP Office and the Korea Inventors Association for continued collaboration with Ghana through the

WIPO-KIPA Patent Competition Program as well as for the follow up activities for the Bee Keeping Project with the Volta Region Bee Keepers Association.

113. The Delegation of Guinea endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs. The Delegation was closely monitoring developments within the IGC. Guinea had huge potential in the field of TK, GRs and folklore, which should be promoted within a regulated framework in order to enable access thereto and share the benefits arising from related exploitation. That interest was fully consonant with the concerns expressed as a part of the “Access and Benefit-Sharing Capacity Development” Initiative and the Nagoya Protocol to the Convention on Biological Diversity. In the early 21<sup>st</sup> century, Guinea had suffered from the counterfeiting by foreign companies of all its traditional crafts sector (textiles, leather and pottery) motifs. What was a vital sector of the national economy had been endangered owing to a lack of effective protection. Consequently, the authorities had been forced to take drastic steps to tackle the problem. The Delegation referred to Kinkeliba, a West African plant used for centuries in traditional societies for food and pharmacopeia and for which a patent was currently being sought by a university in a developed country for identical or similar uses. Shea butter, much used in traditional societies, was suffering the same fate. If that trend continued unchecked, indigenous communities in Guinea would be gradually stripped of their property without recompense, hence the urgent need to define appropriate international mechanisms allowing for the rational exploitation of those resources for the benefit of the communities which owned them, with a view to contributing to poverty reduction and alleviating rural exodus. Accordingly, as the African Group had stated, the Delegation supported the convening, in 2015, of a diplomatic conference on TK, GRs and folklore to adopt a binding international legal instrument for protection. The Delegation also expressed its gratitude to WIPO for all its efforts regarding the implementation of the DA, and, in particular, for the promotion of innovation in Africa. A Conference on creativity and innovation, bringing together government ministers from across Africa and held in the United Republic of Tanzania in 2013, had contributed significantly to increasing awareness among senior decision-makers of the need to invest in intangible assets for the development of a knowledge-based economy. Such an initiative should be replicated to the extent possible. The Delegation hoped for the establishment of a network of TISCs in Guinea, to be preceded by a symposium on training for universities and scientific and technical research institutions, both of which events had been postponed several times. It was common knowledge that Guinea was currently in the midst of an unprecedented health crisis, brought about by an outbreak of the Ebola virus disease in early 2014. The disease, which had spread to a number of countries in the West African sub-region, threatened to undo previous efforts in terms of the social and economic development of the States concerned. The Government of Guinea, led by the President, was doing everything it could to combat Ebola. In a speech delivered to the UN Security Council a few days previously, Mr. Alpha Condé had stated that “Ebola was not inevitable” and that, with concerted action, it would rapidly be overcome. The international community, including WIPO, had a major role to play in tackling the epidemic. The Government of Guinea therefore urgently called on the international community to pool its efforts to organize an effective and coordinated response to the Ebola epidemic, which was a threat to all of humanity. In the Delegation’s view, WIPO should encourage innovation and medical research to enable the pharmaceutical industry to provide affected countries with appropriate medicines and vaccines to treat Ebola and other so-called ‘neglected’ diseases. The Delegation was convinced that WIPO, like any UN agency, would heed the call and make every effort in its field of competence to combat the disease. As to the external offices, as emphasized by the Coordinator of the African Group, the Delegation wished to see two Offices established in Africa and reiterated its support for the Organization and its technical cooperation and capacity-building activities in developing countries, particularly Guinea. Finally, the Delegation expressed the hope that those activities would be strengthened and diversified and their number increased in Guinea to ensure that the country had access to all the tools and services provided to the WIPO membership.

114. The Delegation of Iceland said that the Icelandic Patent Office (IPO) had hosted a seminar in late 2013 on WIPO services and initiatives that had focused in particular on developments concerning the PCT, the Madrid System for the International Registration of Trademarks, the Hague System for the International Registration of Industrial Designs, and the WIPO Arbitration and Mediation Center. The seminar had been well received and a conference would be held in November 2014 by WIPO, the University of Iceland and the IPO on Cooperation Regarding Awareness of IP and University Technology Transfer. The international filing systems were important to Iceland and the number of applications had stabilized over the previous two years. The IPO would soon renew its filing system and IPRs registers, initially for the electronic filing of trademarks and designs, and later for all tasks performed by the IPO. IP professionals in Iceland referred to the databases developed and operated by WIPO on a daily basis, including PATENTSCOPE, ROMARIN and the Global Brands database. A bill on GI protection had been put before the Icelandic Parliament in 2014 and should lead to Iceland's accession to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration. The Delegation supported the convening of a diplomatic conference on a revised Lisbon Agreement in 2015. The Icelandic Patent Office had marked World Intellectual Property Day in 2014 by participating in an exhibition on innovation that had focused on IPRs and their importance to innovation. The first steps had been taken to prepare a national IP strategy and information provided by WIPO, such as the Methodology and Tools for the Development of National IP Strategies, had been most useful.

115. The Delegation of the Lao People's Democratic Republic assured the Assembly of its support for a successful session and welcomed the vision set out in the Director General's Report to the WIPO Assemblies in terms of the DA and addressing key challenges in the field of IP. The Delegation associated itself with the statements made by the Delegation of Bangladesh, on behalf of the Asia and Pacific Group, the Delegation of Benin, on behalf of LDCs, and the Delegation of Singapore, on behalf of ASEAN. Since the 21<sup>st</sup> Century was the era of the knowledge-based economy, a good knowledge of the IP system was key to drawing maximum benefit from innovative and creative capacity. That was particularly true for an LDC such as Laos, which relied on the guidance and expert assistance of WIPO to promote IP domestically. Recognizing the need to protect IP, the Government of Lao intended to develop a National Intellectual Property Strategy and to accede to the Madrid Protocol concerning the International Registration of Marks by 2015. The Delegation welcomed the contributions of WIPO to capacity- and infrastructure-building in Laos and noted that with assistance from WIPO, the Lao Ministry of Science and Technology had developed a road map for establishing a collective management system for copyright and related rights, translated WIPO publications into Lao and organized seminars on IP and economic development and on national IP strategies. Assistance from WIPO experts had also helped Laos to prepare for accession to the Madrid Protocol concerning the International Registration of Marks.

116. The Delegation of Lesotho endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs. As to the work of the IGC, a treaty in that area was long overdue. Lesotho had benefitted from WIPO assistance regarding a number of activities related to the administration of IP, including the preparation of a national IP plan. The plan involved the establishment of TISCs. Work on the national IP outreach program had been intensified. An exhibition had been held on September 13, 2014, and new, cross-sector partnerships had been formed to raise awareness concerning IP. A workshop on training of trainers had been held in cooperation with the Basotho Enterprises Development Corporation (BEDCO) in 2014 and a number of lectures on IP had been delivered at various technical institutes. Work had also been carried out jointly with the Ministry of Trade and Industry, Cooperatives and Marketing to provide training on entrepreneurship and IP for engineering students at the National University of Lesotho (NUL). More seminars had been planned for 2014 in preparation for a national exhibition in 2015. Consultations had also been held with the Ministry of Health on access to medicines. The WIPO Academy had provided

training for staff of the Registrar General's Office. The country had participated in the Academy's Professional Development Program (PDP), with training being provided for Lesotho officials by the Republic of Korea. One Lesotho official had been sent to France to take part in the WIPO/CEIPI Colloquium on Transfer of Technology and Licensing, while another had travelled to Norway to receive WIPO/Norwegian Industrial Property Office (NIPO) training on examination and trademark procedures. It was hoped that further training would be provided on copyright issues. The IPAS had been deployed in Lesotho with WIPO support. The assistance of the Organization and other partners was required regarding IP administration and the establishment and management of collective societies. More training was needed on IP enforcement. The Delegation welcomed the proposed establishment of WIPO external offices and believed that Africa should host at least two such institutions. Any guidelines adopted in that regard should reflect that stance.

117. The Delegation of Malawi endorsed the statement made by the Delegation of Kenya, on behalf of the African Group, which had addressed, among other things, the decision to open two external offices in Africa and the issue of technical assistance in the context of the DLT. Those matters had a direct impact on Africa's efforts to achieve meaningful progress in terms of technological development and social, cultural and economic growth. The Delegation reported on the great strides Malawi had made in the field of IP, including preparation for accession to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. WIPO had provided support in that regard, including assistance concerning a national workshop for Malawian IP officials and other stakeholders to be held in 2015, and the secondment of staff to the IPOs of countries members of and conversant with the Madrid Protocol. The Delegation acknowledged the progress made regarding the work of the IGC and believed that the relevant text was mature enough for a decision to be made during the current Assemblies on the convening of a diplomatic conference. Recognition and protection of GRs, TK and folklore would not only empower the concerned population to commercially exploit their knowledge but would also encourage them to further experiment and build on that knowledge. Lack of capacity prevented LDCs from effectively participating in the IP system and using it for innovation and cultural creativity. The Delegation thanked WIPO for the training it had provided on the IPAS and the JPO for the support it had provided through the Japan FIT for human resource development and capacity building to Malawi. Finally, the Delegation requested the Organization to provide further financial and technical support to enable Malawi to make progress in the field of IP for its social, cultural and economic development.

118. The Delegation of Montenegro expressed its sincere appreciation for the assistance of the Lisbon Registry and WIPO's Department for TDC in coordinating with the Intellectual Property Office of Montenegro (IPOM) organization of the Regional Conference on Protection of Geographical Indications in Podgorica in July 2014. The event covering current issues and trends had been highly successful and the experts engaged by WIPO had contributed greatly to the professional credibility of the Conference. Important IPR events in Montenegro in 2014 included the opening of negotiations on Chapter 7 Intellectual Property Rights in respect of EU accession at the Intergovernmental Conference in Brussels in March, during which it was underlined that further harmonization with the *acquis communautaire* of the EU and the enforcement of IPR rules and regulations would contribute substantially to the technological, scientific, cultural and social development of Montenegro. An MoU signed in February between the IPOM and OHIM aimed to strengthen cooperation between the two Offices, providing for capacity improvements of IPOM staff and IT infrastructure through exchanges of experience, training sessions, and information concerning trademarks and designs and their availability in the TMView and DesignView databases. An EU delegation in April launched an eight-month Twinning Light project to enhance IPR protection in Montenegro, the project comprising components for institution building, harmonization of IP legislation, capacity-building and awareness-raising. The Delegation welcomed prolongation of the Bilateral Cooperation Plan with the EPO for the period 2014-2015, noting that the plan sought to improve the institutional

framework of the IPOM through tailored staff training, IT modernization for the patent system, and support in drafting patent legislation, all with a view to facilitating the accession of Montenegro to the European Patent Convention (EPC). WIPO also had provided in 2013-2014 technical and financial support for the participation of representatives of the IPOM, the Ministry of Economy, enforcement authorities and courts at seminars and study visits to selected IPOs, courses at the WIPO Academy, and attendance at the SCP.

119. The Delegation of Norway emphasized the importance of improving the Member States' ability to monitor WIPO finances and administration. The International Bureau was commended for its continued focus on securing the best available global services under the PCT System, the Madrid System for the International Registration of Marks and the Hague System for the International Registration of Industrial Designs. Smooth systems, ongoing dedication to simplification and cost-savings for the benefit of the users were all crucial to the continued and increased use of global IP services. The relevant Working Groups were making progress in terms of improving regulations, guidelines and practices. Some progress had been made within the Standing Committees but, unfortunately, the outcome on substantive issues had been limited in nature. Norway looked forward to the convening of a diplomatic conference for the adoption of a DLT. The IGC had met three times in 2014. However, the three relevant texts were works in progress and there were diverging views on core issues. Consequently, Norway supported continued focused work in that regard. As to the DA, the Delegation looked forward to continuing work within the CDIP and other committees. The issue of IT standards and technological infrastructure remained an essential one and the experts sitting on the CWS made a very significant and practical contribution to the international and national registration systems. As to developments in Norway, the Patents Act had been amended in May 2014 to allow for accession to the London Agreement on translation arrangements for patents granted by the EPO. If a patent had been granted in or translated into English, a translation into Norwegian of the patent specification would not be required. Amendments had also been made to also allow for English to be used when filing national patent applications or granting national patents. In both cases, patent claims must be translated into Norwegian if the granted patent was in English. The London Agreement and the amendments to the Patents Act should enter into force on January 1, 2015. The Norwegian Copyright Act had been amended in 2014 as a part of work to implement amendments to Directive 2011/77/EU amending Directive 2006/116/EC of the European Parliament and of the Council of December 12, 2006, on the term of protection of copyright and certain related rights. The term of protection for sound recordings in Norway had been extended from 50 to 70 years. An exception was made for sound recordings in audiovisual productions. The amendment had entered into force in July 2014. In June 2014, Norway had signed the 2013 MVT/Marrakesh VIP Treaty.

120. The Delegation of Serbia associated itself with the statement made by the Delegation of the Czech Republic, on behalf of the CEBS Group. Since January 2014, two courts in Serbia had been granted jurisdiction courts of first instance in civil cases on IP, which was adequate for cases in that field. The IPO had, through its Education and Information Centre, provided information to businesses on the advantages of protecting their IP assets and the threats posed by piracy and counterfeiting. In cooperation with the chambers of commerce and the Judicial Academy, 78 seminars, attended by close to 2,000 participants, had been held for SMEs, R&D institutes and universities engaged in the enforcement of IPRs. A sub-regional workshop on technology transfer had been held in Belgrade in September 2014 and an IP school had been organized in cooperation with WIPO as part of initiatives to help the Danube Region. Dedicated work to disseminate knowledge and raise public awareness of IP might explain the 20 per cent increase in the number of patent, trademark and industrial design applications in 2013. Two important studies had been carried out with the support of WIPO: one on the contribution of copyright-based industries to the Serbian economy and another on the impact of Serbian IP policy on innovation. The studies would contribute to domestic policy development, in particular regarding the draft innovation law. Highlighting the WIPO information platform used by the

Serbian Intellectual Property Office, the Delegation noted that IPAS was the main platform for the administration of IPRs and that Serbia had been added to the languages available in the Madrid Goods and Services Manager. The Republic of Serbia would continue to cooperate with WIPO and its Member States to resolve all IP issues and build a harmonized and sustainable system of IPRs.

121. The Delegation of Swaziland endorsed the statement made by the Delegation of Kenya, on behalf of the African Group. The Delegation supported the progress made by the CDIP and looked forward to the implementation of the DA recommendations. As a representative of a country with a wealth of biodiversity that was rich in natural and cultural resources, the Delegation appealed to Member States to show flexibility in developing a legally-binding instrument that would benefit the original owners of such resources and affirmed its full support for convening a diplomatic conference to that end. Similarly, Member States should be flexible with regard to the DLT, in order to build consensus on the provision of capacity building and technical assistance for the treaty and with a view to the convening of a diplomatic conference in 2015. The Delegation supported recommendations concerning the establishment of two external offices in Africa to facilitate IP administration. Thanks to the technical assistance provided by WIPO, Swaziland had made significant progress regarding the review of domestic IP legislation. Pieces of national legislation on copyright and neighboring rights, IP and patents were due to be enacted in 2015. Following a study tour to Botswana that had been facilitated by WIPO, Swaziland had decided to adopt the IPAS. There would be another WIPO mission to Swaziland to oversee the final phase of IPAS implementation in October 2014. The Delegation declared its commitment to supporting all WIPO initiatives and to making IP a vehicle for the socio-economic development of developing countries, and looked to WIPO for support regarding the goal of achieving first world status in all sectors of the national economy by 2022.

122. The Delegation of Sweden informed the Assemblies that since July 2014, national patent applications in Sweden could be processed entirely in English. Sweden believed that this could benefit both national applicants aiming to continue with applications internationally and applicants from outside of Sweden wishing to protect their inventions in Sweden. The Delegation fully supported the statements made by the Delegation of Japan, on behalf of Group B, and the Delegation of Italy, on behalf of the EU and its member states. Sweden emphasized its support for WIPO in its mission for the promotion of innovation and creativity for the economic, social and cultural development of all countries, through a balanced and effective international IP system. To achieve that mission, WIPO needed to be efficient in all its tasks. Sweden continued to welcome and support measures leading to mechanisms that were responsive, transparent and robust over time and geared towards a more efficient WIPO. While the Organization had improved greatly, challenges remained. It was of great importance that WIPO services improve in efficiency and meet customers' needs for the international protection of their intellectual property. Accordingly, WIPO should provide and develop the international legal framework for IP and its infrastructure in order to make best use of IP as a driving force for economic development. The Delegation recognized the capital importance and added value of harmonizing and simplifying design registration formalities and procedures and believed that the immense work performed by the SCT had produced a result enabling final discussions at a diplomatic conference. With regard to the SCCR, the Delegation expressed its gratitude to the WIPO Secretariat for its continuous efforts to move the issues on the agenda forward and reiterated its commitment to participate constructively in the future deliberations of the Committee. The Delegation emphasized the significance of the work carried out by the CDIP and the IGC. Sweden remained committed to participating productively in the work of the IGC and looked forward to the establishment of a work plan for a realistic and balanced result. It was important that the outcome of the IGC's work not adversely affect innovation or creativity or restrict access to a rich public domain. The work of the IGC should be efficient, transparent and Member-State driven. The Delegation reiterated its understanding that any international instrument to be created in the IGC should be non-binding as well as flexible and sufficiently

clear. Sweden was committed to furthering the international harmonization of patent law and emphasized the great importance of the PCT System as well as its commitment to the valuable work of the PCT working group. The Delegation expressed its profound appreciation for the excellent cooperation between the International Bureau and the Swedish Patent and Registration Office in relation to advanced training programs on various aspects of IP, financed by the Swedish International Development Cooperation Agency (Sida).

123. The Delegation of the Syrian Arab Republic expressed appreciation for the Chair, the WIPO Director General and all WIPO's staff for supporting IP development in the Syrian Arab Republic. The Delegation congratulated Mr. Francis Gurry on his unanimous re-election, underscoring that the Director General's efforts and the spirit of cooperation in the Organization would be fruitful, which would positively influence on the development of IP in all areas. WIPO contributed to the modernization of national IP legal and administrative infrastructure, namely the promulgation of Law No. 8 of 2007 on Trademarks, Industrial Designs, Geographical Indications and Unfair Competition; Law No. 18 of 2012 on Patents (covering Utility Models for the first time). The Delegation also mentioned work being undertaken, in cooperation with WIPO, on a National IP Strategy with a strengthened role in developing creativity and innovation for overall development nationwide. The Syrian Arab Republic continued its efforts to support the creators and inventors by organizing the Sixteenth Session of the Basel Exhibition for Creativity and Invention in December 2013, followed by the launch of the first National Creativity and Invention Competition, encouraging innovators, inventors, especially young people to propose their creations and inventions. Youth creativity dictated the duty to support and direct them continually. The Syrian Arab Republic established a high-level committee with the mission of linking all sectors to creativity and invention support process. In addition, the Syrian Arab Republic continued implementation and improvement of a National IP Dissemination Program, including awareness campaigns for schools and universities on the importance of IP and the promotion of creativity. The Program also targeted SMEs and business stakeholders using relevant WIPO information and publications with a customized overview in Arabic. Widely distributed on CDs to all sectors concerned, those publications and materials promoted free-of-charge information services provided by WIPO on patent services, global databases on patent information and public outreach programs. Achievements by the Syrian Directorate for the Protection of Commercial and Industrial Property (DPCIP) included updating of its web site and publishing an IP monthly bulletin in electronic format, with updates on IP developments as well as data on the registration of trademarks, patents and industrial designs in the Syrian Arab Republic. The Delegation looked forward to the conclusion of a WIPO memorandum on the establishment of a National IP Academy in the Syrian Arab Republic. To that end, local infrastructure was already in place to kick start the project which would benefit trainees. WIPO's support was also valued in establishing TICS in the country. In conclusion, the Delegation praised the WIPO Secretariat for elaborating and implementing programs that corresponded to the development needs of developing countries. It also thanked the Secretariat for the preparation and organization of the meetings, and the WIPO Arab Bureau for its cooperation.

124. The Delegation of Togo associated itself with the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin on behalf of the LDCs. The Delegation welcomed WIPO's efforts in the areas of development and creativity, which led to job creation, and noted the efforts to prioritize development action, with due regard for the key role played by science, innovation and technology in promoting competitiveness and economic growth. The Delegation further welcomed the role played by the IP system in LDCs as well as efforts to make development the ultimate goal of the global IP system. Measures had been taken to improve transparency and increase the participation of Member States, as reflected in the Program and Budget for the 2014-2015 biennium. WIPO's considerable efforts had led in June 2013 to the signing of a multilateral treaty in Marrakesh to ease access to published works for the visually impaired and print disabled. Togo greatly valued the work of the various

standing committees, in particular the SCP and the CDIP, and looked forward to the continuation of their work, on the basis of a program that encompassed all stakeholders and supported the DA. Togo supported the continuation of work to improve the trademarks and industrial designs system so as to develop the Madrid System Goods and Services Database (MGS), amend the Common Regulations under the Madrid Agreement and convene a Diplomatic Conference for the adoption of a design law treaty including a legal provision on technical assistance which would take account of the development levels of all Member States. With expert support from WIPO, Togo was amending its law on copyright and related rights in order to comply with the recently signed Beijing and Marrakesh Treaties. The Delegation associated itself with the statement made by the Delegation of Algeria regarding progress in the SCCR. Togo recognized the cooperation between WIPO and LDCs which resulted in the establishment of TISCs in Togo, strengthening the technical skills of public and private sector stakeholders, providing legal assistance for designing policies and strategies for IP, innovation and the facilitation of access to research for development and to specialized patent information. Togo urged WIPO to continue its efforts for LDCs in order to increase their participation in the international economy and to support inventors, researchers, business people and innovators in Togo to find appropriate solutions to the country's scientific and technical problems. Togo also expressed its heartfelt thanks to WIPO for its multifarious assistance, most recently in Lomé on June 10 and 11, 2014 during the high-level meeting organized for members of parliament, participated by member States of the African Intellectual Property Organization (OAPI), Burundi, the Democratic Republic of the Congo, Djibouti and Madagascar, in collaboration with the JPO and the *Organisation internationale de la Francophonie* (OIF). The National Institute of Intellectual Property and Technology (INPIT) of Togo had begun discussions with WIPO's LDC Division with a view to organizing a workshop to raise awareness of IP among Togolese women inventors, whose numbers were ever-growing. Their creativity was felt in various sectors and they often faced obstacles concerning the use of IP tools. Women had already been mobilized nationwide and the Togolese Government relied on WIPO's support to continue these efforts.

125. The Representative of the African Regional Intellectual Property Organization (ARIPO) endorsed the statements made by the Delegation of Kenya, on behalf of the African Group, and the Delegation of Benin, on behalf of LDCs. The Representative stated that cooperation between ARIPO and WIPO was on the increase and contributed to strengthening the working relationship between the two organizations. ARIPO Member States had received WIPO assistance regarding the implementation of the IPAS and had benefitted from the support of the Government of the Republic of Korea concerning the completion of ICT structure. All procedures for the processing of IP titles, including on-line filing, would be automated in the near future. Working in cooperation with ARIPO in the African region, WIPO continued to organize workshops and seminars to raise awareness of the importance of IP for technological development. A WIPO seminar on RBM for heads of IPOs of ARIPO Member States, held in 2013 with the support of the Government of Japan, had contributed to improving management in the region. With the support of WIPO, ARIPO had increased its capacity-building activities and provided training on a wide range of IP-related issues. The Representative welcomed the progress made within the IGC and WIPO activities regarding the harmonization of IP laws.

126. The Representative of South Centre stated that WIPO needed to adopt a development-oriented approach concerning its technical assistance and normative agenda to ensure that IP systems were responsive to the national, economic and social goals of developing countries and LDCs. WIPO was responsible for promoting creative intellectual activity and for facilitating the transfer of industrial property-related technology to developing countries in order to accelerate economic, social and cultural development. The Representative hoped that there would be greater alignment of the Secretariat's medium-term strategy in the period after 2015 to reflect the shared vision of Member States. Developed countries had followed weak systems of IP protection when they were in the early stages of industrial

development. Prior to 1891, the United States of America had been a net importer of copyright material and had only protected national authors. Developing countries needed to benefit from similar flexibility with regard to present-day IP. WIPO's technical and legislative assistance activities should be development-oriented. Public health-oriented approaches to examining pharmaceutical patent applications should be explored. Discussions on building respect for IP should move beyond enforcement and public awareness of IP rights and should also cover the prevention of violations of those rights. The Secretariat and the Member States must continue efforts concerning the full and adequate implementation of the DA and the mainstreaming of development. The conclusion of the MVT/Marrakesh VIP Treaty showed that WIPO could achieve a consensus that responded to clear needs. The Assemblies should provide guidance to the WIPO norm-setting Committees, particularly regarding progress on text-based negotiations within the IGC and the establishment of a concrete work program on limitations and exceptions for libraries and archives.

127. The Representative of the African Intellectual Property Organization (OAPI) stated that WIPO and OAPI were organizations driven by similar aspirations and ideals, namely the wish to: promote the effective contribution of IP to human progress; protect IPRs as effectively as possible; and contribute to the technological development of economically weaker countries. AIPO pursued such ideals in the context of a broad and solidarity-based cooperation with WIPO. Africa's development was linked to the active participation of nationals of African countries in the PCT, as well as in the Madrid, Hague and Lisbon Systems. The Representative took the opportunity to welcome the decision of the Lisbon Union to review the texts to consider allowing intergovernmental organizations responsible for industrial property issues to join the Lisbon System. The Representative was closely monitoring the work of the Lisbon Working Group, and looked forward to the successful completion of the Group's work. The Representative concluded by expressing a wish to see the present session result in concrete and realistic resolutions that would dovetail with the sustainable development of WIPO actions.

128. The Representative of the Eurasian Patent Organization (EAPO) said that the previous year had been marked by efforts to modernize internal processes, extend the range of services available to Eurasian patent system users and improve IT security and usability to ensure that patent experts could work effectively. The Representative noted that the EAPO focused significant attention, not only on developing and improving the legislative framework, but also on improving the quality of examination—and as a result the reliability—of Eurasian patents, and on cooperating with national offices and assisting them with their work. In the context of increased integration in the Eurasian region, the Eurasian patent was ever more requested by applicants from member states of the EAPO. The Eurasian patent system had been intended from the beginning to serve the Eurasian economies and, at the current time, the Eurasian Economic Union already had a reliable instrument in the Eurasian invention patent. In 2014, the Eurasian Patent Office (EAPV) had completed the EAPO 2010-2014 development program, which, despite global economic instability, had allowed it to maintain the positive trend in Eurasian invention applications and the granting of Eurasian patents. At the current time, more than 3,500 applications were received annually from applicants of states parties to the Eurasian Patent Convention, and that trend was holding steady. The EAPV was a modern, hi-tech patent agency that employed the latest technology. The agency had introduced paperless technology to manage applications, publish patent information electronically, maintain electronic archives of applications and provide users with electronic online services and search options. More than 60 per cent of applications for inventions were currently received in electronic form. Significant focus was also placed on developing cooperation with States parties to the Eurasian Patent Convention and their national patent offices. The EAPV was constantly developing areas of cooperation, such as working with national patent offices to train staff, introduce new IT skills and raise awareness and knowledge of the IP system. Training seminars were held regularly at national patent offices and an annual cycle of EAPV work placements for specialists from the national patent offices were funded by the EAPO. In addition, the EAPO financed

annual training for specialists from national patent offices at the Russian State Academy of Intellectual Property and IT training center, Mikroinform. The EAPO made a significant contribution to innovative development in the member states of the Eurasian patent system by providing open access to the Eurasian patent information search system and member states' libraries, R&D centers and universities. The EAPV focused in particular on building international cooperation. The previous year, the EAPV had joined the Patent Prosecution Highway (PPH) project and examiner exchange program at the invitation of the Japan Patent Office. Cooperation with WIPO was also growing and the Representative welcomed the opening of a new WIPO External Office in the Russian Federation and suggested would provide new impetus to the development of the IP system in Russia and to meeting the important challenges of taking the country's economy down a new and innovative path of development. The Representative welcomed the fact that the EAPV regularly worked in partnership with WIPO to hold regional events and participate in training for national patent office specialists. In 2014, the EAPV and WIPO had jointly held a regional seminar in Kyrgyzstan on the legal and practical aspects of patent protection for medicines, which had attracted more than 60 persons, including representatives of WIPO, EAPV, the national patent offices of the States parties to the Eurasian Patent Convention and of Georgia, Uzbekistan and Ukraine, patent attorneys, inventors, patent holders, members of parliament, members of government bodies, representatives from non-governmental organizations in Kyrgyzstan and representatives from pharmaceutical companies Novartis and ActoGeniX. The seminar had adopted a joint resolution confirming the presence under the framework of the global patent system of effective mechanisms to manage national health care policy and the market availability of key medicines, depending on the needs and the economic circumstances of each country. The resolution emphasized the need to continue discussions on the topic at national level. The Representative noted that the holding of such joint events by EAPV and WIPO had provided an example demonstrating the potential for developing further cooperation, not only with regard to training, but in terms of discussions at regional level of issues of significance to the entire global patent system. The Representative expressed the opinion that such cooperation should be continued and extended in the interests of the entire Eurasian region. In conclusion, the Representative affirmed the readiness of the EAPO to continue to be a reliable partner for WIPO in the development of the IP system.

129. The Representative of the Health and Environment Program (HEP) stated that her organization was particularly sensitive to the progress made in the IGC. It was essential that such progress be protected to safeguard the interests of its members and all Cameroonians and to prevent any illegitimate appropriation or piracy. The HEP therefore looked forward to the convening of the diplomatic conference in 2015.

130. The Representative of the Third World Network (TWN) recalled, and emphasized, that WIPO ceased to exist as an Organization only to protect IPRs on the day it became recognized as a Specialized Agency of the UN. The Agreement between the UN and WIPO created a legal obligation for WIPO, stating the following Article 1: "The United Nations recognizes the World Intellectual Property Organization (hereinafter called the "Organization") as a specialized agency and as being responsible for taking appropriate action in accordance with its basic instrument, treaties and agreements administered by it, *inter alia*, for promoting creative intellectual activity and for facilitating the transfer of technology related to industrial property to the developing countries in order to accelerate economic, social and cultural development [...]". The Representative opined that WIPO's central function was clearly to further the UN DA by balancing IP production and enforcement with the development needs of developing countries. The year 2014 marked the 10<sup>th</sup> anniversary of the launch of WIPO's DA. However, the great challenge that led to the WIPO DA remained: namely, to mainstream development orientation in WIPO's activities, especially in the technical assistance program. In the opinion of the Representative, technical assistance programs fell short of serving the development purpose and often directly, and indirectly, advocated measures that were neither practical, nor economically or socially appropriate for the beneficiaries. The Secretariat should draw on

examples of various IP flexibilities utilized by developing countries to meet their specific development needs. For instance, the use of compulsory licenses for HIV/AIDS medicines by Indonesia, or the curbing of patenting of non-substances by Argentina and India. WIPO should go beyond developing technology platforms in order to mainstream development and should facilitate technology transfer on fair and equitable terms. WIPO had a major role to play in furthering the DA and facilitating technology “catch up”, by developing countries. WIPO’s role as an IP service provider should not take precedence over the development aspirations of two-thirds of humanity.

131. The Representative of Knowledge Ecology International (KEI) said that 2013 had seen the successful conclusion of the MVT/Marrakesh VIP Treaty, after five years of negotiation to facilitate the cross-border sharing of protected works for persons who were blind, visually impaired or reading disabled. The Representative therefore urged Member States to ratify the Treaty so that it could enter into force. The SCCR should review technical assistance relating to the Treaty, to ensure that countries had information about implementation strategies. The MVT/Marrakesh VIP Treaty had opened a debate on the “three-step test”, which should continue in order to clarify where the three-step test applied and how it could be evaluated in a manner consistent with social and development objectives. One of the challenges for WIPO would be to fashion a pragmatic strategy for norm-setting in the area of user rights in copyright and exceptions relating to institutions that served end users, such as schools and libraries. WIPO was also addressing outstanding requests for new legal protections for broadcasting organizations. KEI expressed the hope that WIPO would, where appropriate, link norm-setting to the challenges before it, while expanding lawful access to knowledge. Regarding patents and health, the Representative urged the Organization to take note of discussions at the World Health Organization (WHO) on removing the link between R&D costs and the price of products, since it would otherwise be impossible to imagine access to medicine for all, as mandated by the 2001 Declaration on the TRIPS Agreement and Public Health. Emphasizing support for the African Group and DAG submission to the SCP on patents and health, the Representative noted that technical assistance experts often failed to distinguish between compulsory licenses granted under the procedures of Part II of the TRIPS Agreement, concerning patent rights, and those granted under Part III of TRIPS, concerning the remedies for infringement of those rights. The most commonly used mechanisms for obtaining a compulsory license in the United States of America were those associated with Part III of TRIPS, in particular Article 44, by which compulsory licenses were not subject to the restrictions set out in Articles 30 and 31. The Representative therefore supported the African Group and DAG request for the International Bureau to organize a technical workshop on State practice involving the compulsory licensing of medical technologies, including the application of TRIPS Articles 30, 31 and 44. Furthermore, KEI supported the African Group and the DAG’s proposal for the International Bureau to commission a framework study by independent experts documenting state practice on compulsory licensing, including the provision of empirical data on the royalty rates set in each case. The Representative recalled the words of the Ambassador of Chile, who reminded the Assembly that the DA was not a one-off event, but rather an indissoluble part of the Organization. The Representative urged Member States to play a larger role in the management of the office of the Chief Economist for WIPO and WIPO’s work on Global Challenges. It was not clear that those offices were providing support to address the need to overcome access barriers to new drugs for cancer and to identify areas where exclusive rights imposed unacceptable costs on society and failed to stimulate innovation to meet important needs. In that regard, Member States should reflect on the type of economic analysis that would help them to understand the costs and benefits of extended terms for patents and copyrights and to evaluate the merits of alternatives to exclusive rights, including those implemented within the existing WTO TRIPS framework and scenarios that would require changes in that framework. Any system for inducing investment in R&D for cancer drugs that excluded access by 80 per cent of the global population was morally repugnant, and WIPO should be among those engaged in reforming that situation.

132. The Representative of the International Publishers Association (IPA) congratulated WIPO for its efforts to implement the MVT/Marrakesh VIP Treaty, which the IPA fully supported, and for the launch of the Accessible Books Consortium, which would complement the MVT/Marrakesh VIP Treaty. The IPA had been a contributor to that process through its work on the Accessible Books Charter. This was an example of public-private partnership and an alternative to a norm-setting agenda. Other areas of work had been less successful, particularly the normative agenda. While some obstacles were technical and others political, on some normative agenda items there was a fundamental disagreement between Member States. For example, the IGC negotiations and the many meetings in the past year had shown fundamental disagreements as to the nature, format, content, and objective of any instrument in that area, along with numerous specific issues. These disagreements also persisted in the SCCR, in the area of limitations and exceptions for libraries and archive and for educational purposes. These disagreements arose in particular because while discussions in the Assembly focused on normative changes of an international treaty which might come into effect in five or ten years and what national changes to legislation might ensue, actual changes were in fact dramatic. Never before had so much information been available at such low cost to so many. Changes were particularly dramatic in the area of eLending and preservation where there were new partnerships, new business startups and new services, alternately in collaboration and in competition with publishers and libraries, making works accessible to people around the world. Similarly, in the area of education, a large number of on-line courses were now available, as were distance learning systems and open educational resources. In discussing the DA in the context of access to knowledge, it was important not to look to the industrialized countries. The true knowledge yet to be unearthed, the true DA focus, lay with the creators, teachers, scientists and authors in the developing world. Their content, information and wealth of knowledge had yet to be made discoverable and available to the world. The IPA looked forward to a WIPO agenda which addressed the provision of incentives to people in the developing world to create more content and make it available to all.

133. The Representative of Electronic Information for Libraries (eIFL.net), which partners with library consortia in more than 60 developing and transition economy countries, and of the International Federation of Library Associations (IFLA), which represents library professionals in more than 150 countries, focused on the work of the SCCR, and thanked Member States for engaging with libraries in the SCCR, in particular for the proposals on key topics affecting such core activities as the preservation of national culture and heritage. The Representative believed that norm-setting activities at WIPO should be problem-related and evidenced-based, which was why librarians and archivists from organizations spanning Africa, Australia, Canada, Europe, Latin America and the United States of America had come to SCCR sessions that year to present a great number of real situations involving legal obstacles encountered in the course of working to support access to knowledge and education, particularly in the digital environment. The Representative took the view that such concrete examples illustrated clear, cross-border dimensions since library and archive collections in one country often contained materials of cultural and historical significance to people in other countries. The Representative stressed the value of a multilateral system able to provide for people everywhere, regardless of economic circumstances or stage of development, able to support institutions such as libraries and archives serving the public interest, and able to insulate from pressures that might otherwise occur in bilateral circumstances, as had been raised in the previous session by the Delegation of India. The Representative respectfully requested that Member States adopt a decision on the future work of the SCCR that would ensure equal commitment to all topics on the Agenda addressing limitations and exceptions for libraries and archives, for education, and for persons with disabilities, in line with the mandate of the General Assembly to mainstream DA recommendations into the work of relevant WIPO bodies.

134. The Representative of the International Video Federation (IVF) explained that the Federation represented companies and individuals involved in all areas of the film and audio-visual sectors. Some of the Federation's members specialized in publishing audio-visual content on digital media and/or digital networks, including the Internet. Producing audio-visual works required talent, commitment and substantial financial investment. WIPO's international copyright framework was essential in securing protection for the rights of creators and made investment in development, production and distribution possible. Public funding, tax incentives and advertising revenue alone could not sustain the emergence and successful development of a thriving audio-visual sector. Copyright was indispensable. The international copyright framework was neither broken nor unbalanced and had delivered unprecedented cultural creation, production and distribution and increasingly broad and global access. However, the implementation of that framework had raised many challenges worldwide, including in many developing countries seeking to adapt to digital technologies. The Representative expressed regret at the deadlock within the SCCR. Although limitations and exceptions were indeed important, better results could be obtained through the sharing of experiences concerning the implementation of the existing normative framework and through technical assistance and capacity building. The Representative endorsed a development-oriented agenda for WIPO, consistent with its mandate. WIPO could play a critical role in assisting its Member States in updating their domestic copyright framework, strengthening their cultural sectors and making sure that copyright exceptions functioned. Such work required a Member State-driven, technical, balanced approach. Member States must retain existing flexibilities to implement treaties in accordance with their local realities and interests.

135. The Representative of the North American Broadcasters Association (NABA) said that the Association had participated in many meetings of the SCCR over the years. NABA's principle interest in recent years had been the updating of the framework for international rights and protection of broadcasting organizations to meet the challenges of the digital era. Other aspects of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations had already been updated in 1996, leaving broadcasters as the last group of stakeholders whose situation had not been addressed by a treaty update. Work on a proposed new broadcasting treaty had been a long, drawn-out project and an agreement had yet to be reached. As time had passed, broadcasters had begun to lose hope that WIPO could achieve its objective within the SCCR. The final decisions needed to move forward to a diplomatic conference had not been taken. While a number of legal and policy issues had to be resolved, procedural impediments, including competition between the diverse issues on the SCCR agenda, made constructive work more difficult. Member States should give serious consideration to measures designed to render the SCCR and other Committees more efficient and productive. Broadcasting organizations continued to struggle against signal piracy and unauthorized uses of their signals. Such activities damaged the interests of broadcasting organizations, authors, producers, rights owners and public audiences worldwide. The Representative urged the Assembly to set out a concrete plan for accelerated work on a treaty on the protection of broadcasting organizations in order to bring the matter to a diplomatic conference in 2016.

136. The Director General thanked all delegations for their generous comments about the work of the International Bureau and the Secretariat. He said that he had listened with great care and attention to all observations that had been made on the ways in which program performance could be improved. In response to the question from the Delegation of Panama on implementation of JIU recommendations, he said that this had, of course, been discussed at great length by the PBC and that the Secretariat had given a detailed response on how it intended to respond to all of those recommendations. The Secretariat was very pleased with the JIU's report. It thought that it was a very good and favorable report, when compared to other management and administration reports, which were done for all organizations at a rhythm of roughly two per year. The Secretariat embraced all the recommendations that concerned the

Secretariat. A couple of recommendations were, of course, directed to Member States specifically, such as those concerning governance issues. These issues would be discussed under Agenda Item 12 on the PBC report. The Director General concluded by thanking delegations once again for all their observations and their close attention to the details of program implementation.

## ITEM 6 OF THE CONSOLIDATED AGENDA

### ADMISSION OF OBSERVERS

137. Discussions were based on document A/54/2.

138. Introducing the agenda item, the Legal Counsel drew the attention of the Member States to document A/54/2 on the admission of observers. He said that the Secretariat had received one application for observer status in the category of intergovernmental organizations, namely from the Eurasian Economic Commission (EEC), as listed in paragraph 4 of the said document.

139. He said that the Secretariat had also received ten applications for observer status from international non-governmental organizations that were listed in paragraph 7 of the document, that is: (i) *Agence pour la protection des programmes* (APP); (ii) Center for Responsible Enterprise and Trade (CREATE.org); (iii) Innovation Insights; (iv) Intellectual Property Owners Association (IPO); (v) International Authors Forum; (vi) IP Federation; (vii) Patent Information Users Group (PIUG); (viii) Pirate Parties International (PPI); (ix) The Egyptian Inventor Syndicate; and (x) *Traditions pour demain*.

140. The third and final category of applicants for observer status were national non-governmental organizations listed in paragraph 11 of the document: (i) Chartered Institute of Library and Information Professionals (CILIP); (ii) Club for People with Special Needs Region of Preveza (CPSNRP); and (iii) Non-Commercial Foundation for Development of the Center for Elaboration and Commercialization of New Technologies (Skolkovo Foundation).

141. The Legal Counsel also drew the attention of the Member States to paragraphs 6, 9 and 13 of the document that invited the Assemblies of the Member States of WIPO to take a decision on the requests for admission of observers by the organizations he had just read out.

142. The Delegation of the United States of America stated that it could not support the admission of the Pirate Party International (PPI) as an observer in WIPO. It stressed that this was not because of PPI's ideology, but because it was a federation of national political parties. The Delegation pointed out that there had never been a political party admitted as an observer in WIPO, despite the fact that the Organization had over 370 active observers. In that respect, its Delegation was opposed to the admission of PPI as an observer, which signified that there was no consensus.

143. The Chair thanked the Delegation of the United States of America for its comments and observed that, as there were no other requests for intervention on the agenda item, she took note that consensus had been reached on all other requests for observers except one, and went on to propose the following decision for the agenda item:

“The Assemblies of Member States of WIPO, each in so far as it is concerned, decided to grant observer status to one intergovernmental organization, nine international non-governmental organizations and three national non-governmental organizations, as referred to in paragraphs 4, 7 and 11 of document A/54/2.”

#### Admission of an Intergovernmental Organization as Observer

144. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the Eurasian Economic Commission (EEC).

#### Admission of International Non-Governmental Organizations as Observers

145. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following nine international non-governmental organizations: (i) *Agence pour la protection des programmes* (APP); (ii) Center for Responsible Enterprise and Trade (CREATE.org); (iii) Innovation Insights; (iv) Intellectual Property Owners Association (IPO); (v) International Authors Forum; (vi) IP Federation; (vii) Patent Information Users Group (PIUG); (viii) The Egyptian Inventor Syndicate; and (ix) *Traditions pour demain*.

#### Admission of National Non-Governmental Organizations as Observers

146. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following three national non-governmental organizations: (i) Chartered Institute of Library and Information Professionals (CILIP); (ii) Club for People with Special Needs Region of Preveza (CPSNRP); and (iii) Non-Commercial Foundation for Development of the Center for Elaboration and Commercialization of New Technologies (Skolkovo Foundation).

### ITEM 7 OF THE CONSOLIDATED AGENDA

#### APPOINTMENT OF DEPUTY DIRECTORS GENERAL AND ASSISTANT DIRECTORS GENERAL

147. See the report of the session of the WIPO Coordination Committee (document WO/CC/70/5).

### ITEM 8 OF THE CONSOLIDATED AGENDA

#### DRAFT AGENDAS FOR THE 2015 ORDINARY SESSIONS OF THE WIPO GENERAL ASSEMBLY, THE WIPO CONFERENCE, THE PARIS UNION ASSEMBLY AND THE BERNE UNION ASSEMBLY

148. See the report of the session of the WIPO Coordination Committee (document WO/CC/70/5).

### ITEM 9 OF THE CONSOLIDATED AGENDA

#### REPORT BY THE WIPO INDEPENDENT ADVISORY OVERSIGHT COMMITTEE (IAOC)

149. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

## ITEM 10 OF THE CONSOLIDATED AGENDA

### REPORT BY THE EXTERNAL AUDITOR

150. Discussions were based on documents A/54/4 and A/54/5.

151. The Chair welcomed the External Auditor.

152. The External Auditors delivered their report as follows:

“Honourable Chair, Distinguished delegates, Excellencies,

“I convey to you all the greetings and compliments of Mr. Shashi Kant Sharma, the Comptroller and Auditor General of India. It is my privilege to present to you today, on his behalf, the results of the external audit of the World Intellectual Property Organization (WIPO) for the financial period ended December 2013. I thank this august Assembly for giving me this opportunity.

“The audit of WIPO was assigned to the Comptroller and Auditor General of India for the financial years 2012 to 2017 in terms of approval of the WIPO General Assembly's Fortieth (20th Ordinary) Session, Geneva, held from 26 September to 5 October, 2011. The scope of the audit is in accordance with the regulation 8.10 of the Financial Regulations and principles set out in the Annex to the regulations.

“The audit was conducted in accordance with the International Standards of Auditing issued by the International Federation of Accountants (IFAC) and adopted by the Panel of External Auditors of the United Nations, its Specialized Agencies and the International Atomic Energy Agency, Auditing Standards of the International Organization of Supreme Audit Institutions (INTOSAI), and Regulation 8.10 of the Financial Regulations of the WIPO Additional Terms of Reference governing the audit of WIPO set out in the Annex to the Financial Regulations.

“We acknowledge that this year our report was delayed. It was because we had to factor in various issues which required detailed consultations with management to make informed assessment and recommendations. In future, we will ensure that our report is issued as per the agreed timeline.

“Our audit report contains 20 recommendations. The recommendations had been finalized after obtaining the response of the Management on our audit findings. I am happy to report that WIPO has accepted most of our recommendations and these were discussed in the PBC meeting as well. The implementation of the recommendations will be monitored periodically.

“In addition to expressing an opinion on the financial statements of WIPO, our audit coverage included areas on the economy, efficiency and effectiveness of the financial procedures, the accounting system, the internal financial controls and the general administration and management of WIPO. The areas covered as part of the cycle of audit were:

- WIPO Program 9 – “Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries”; and
- Construction of the New Conference Hall Project (NCHP).

## **Audit opinion on the 2013 Financial Statements**

“The Audit opinion for the financial period 2013 revealed no weaknesses or errors which we consider material to the accuracy, completeness and validity of the financial statements as a whole. Accordingly, we have placed an unqualified audit opinion on WIPO’s financial statements for the financial period ended 31st December 2013.

“I shall now briefly dwell on the major findings of our audits conducted during the year and our recommendations flowing from them. I will start with financial matters.

### **Financial Matters**

#### *Creation of a separate reserve for financing projects*

“In our report for the financial year 2012, we had recommended that WIPO may consider the creation of a separate reserve for the purpose of financing projects. However, the financial statements of WIPO for the year 2013 did not disclose any separate reserves for the purpose of financing projects. We reiterated our recommendation that WIPO may ensure the creation of a separate reserve for the purpose of financing projects and reflect the same in the financial statements to provide a better understanding of the transactions related to the utilization of accumulated surplus/reserves.

“We noted that the management has now submitted a document on this issue to the Member States during the PBC meeting. We shall continue to work with management for an early resolution of this issue.

#### *Other issues*

“We also made recommendations with regard to the adjustment of fees for already filed applications from the PCT Debtors account, and maintenance of accounting data related to fees received and receivable in respect of PCT applications in the related currencies.

“It was also recommended to review and update the demographic assumptions adopted in the actual evaluation of post employment benefits.

### **Program 9 - Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries**

“The objective of Program 9 is to strengthen sustainable IP capacities, national IP strategies and policies, legislative and regulatory frameworks, institutional and technical infrastructure and human resource capacity building in developing countries and LDCs, enabling effective use of IP for development, besides enhancing domestic innovation and creativity in their respective countries.

#### *Development Agenda (DA) recommendations*

“The adoption of the DA is an important milestone for WIPO. It was formally established by WIPO’s Member States in 2007, in a decision which included the adoption of 45 DA recommendations. We consider that DA recommendations are constantly and concurrently relevant to the Organization’s activities and objectives, and we, therefore, recommended that WIPO needs to consider all relevant DA recommendations while formulating technical assistance activities.

### *Country plans*

“The country plan is a jointly agreed document between the country and WIPO which provides a tailored and comprehensive framework for planning and delivering WIPO’s technical assistance to a country within a biennium. Despite the paramount importance of this document, we found that plans were prepared in only 60 countries out of 138 countries.

“We recommended that the WIPO Secretariat may develop a standard operating procedure for the formulation of country plans. The formulation of country plans may also be considered as one of the performance indicators for monitoring and performance evaluation of the Regional Bureaus under this program.

### *Tracking of development expenditure*

“The Tracking of financial resources and reporting thereon to stakeholders is a basic requirement of prudent and transparent financial management. In this regard, the Program and Budget document 2012/13 mentioned that, “the Organization in 2012/13 would focus on ensuring a more robust tracking of actual development expenditure, which would result in improved ability to report to Member States on the actual expenditure. In the long term, with the full implementation of the ERP system, both planning, tracking and reporting on the development dimension of WIPO’s activities would become fully integrated into the financial and management systems of the Organization”. We therefore recommended that WIPO may continue implementation of a robust tracking system to ensure availability of data on actual development expenditure against the estimates.

### *Internal control*

“The Risk Management Framework is a good initiative by WIPO to enhance the internal control mechanism. We observed that the risk register of Program 9 was not updated and no risks were identified by the LDC Division and the Special Projects Division. We, therefore, recommended that the quality of the risk registers may be monitored on a regular basis by the Deputy Director General of the Development Sector.

### *Planning for the new conference hall (NCHP)*

“The detailed proposal document and other related papers/documents did not provide the essential information about the proposed NCHP. We consider that the proposal should have contained a cost benefit analysis of the proposed investment in the construction of the NCHP based on the cost of construction and the operation and maintenance in present value terms. We, therefore, recommended that all future proposals for construction projects may contain a cost benefit analysis of the proposed investment based on the cost of construction, operation and maintenance in present value terms.

### *Selection of the General Contractor (GC)*

“The contract was awarded to the GC despite the fact that the Secretariat was aware of the difficulties being caused by the GC in the New Construction Project (NCP). Against this background, we recommended that past performance of a contractor, particularly in respect of projects implemented for WIPO, may be accorded due weightage in the criteria for selection.

*Management of the contract with the GC*

“We noted that no specific project milestones were prescribed in the “fixed price contract” for monthly payments and payments were made without ascertaining the progress made by the GC. Therefore, we recommended that payments to the contractor should be linked with construction milestones.

*Quality control in the construction*

“Though the quality specifications were stated in the contract, the Inspection and Test Plan did not form part of the contracts to ensure compliance with contract conditions. We, accordingly, recommend that quality control measures should be incorporated in contracts relating to capital projects.

“In conclusion, on behalf of the Comptroller and Auditor General and all my colleagues who were deputed to conduct the audit of WIPO, I wish to place on record our appreciation of the cooperation extended to us by the Director General, the Secretariat and the staff of WIPO.

“I thank the honourable Chair and the distinguished delegates for affording us the opportunity to present the findings before you. Thank you.”

153. The Delegation of the United States of America welcomed the clean audit opinion. Reviews by the External Auditor were an important part of WIPO's oversight structure. The unqualified opinion for WIPO stated that the financial report was transparent and thorough and that no important fact had been hidden. This did not necessarily mean that funds had been used in the most efficient and effective manner. The Delegation was deeply concerned by information within the report which indicated that WIPO had overpaid the GC for the NCHP, had failed to collect penalties that it was entitled to and had engaged in poor management of the contract. The Delegation appreciated the report to the PBC on the NCHP as well as the monthly reports that WIPO had been posting on its web site. Further information was required as to why the Organization had failed to collect penalties. The Secretariat's openness to the use of the New Conference Hall by other entities was appreciated and the Delegation looked forward to receiving further information about the possibilities that this could offer. None of WIPO's activities should be affected by the rental of the premises. WIPO was in an extraordinary position compared to other international organizations, given the availability of ample reserve funds with which to finance projects. Nevertheless, this did not mean that WIPO could relax project oversight. In fact, WIPO's financial position permitted an increase in oversight mechanisms.

154. The Delegation of Spain thanked the External Auditor for the quality of the report and congratulated the Secretariat for the clean audit report on the financial statements. It wished to stress the importance of the recommendation relating to the possible improvement in the way in which reserves were used. There should be increased transparency and clarity regarding the use and the amount of reserves. The Delegation agreed with the recommendations concerning the conference hall, particularly the one regarding a better cost benefit analysis in future reports. It also wished to be informed in the future about the ways in which the hall could be shared with other organizations nearby. The Delegation was also very concerned by the apparent divergence of views between the Secretariat and the External Auditor regarding certain facts. There was not much controversy as to recommendations but some of the facts had raised some disagreement. It wished the External Auditor to review this in the following year's report and to take a little more time to do so since they had been short of time this year. Together with the Secretariat, the External Auditor could seek to clarify misunderstandings and give a more updated version of the report to Member States. This would allow a final determination and view of these particular facts.

155. The Delegation of India thanked the External Auditor for their presentation as well as for their detailed report. Due note had been taken of the unqualified opinion and the fact that the financial statements of the Organization presented a fair view of the Organization in all material aspects for which WIPO management deserved full appreciation. The Delegation had also taken note of the substantive observations and specific recommendations made in the report relating to reserves and the fact that in the Program and Budget document 2014/15, only five DA recommendations were included to guide program 9, as opposed to the inclusion of 22 and 27 DA recommendations in 2010/11 and 2012/13 respectively. The Delegation recognized that there was currently no clear definition of development expenditure. Certain observations referred to the fact that the current definition of development expenditure was silent about the nature of and continued impact of activities on IP development. The Delegation was sure that these observations and others contained in the report would help Member States to apply a definition more effectively in the future. With regard to recommendation 5, it believed that relevant DA recommendations should be applied to all programs for effective implementation of the DA adopted by the Member States of WIPO. This was an important milestone which should be recognized and ways should be found to guarantee a more inclusive and development oriented IP system. The Delegation supported recommendation 7 according to which WIPO had been requested to clearly define development expenditure. This would ensure effectiveness within programs and activities. There were several useful recommendations made in relation to construction projects. The recommendations referred to monetary, procedural and contractual issues and deserved careful consideration by WIPO management.

156. The Delegation of Kenya thanked the External Auditor for the report and reiterated its request, as expressed during the PBC, that the Secretariat should implement the recommendations in full.

157. The Secretariat assured Member States that most of the recommendations made by the External Auditor had been accepted. A number of delegations had raised remarks about some of the aspects that the External Auditor had raised in their recommendations related to the construction projects. All of the payments made to the contractors and everything done within the construction project had been in line with norms and the applicable Geneva municipal provisions. The recommendations concerning construction contracts would, of course, be applicable, as far as possible, to all future projects. In 2015, a report would be issued to the PBC and from the PBC to the General Assembly, which would cover the closure of the NCHP and lessons learned. There would be a continued dialogue with the External Auditor on the issues which had given rise to some divergence in the understanding of facts.

158. The Assemblies of the Member States of WIPO and the Unions, each as far as it is concerned, took note of the Report by the External Auditor (document A/54/4).

#### ITEM 11 OF THE CONSOLIDATED AGENDA

##### SUMMARY ANNUAL REPORT OF THE DIRECTOR OF THE INTERNAL AUDIT AND OVERSIGHT DIVISION

159. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

#### ITEM 12 OF THE CONSOLIDATED AGENDA

##### REPORT ON THE PROGRAM AND BUDGET COMMITTEE

160. Discussions were based on documents A/54/5 (List of Decisions Taken by the Program and Budget Committee at its Twenty-Second Session (September 1 to 5, 2014)), A/54/6 Rev.

and Corr. (Program Performance Report for 2012/13), A/54/7 (WIPO Accountability Framework), A/54/8 (Financial Management Report for the 2012/13 Biennium), A/54/9 (Status of the Payment of Contributions as at September 1, 2014), A/54/10 (Annual Financial Report and Financial Statements 2013), A/54/11 (Progress Report on the New Construction Project and the New Conference Hall Project), A/54/12 (External Offices), and WO/GA/46/11 (Proposed Amendments to the Financial Regulations and Rules (FRR)).

161. The Chair noted that Agenda Item 12 covered all issues discussed by the Program and Budget Committee (PBC) at its 22<sup>nd</sup> session, except those to be discussed under the heading "Audit and Oversight". The Chair specified that nine documents were under consideration and that, as stated on Monday, the issue related to external offices included under this agenda item had been referred to the WIPO General Assembly by the PBC and added that informal consultations were currently taking place on the matter. The Chair invited the Secretariat to report on the results of the PBC, except on external offices.

162. The Secretariat presented document A/54/5 containing the List of Decisions Taken by the PBC at its 22<sup>nd</sup> session held from September 1 to 5, 2014. At the outset, the Secretariat wished to update the Assemblies on the status of the payments of contributions by Member States. The Status of the Payment of Contributions (document A/54/9) contained information concerning the arrears in annual contributions and in payments towards the working capital funds as at September 1, 2014. The following countries had since made payments in this respect: Eritrea (contribution of 1,424 Swiss francs for 2014); Guyana (contribution of 2,849 Swiss francs for 2014); Jamaica (contribution of 2,849 Swiss francs for 2014). In addition, some minor deductions had been made from the Madrid/Hague fees, as follows: Côte d'Ivoire (221 Swiss francs); Mali (21 Swiss francs); and Niger (21 Swiss francs). Regarding the Program Performance Report (PPR) for 2012/13 (document A/54/6 Rev.), the Secretariat announced that a factual correction had been received from the Delegation of India. This correction would be reflected in a further revised version of the PPR to be posted on the Assemblies' web site as soon as possible. As stated by the Chair, the PBC had engaged to make progress on all agenda items during its 22<sup>nd</sup> session. The Committee had taken decisions and had made recommendations in respect of all items of the agenda, except the items related to governance (Item 20 of the PBC agenda) and the definition of development expenditure (Item 22 of the PBC agenda), where progress had been made during the session, and which had been concluded through the Chair's summaries, as reflected in the document containing the List of Decisions.

163. Before opening the floor, the Chair recalled that delegations had already engaged very constructively and had had ample opportunity to express their views on all of those matters at the PBC held earlier in the month. For the sake of efficiency, the Chair indicated that delegations might wish to refer to their interventions at that time, or they might also wish to submit full written statements to the Secretariat who would reproduce them in their entirety in the report. The Chair also reminded delegations that it was not necessary to take the floor to endorse or repeat statements made by Regional Coordinators.

164. The Delegation of Kenya wished to register its desire to have decisions in respect of the definition of development expenditure and governance, given that those issues had been discussed during the PBC. Statements had been delivered which were still valid in regard to those two topics. A decision was needed with regard to how to move forward in respect of the definition of development expenditure and the issue of governance. The Delegation's preference was for an informal mechanism which would enable Member States to discuss and resolve the small issues still left pending, especially with regard to development expenditure where Members had been very close to reaching agreement. If that momentum was lost, then, by the next PBC, the discussion would begin afresh. The Delegation thought that perhaps a little time could be spent to see whether an agreement could be finalized on that particular issue. Then, the new definition could be used in the preparation of the 2016/17 Program and

Budget to be discussed at the next PBC. Regarding governance, the Delegation recalled a recommendation by the JIU which called for the General Assembly to look into this issue. The African Group had stated very clearly that it wished for a comprehensive approach so the membership could look at the recommendations, including the options presented by the JIU and the proposals put forward by Member States in the past. It also recalled a proposal made by the Delegations of Belgium, Mexico and Spain during the last PBC. The Delegation thought that a comprehensive approach was needed with respect to governance, so that Member States could have an agreement in line with the JIU recommendations as well as the proposals presented and comments made by Member States in the past.

165. The Delegation of Spain wished to comment on the paragraphs for Items 16 and 20 on the List of Decisions document. The decision on Item 16 (on investment policy) read that a separate investment policy was going to be presented for financing medical insurance for retirees (After-Service Health Insurance (ASHI)). The Delegation hoped that this was not going to change the decision of the previous year where, under the subject of medical insurance, according to which the Secretariat was to provide details regarding the amount of liabilities created. The Delegation hoped that the revised investment policy proposal would comply with the previous year's PBC decision on measures to contain ASHI liability. Secondly, with regard to the text on Item 20, the Delegation fully agreed with the report and believed that it reflected the fact that Member States had been close to an agreement in the last PBC. Based on the possibility of taking long-term measures, structuring the important debate on governance for months to come, or whenever Member States would consider it appropriate, the Delegation believed that Member States should try and reach an agreement at the present Assemblies, which would help them take short-term measures to improve the efficiency of meetings. This had been noted by many delegations. Member States could set out a path for possible negotiations on more structural issues, thus complying with the recommendations of the JIU and the request addressed to the Chair of the General Assembly to promote this dialogue with Member States.

166. The Delegation of Algeria referred to the PBC report (document WO/PBC/22/29), particularly to Items 11 (related to Annual Financial Report and Financial Statements 2013) and 20 (on governance). It stated that the PBC debate on Item 11 had included discussion on the issue of development expenditure. The Delegation wished to see that discussion continue, the end goal being that of reaching a more global and comprehensive definition of development expenditure so that Members could decide what WIPO's precise contribution was to the DA in budgetary terms. The Delegation stressed that it wanted to have a tangible definition that would be applied in the forthcoming biennium. Therefore, as said by the African Group Coordinator, the Delegation wished to launch consultations, whether formal or informal, in order to resolve this issue. The second point raised by the Delegation related to governance, an issue that was very dear to the Delegation's heart. It was very important, as Member States had to ensure that governance within WIPO was effective and transparent. For that reason, the Delegation recalled the recommendations made by the JIU. Those recommendations directly called on the General Assembly to discuss the issue of governance and ensure that practices followed within WIPO were in line with WIPO's own Convention and its own Rules of Procedure. They also stated that more constructive dialogue with Member States was needed. That being so, the Delegation wished to know what kind of follow-up had been given to the letter sent to the Chair of the General Assembly on the issue of governance and inquired what the Chair's plan was for discussing this issue. In closing, the Delegation reserved the right to come back to this point in the light of further discussion on this agenda item.

167. The Chair took note of the Delegation of Algeria's support to the points made by the Delegation of Kenya. The Chair also took note of the questions directed to her and said that she would come back on all of them.

168. The Delegation of Japan, speaking on behalf of Group B, thanked the Secretariat for the report on the discussion at the PBC. With respect to governance, Group B reiterated that the discussion on the improvement of the Organization should proceed based on concrete and actual programs. Governance reform should not be undertaken for the mere purpose of change for change's sake. From that perspective, Group B could not see the necessity of significant changes in the governance structure of the Organization. The governance of WIPO had been clearly improved as a result of results-based management (RBM) and the Strategic Realignment Program (SRP). At present, Member States should focus on discussing any concrete problems in that field. In this regard, Group B was ready to engage in discussion on possible mitigation measures based on actual and concrete programs and an official process led by the Chair of the General Assembly or a dedicated person such as the PBC Chair. Group B welcomed that process. The discussion could include short-term measures contained in the proposal by the Delegations of Belgium, Mexico and Spain presented at the last session of the PBC, committee structure issues and some issues from the JIU report, which had also been mentioned at the PBC, including the comprehensive background document related to the governance framework of the Organization. At the same time, the Delegation underlined that Member States should not rush to a decision at the present General Assembly session by having informal consultations, if there were no clear areas of consensus. Taking account of the Chair's words of wisdom that issues not settled at the committee level should not be brought to the General Assembly, the Delegation pointed to the fact that governance was not listed as an agenda item for the present session of the General Assembly. The Delegation added that the issue of the definition of development expenditure should be resolved according to the same principle.

169. The Delegation of Mexico wished to comment on the PBC report, especially Items 13 (Annual Report on Human Resources) and 20 (on governance) of the PBC agenda. The Delegation recalled that the PBC had had a very interesting and constructive debate under Item 13. The Delegation wished to go along with the recommendation to the Assemblies i.e. that suggestions made by Member States, both in the PBC and at the Assemblies, should be included and duly taken on board in the preparation of future annual reports on human resources. The Delegation also endorsed the statement made by the Delegation of Spain on medical insurance costs following retirement or separation ASHI and requested that the Secretariat include the PBC recommendation in the revised investment policy, to adopt measures to contain those significant costs borne by the Organization. The Delegation referred to the PBC Agenda Item 20 (on governance) and noted that, as already mentioned by other delegations, the PBC had had a very constructive debate on governance related matters, including the proposal by the Delegation of Mexico (supported by the Delegations of Belgium and Spain), which had received support from other delegations. As the Delegation had stated in its opening statement, it was aware of the importance of continuing the debate on governance at the present Assemblies and added that it was more than ready to initiate dialogue on this issue in order to come up with a roadmap which would help Member States move forward. The Delegation thought that this would, at least partly, meet some of the JIU report recommendations concerning governance.

170. The Delegation of South Africa supported the proposal and the statement made by the Delegations of Kenya and Algeria with regard to two issues, the first being governance. The Delegation considered it an important issue, concerning which a recommendation had been made in the JIU report. The Delegation supported a proposal for having further consultations, either in the General Assembly or outside the General Assembly. The second issue regarded the definition of development expenditure. The Delegation believed that a clear definition of what constituted development expenditure was needed in order to achieve transparency in reporting and to track WIPO's development share. The Delegation added that it would appreciate guidance on the way forward on this unresolved issue.

171. The Delegation of the Czech Republic, speaking on behalf of the CEBS Group, recalled that it had made comments on Program and Budget matters in its opening statement. Under this particular agenda item, the CEBS Group wished to address one particular issue that had been dealt with both at the level of the General Assembly and at the PBC - the issue of WIPO external offices. At the risk of sounding repetitive and bearing in mind the ongoing informal consultations, the CEBS Group nevertheless felt it should stress its long-standing position. The CEBS Group considered the guiding principles as a document that would guide further steps in this regard, not only in this biennium, but beyond, including guidance regarding the work of the existing WIPO external offices. Therefore, the guiding principles were not a mere document to be put to one side so that Member States could move onto the discussion about the size and shape that a WIPO network of external offices would take in the next few years. The CEBS Group remained strong in its stance that, before any further steps were taken, first it was necessary to reach consensus on the guiding principles. Member States needed to make sure that they understood what the future external offices network as a whole, as well as its individual elements, delivered to the entire Organization. The CEBS Group continued to disagree with an unmanageable proliferation of WIPO external offices. The CEBS Group could only support development of a well-functioning and value-adding network of such offices. It was necessary to continue constructive debate with all Member States on the costs and benefits of external offices, not only the economic but also the strategic ones, and to finalize the guiding principles. The CEBS Group reiterated that the guiding principles still remained the focal point of Member States' work and called for them to be finalized as soon as possible. Further, the Group thanked the Secretariat for providing the list of countries that had so far requested to host a WIPO external office. Once Member States achieved clarity on the overall framework, the CEBS Group would look forward to receiving concrete proposals from those countries, or further requests and proposals from other countries, to be considered together with the Secretariat's feasibility report for consideration by all WIPO Member States.

172. The Chair noted the Delegation's comments but recalled that, when opening this agenda item, she had proposed that Members cover all other issues except external offices, as informal consultations on the subject were still ongoing.

173. The Delegation of the United States of America welcomed WIPO's progress towards the implementation of the benchmarks identified by the JIU report. Further, the Delegation welcomed WIPO's efforts to fully align its accountability framework with the standards and practices recognized by the JIU. The Delegation appreciated the Secretariat's report and the valuable insight it provided for Member States into WIPO's accountability and oversight responsibilities. The Delegation noted WIPO's efforts to fulfill the benchmarks related to the formal disclosure of information. The Delegation appreciated the progress made to make full audit reports available to Member States and donors, and was particularly pleased to see that the amended Internal Oversight Charter included reference to publishing internal audit and evaluation reports on WIPO's web site within 30 days of issuance, which was already a common practice throughout the UN and demonstrated management's commitment to identifying weaknesses that might exist within the Organization's internal controls and its willingness to address those weaknesses in a transparent manner.

174. The Delegation of Venezuela (Bolivarian Republic of) referred to the proposal by the Delegations of Belgium, Mexico and Spain and said that its virtue was that it drew attention to efficiency. The Delegation thought that the proposal brought up issues which delegates could consider without spending time on consultations. The first thing that delegations could do was to remedy what the Delegation called "incontinence" regarding expressing their thoughts on subjects. The Delegation was well aware that all delegations had instructions as to what could be done and there was no need to have long discussions resolving nothing. Also, the Delegation thought it unnecessary to ask for the floor to support proposals of one's own Group. If members of any Group did not support a proposal made by that Group then, obviously, such a proposal would not have been made. A huge amount of time was devoted to expressing Group

support or support for what the previous speaker had said, which, in the Delegation's opinion, did not make much sense. The Delegation also pointed to the fact that the Legal Counsel was asked to confirm what had been said during the PBC. The Delegation did not think there had been any legal problems but more a problem of willingness on the part of the delegates. Members could eliminate hours, weeks or even months of discussion on whether a speaker had said this or that. Alternatively, of course, delegates could go on discussing matters right up to midnight as they had done during the last Assemblies and they had not achieved anything. Lastly, the Delegation considered that it would be important for delegations to be specific about what they wished to say in expressing their positions, without going on eternally, as speaking longer was a waste of time and created problems which were not going to be resolved because rules already existed that governed those things.

175. The Delegation of Paraguay apologized for its late arrival due to the ongoing consultations and asked the Chair to reiterate her earlier remarks referring to "design law and confessionals" that the delegation had missed.

176. The Chair recalled that she had informed the plenary of the discussion she had had with Regional Coordinators on the possibility of organizing confessionals on a Design Law Treaty, and should it proceed that way, those confessionals could be conducted by the Chair of the SCT. She recalled that she had concluded by saying that if there were no objections, this could be the way the Member States could proceed. Therefore, the information was the same as the Delegation of Paraguay had already received during the said meeting with Regional Coordinators.

177. The Delegation of Paraguay recalled that, as it had said during that meeting, in principle it would have no objection to this proposal but it would have to consult the rest of its Group during the following day's morning meeting. The Delegation would, therefore, be grateful for a bit of flexibility so that GRULAC could consider the proposal because one of the subjects was the question of the Facilitator.

178. The Chair remarked that, by nature, the confessionals would be with the interested groups and delegations and added that she would wait for GRULAC's response as had been previously agreed. The Chair then invited the Secretariat to respond to the questions raised by delegations.

179. The Secretariat commenced by responding to the Delegation of Spain and its request regarding the policy on investments. The Secretariat confirmed that it would be taking into consideration previous discussions when preparing the revised policy on investments. The second point the Secretariat wished to comment on was the issue of governance and the definition of development expenditure. The report had very clearly stated that those discussions would continue in the context of the PBC and added that the mechanism for that would also be within the context of the PBC.

180. The Chair thanked the Secretariat for its clarifications. The Chair said that a decision paragraph would be proposed and that this would cover all the issues under this agenda item except for the question of external offices, which would have to be taken up at a later stage, adding that the statements of delegations would, as always, be included in the report of the meeting. The proposed decision paragraph read: "the Assemblies of the Member States of WIPO and the Unions administered by it is as far as it is concerned: (i) took note of the "List of Decisions" taken by the Program and Budget Committee at its 22<sup>nd</sup> session (document WO/PBC/22/29): and (ii) approved the recommendations made by the PBC as contained in document WO/PBC/22/29." The Chair asked if delegations accepted the decision paragraph as proposed.

181. The Delegation of Algeria said it was still awaiting a response to the request that had been made about the plan and the follow-up to the request concerning the implementation of the JIU recommendations made in respect of governance. The Delegation said it might take the floor again on this issue after having heard the Chair's reply.

182. The Delegation of Spain believed that the Chair had intended to propose a final decision and underlined the need for specific proposals that would be acceptable to all Member States. In this regard, the Delegation gave the example of the proposal made by the Delegations of Belgium, Mexico and Spain, to try and improve the day-to-day work in meetings. The Delegation asked if this item would be taken up again by the Assemblies and if, in particular, some of the short-term measures that most delegations seemed to have agreed on, would be considered so as to attempt to trace a roadmap for the important debates in line with what the JIU had said.

183. The Delegation of Kenya, concerning the proposals that had been made regarding how to proceed with the issues of development expenditure and governance, underlined that it had indicated that it did not wish to lose the momentum reached especially given that an agreement had nearly been reached and that it was just a small phrase that had not been agreed on. The Delegation recalled that it had said that there would be merit in holding informal consultations in view of finalizing this particular issue. The Delegation added, in line with the suggestion made by the Delegation of Algeria, that the question of how to proceed on the issue of governance should be made clearer in order to avoid the risk of this item coming up at the next PBC with insufficient time to consider it to reach concrete conclusions. The Delegation suggested having a specific mechanism, possibly an informal one, between the present time and the next PBC, so that if it were not possible to handle the issue during the General Assembly, there would at least be a mechanism between the Director General and the PBC for the consideration of the matter in a comprehensive manner at the next PBC, if necessary. The Delegation said that the next PBC would be the best time, given that there were to be discussions on the next budget.

184. The Delegation of India requested the program for the next day in order to divide its time and team, in the plenary as well as in the informals, on the substantive issues on this agenda item. The Delegation added that it had been expecting more guidance from the Chair on specific items such as governance and the definition of development expenditure since these had not been resolved at the PBC session. The Delegation wished to record support for the recommendations made by the Delegations of Algeria and Kenya, in the sense that the Delegation expected guidance from the Chair and that if some mechanism were to be set up, if not during the General Assembly then before the next session of PBC, the Delegation expressed its willingness to participate constructively in any engagement during the session underway or after the General Assembly. The Delegation said there were some other issues that it had highlighted, related to the JIU recommendations, concerning the need for the Secretariat to continue reporting back to the Member States on the implementation of the recommendations in question.

185. The Delegation of Iran (Islamic Republic of), in support of the statements made by the Delegations of Algeria, Kenya and India, asked what the plan was for resolving outstanding issues such as governance and development expenditures. The Delegation suggested establishing open-ended informal consultations to resolve the issue during the General Assembly.

186. The Delegation of South Africa expressed its concern about the fact that there might not be enough time to resolve issues related to governance and development expenditure in the PBC, due to the fact that this was usually a Committee that was overburdened and that had to deal with a lot of agenda items. The Delegation said that it would therefore also appreciate having some guidance on a mechanism on how to move forward, either at the present General Assembly or, if the workload was too great, perhaps in the run up to the next PBC session.

187. The Delegation of Egypt aligned itself with all of the comments made by the Delegation of Kenya, the African Group Coordinator, on this agenda item. The Delegation said it had quite a fixed position concerning both the implementation of the recommendations contained in the JIU report, which concerned one of the pending issues on the list of items that the PBC had to discuss, namely governance, and the definition of development expenditure. These, said the Delegation, were recurrent items that had to be dealt with, adding that it was important to finish discussions. The Delegation, therefore, expressed its view that a mechanism should be established during the present session, in informal consultations rather than an intersessional mechanism like the one suggested by a number of other delegations. This would make it possible to evaluate the extent of the progress that could be achieved during the course of the Assemblies.

188. Seeing that there were no further requests to take the floor, the Chair wished to make a number of comments. Firstly, concerning general comments, the Chair said that she had heard the questions and comments made and it was clear that there was no common understanding, in particular, on issues related to governance and development expenditure, and there had not been a final outcome in the PBC on these issues either. Additionally, there were conflicting proposals about how to deal with these matters through informal consultations. Consequently, the Chair suggested reading out a proposed decision paragraph which included points (i) and (ii). The Chair proposed a third paragraph, roman (iii), which would read: "in respect of governance and development expenditure, requests the PBC to continue to engage in informal consultations, under the guidance of the Chair of the PBC, to address these issues in the next PBC."

189. The Delegation of Mexico said it had not understood that there were delegations opposing the request to begin a dialogue on the subject of governance at the present Assemblies. The Delegation added that major constructive progress had been made in the PBC but that it was true that there were some aspects of governance which required guidance from the Assemblies, in accordance with the two recommendations from the JIU. Those recommendations were directed at the Assemblies, and in this respect the Delegation hoped an agreement on some consultation mechanism could be reached during the Assemblies. The Delegation said it was not sure it would be a good idea for these issues to be deferred once again without any guidance or a roadmap to help them move forward, adding that it was important to bear in mind that there were some immediate measures on which consensus had been reached and that work could begin with these, pending the reaching of a consensus on broader issues which would perhaps take longer. The Delegation said it was important to remember that the 2015 PBC sessions would have a fairly heavy agenda due to the discussion of the 2016/17 budget, so it might not be a good idea to defer the entire discussion on this issue to the PBC if the Assemblies needed to give guidance.

190. The Delegation of Kenya reiterated what it had previously said, namely that there would be a very heavy agenda in the 2015 PBC. Therefore, it was important to hold any informal consultations well before the PBC. The Delegation believed that, should these consultations be held during the PBC, there was a risk of bringing the issue to the next General Assembly without any proper decision. The Delegation said that it would, therefore, be important to have any informal consultations well before the next PBC. The Delegation agreed with the Delegation of Mexico in that the issue of governance should be dealt with in the present General Assembly, in line with the JIU recommendation. There had to be a roadmap coming from the present General Assembly in regard to how it intended to deal with that particular issue. This was important so that when agreement would finally be reached, it would be anchored on a very clear mandate from the Assemblies.

191. The Chair recognized that there were divergent views on the issues and that further consultations with the Regional Coordinators as well as with the Chair of the PBC (the Ambassador of Colombia) were necessary on the possible means of making progress on

these issues. These issues, said the Chair, required further reflection. In this respect, the Chair said she would inform the Regional Coordinators as soon as possible when meetings could be held, including the issue that many delegations had referred to, i.e. JIU recommendation 1 addressed to the Chair of the GA.

192. The Delegation of Iran (Islamic Republic of) reiterated its view that the issues of governance and the definition of development expenditure were as important as any other items. In this respect, the Delegation expressed support for the suggestion made by the Delegation of Egypt concerning the need to hold open-ended informal consultations to resolve this issue during the GA. Secondly, the Delegation said that these issues had already been raised under the PBC agenda. It was important to avoid deferring the issue from the PBC to the GA and then back to the PBC again. This issue, said the Delegation, had to be resolved once and for all, especially since, as the Delegation of Kenya had pointed out, the agenda of the next PBC would be heavy. The Delegation said it was not sure these long standing issues could be resolved in the next PBC.

193. The Chair indicated that her proposal to further consult with Regional Coordinators on the best way to move forward would take these concerns into account.

194. The Delegation of the Czech Republic said that it felt the need to respond to the proposal made by the Delegations of Iran (Islamic Republic of) and Mexico mentioning no opposition to these proposals. The Delegation understood that this element or these elements remained with the PBC and that they would be dealt with there. The Delegation also understood that the discussions were not exhausted and should be continued in the PBC. Additionally, the Delegation believed that it had heard the Chair of the PBC say that there would be a process after the Assemblies. In this respect, the Delegation expressed its willingness to follow the wise guidance of the PBC Chair. The Delegation further wished to stress that a number of delegations had mentioned the heavy agenda of the next PBC. The Delegation felt the need to also stress the heavy agenda of the Assemblies and called on the Chair to ensure that the General Assembly did not become overburdened, especially with elements that were being dealt with in respective committees and that were still under discussion.

195. The Delegation of Brazil aligned itself with the delegations that had mentioned the need to, at least, start a process of discussion on the way to improve governance in WIPO. The Delegation also wished to specifically mention the statement made by the Delegation of Mexico and agreed that Member States should at least start this process and, as had been mentioned by the Director General, also embrace the JIU recommendations. The Delegation added that the discussion could start with the recommendations aimed at the General Assembly and that Member States should not try to divert this debate anymore. In that way, the discussion would be kept in a formal setting and would jump start the process.

196. The Chair stated that, in her mind, Member States absolutely needed to reflect, with the Regional Coordinators, on how to move forward and cover these issues. Taking that into account, the Chair wished to check whether the delegations would be otherwise willing to agree with the decision paragraphs she had presented.

197. The Delegation of Algeria preferred the entire discussion on this item to be suspended until it received clarification on everything.

198. The Delegation of Kenya agreed with the Delegation of Algeria that if there were to be informal consultations with the Regional Coordinators, the Delegation would prefer to wait for the results of those consultations before deciding on the decision paragraph.

199. The Chair clarified that what she had proposed was that she would have to first have her own discussions with the Regional Coordinators and then see how the membership could move

forward. The Chair added that there were differences in views which she had heard and, on that basis, she would need to have a separate meeting with the Regional Coordinators, which she would convene as soon as possible.

200. The Delegation of Iran (Islamic Republic of) supported the suggestion made by the Delegation of Algeria to suspend discussion on this item. The Delegation could go along with the Chair's proposal on an informal meeting with Coordinators, but suggested that it be "with coordinators and interested delegations", or "one coordinator plus three", as some delegations might wish to participate in such an informal meeting.

201. The Chair said that she would reflect on the Delegation of Iran's (Islamic Republic of) proposal and took note of its request. The Chair stated that she could not close this agenda item before a further meeting with the Regional Coordinators took place, in a form that would be announced by the Secretariat as soon as possible. The discussion was suspended.

202. The Chair resumed discussions on Agenda Item 12 "Report on the Program and Budget Committee" and recalled that it covered all PBC issues except those already dealt with under "Audit and Oversight". The Chair also indicated that the present discussion would not cover the issue of external offices, which was still subject to informal consultations. The Chair informed that following comments and observations made by delegations during the discussion in the plenary on Tuesday, informal consultations had been held by herself and Ambassador Duque (the PBC Chair). These consultations had concluded that the outstanding issues of Governance at WIPO and the Definition of Development Expenditure should be referred to the following session of the PBC. The Chair thanked all delegations for their constructive engagement and, in particular, Ambassador Duque for his tireless efforts. The Chair understood that all delegations had been given an opportunity to participate in the open-ended informal consultations to express their views. The Chair opened the floor to delegations who wished to speak on all issues under this agenda item except external offices. In the absence of comments, the Chair thanked all delegations for their flexibility and constructive dialogue and put forward the decision paragraph agreed during the open-ended informal consultations that day. The Chair reminded the Member States that, as already indicated, the decision paragraph did not apply to the issue of external offices, which was still being discussed in informal consultations. The Chair read out the proposed decision. There were no objections and the following decision was adopted.

203. On matters considered under this item, except on external offices, the Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned:

- (i) took note of the "List of Decisions" (document WO/PBC/22/29);
- (ii) approved the recommendations made by the Program and Budget Committee (PBC) as contained in document WO/PBC/22/29; and
- (iii) requested the PBC to continue the discussions on Governance at WIPO and the Definition of Development Expenditure at its 23<sup>rd</sup> session.

204. The Chair indicated that the plenary would return to Agenda Item 12 in order to cover the issue of external offices.

205. The Chair reopened Agenda Item 12 and reminded delegations that all issues under this item had been cleared with the exception of external offices, which had been discussed in informal consultations under the chairmanship of Ambassador Fitschen of Germany as Facilitator; the Chair thanked him for his efforts. The consultations had been very intense and considerable progress had been made since the Assemblies last December had agreed on a mandate for informal consultations on external offices. However, more time beyond these

Assemblies was required in order to make decisive progress on this issue. The Chair proposed renewing the mandate agreed in December 2013, so that informal consultations could continue after these Assemblies. The Chair acknowledged that the language was substantially similar to that of the previous decision taken by the General Assembly. The Chair presented the proposed decision paragraph as follows: “(1) The Assemblies of the Member States of WIPO and the Unions administered by it, each as far as it is concerned, first took note of the report of the Facilitator on the outcome of consultations that were held during the 54<sup>th</sup> series of Assemblies meetings and of the draft guiding principles regarding WIPO external offices as attached. (2) It decided to continue open-ended consultations under the guidance of the Chair of the General Assembly, on the proposed guiding principles on the establishment of WIPO external offices, with a view to finalizing the guiding principles and all other outstanding issues for consideration and recommendation by the PBC and by the General Assembly in December 2015.” The Chair highlighted that a considerable amount of time had been spent on this issue in informal discussions and requested that delegations wishing to take the floor be brief and encouraged delegations to summarize their prepared statements and, if need be, to submit a full version in writing to be reproduced in their entirety in the report.

206. The Delegation of Kenya, speaking on behalf of the African Group, thanked the Facilitator for his efforts to bring Member States to agreement on this particular issue. From the beginning, the Group had been very clear on what was supposed to be done and this was the agreement on the process, reached at the first meeting between the Chair and regional coordinators in March this year. During that meeting, a two-step approach was agreed. The first step was to agree on guiding principles. The second step was to agree on location and third to adopt the guiding principles with a decision on number and location of offices as a package. The Delegation stated that it had engaged in informal consultations in good faith in a constructive manner and was very optimistic that, during this General Assembly, the guiding principles would be concluded and the decision taken to open two offices in Africa, because delegations should remember the genesis of these guiding principles. The Delegation recalled a proposal during the last PBC to open five offices, two in Africa, one each in Russia, China and the United States of America. It noted that two offices had been opened already, but given the reservations raised by some Member States, informal consultations to develop clear guidelines would enable the opening of those two offices within this biennium. The Delegation restated that the African Group had engaged very constructively, and it expected that, having agreed on that process, all of delegations should be committed and not start questioning whether that was the agreement or not; thus the Delegation considered that there should not be any difficulty in putting the agreement on paper. The Delegation restated that this was only what the Group was asking and wondered why the agreement could not be put on paper. The Delegation declared that the African Group would like to see the issue on number and location included as part of any decision on the adoption of the guiding principles as a package.

207. The Delegation of the Republic of Korea, speaking in its national capacity, expressed its appreciation for the hard work of the Facilitator in attempting to achieve compromise on this issue. However, there were no guiding principles at this stage. The Republic of Korea regretted that there was no consensus. It stated that the issue of external offices should be discussed in an open, stable and predictable manner and for this purpose, the guiding principles on external offices was the starting point, especially on locations and numbers. The Delegation stated that some groups were insisting on limiting the numbers of the newly established external offices before evaluating, objectively, the results of the operation of the recently established external offices. Furthermore, some groups were hoping to receive assurances of new external offices in their region. The Delegation believed both of these approaches were not appropriate and that with this kind of controversial issue, the principles should be discussed without any presumption, and the principles should be followed. The Delegation stated that all concerns and expectations were already reflected in the guiding principles. Therefore, the first step should be to apply the guiding principles and evaluate the results at some later period. The

Delegation concluded that the guiding principles should be established first. It added that 24 countries had already expressed their interest to host an external office and, during or after the reviewing procedures, based on the guiding principles, one could get some outlines of the appropriate size of the future external offices network.

208. The Delegation of Pakistan congratulated the Facilitator for his hard work and reiterated its position that it wished to see a two-step approach whereby, first, a comprehensive and objective set of guiding principles was established based on need, and second, these principles would then be applied across the board to all applicants. The Delegation stressed it should be a two-step process. The guiding principles should be finalized first, followed by discussion on numbers and location.

209. The Delegation of Mexico thanked the Facilitator for all his efforts during the facilitation of these consultations, and for the draft decision that had been submitted. The Delegation noted that this was not the result the Delegation was looking for, as this issue had been discussed for over a year now. However, the Delegation expressed its support for the draft decision presented by the Facilitator. It understood the concerns and resistance of some delegations. It stressed the importance of building on the consultations already carried out in order to make progress, move forward and hopefully obtain an outcome at some time in the future. The Delegation invited the other delegations to look at this text objectively, as it was basically the same text before the Assemblies in September last year on which delegations committed to open-ended discussions.

210. The Delegation of China commended the Facilitator for his efforts. It stated that it had made it very clear in March that it wanted discussions on the guiding principles as well as a decision on numbers and locations of new external offices, starting with two offices for Africa. At the General Assembly this year, the Delegation stated that it wanted to see an inclusive decision which could faithfully reflect the understanding reached in March. The Delegation supported the African Group's position of including some text about numbers and locations of new external offices in this decision.

211. The Delegation of the United Kingdom thanked the Facilitator for his efforts and supported the decision paragraph as submitted to the Assemblies. The Delegation believed that it reflected the current situation, and that it would allow this important area of work to move forward. It had hoped that this decision could be acceptable to all delegations, given that it had been taken directly from the decision point of the 52<sup>nd</sup> Assemblies last year. The Delegation also believed that the current language would allow discussions to continue and hoped that this decision could achieve consensus. Like others, the Delegation believed that adopting guiding principles was an essential first step before any other decision on the expansion of the network could be taken.

212. The Delegation of Iran (Islamic Republic of) supported the statements made by the Delegations of Pakistan and the Republic of Korea and paid tribute to the Facilitator of this process. It supported the draft decision presented to the Assemblies. The Delegation stated that Iran (Islamic Republic of) had been constructively and actively engaged in the discussions organized at different levels from July 2013 up until the present and it would continue to be so actively engaged. It expressed the view that before deciding on external offices, which would need a political determination, a legally-structured document encompassing all principles and requirements was a necessity. The Delegation observed that the process would be successful if, as a basis, one specific and defined approach was adopted to ensure that the guiding principles were legally sound and would prevail over many years to come. For this reason, the Delegation concluded that one should first finalize and adopt the guiding principles as a roadmap for establishing future WIPO external offices.

213. The Facilitator, first of all, confirmed the statement made by the Delegation of Kenya, on behalf of the African Group, about the process as agreed. Phase one involved looking at the guiding principles. In phase two, number, location, size of the network, time frames and other things should be looked at. Once the two were concluded, step three would be adoption of decisions on both parts, the guiding principles and whatever was the outcome of the second phase. That was the agreement that the Chair had forged with all the regional coordinators back in March and that was the working assumption until today. The Facilitator stated that, for exactly that purpose, his proposal for this draft decision was based on the idea of continuity. The Facilitator stated that he took exactly the same language as last time, and drew the attention of delegations to paragraph 2, which said, "decides to continue open-ended consultations." The Facilitator stated that this was the agreement so far and upon which work had been based and he was confident that this would continue to be the case. He appealed to all delegations to trust in the process, to trust in the agreement forged as the basis for discussions and not to complicate issues by requesting additional terms. He urged delegations to rely on what the General Assembly established last year and to look at the text proposed, to trust in the process and to go along with the proposal.

214. The Chair thanked Ambassador Fitschen and asked for agreement on the decision paragraph.

215. The Delegation of Kenya, speaking on behalf of the African Group, pointed out that the process had been confirmed and the major part of the procedure adopted, but that a replication of the decision from the first meeting was not desirable. When delegations met with the Chair at the first meeting in March, delegations agreed that the previous process was not to be replicated and therefore, the Delegation did not want to reopen that process. The Delegation wanted to continue and the easiest way to do that was to make it very clear by including, in the text, language on the number and the location of offices, which was part of the agreement at the beginning. The Delegation wanted to clear any doubt and, therefore, insisted on that language as it did not wish to leave the text open to different interpretations at different times. The Delegation wished to keep that element on record, to recollect the decisions in writing, so that future delegates, who may be different, would be able to continue this work.

216. The Delegation of Algeria supported the statement made by the Delegation of Kenya on behalf of the African Group, and stated that all delegations agreed or appeared to agree with the process, which should be, first, guiding principles, and second, numbers and locations. The Delegation asked why this could not be put in writing and further asked how trust could be placed in a process which was being questioned. The Delegation stressed that the African Group was reasonably asking that the text, which all seemed to agree on, would be included. The outstanding issues were numbers and locations only. They were not size and timing, elements which had been added.

217. The Chair stated that there was a proposal made by the Delegation of Kenya, on behalf of the African Group. The Chair stressed that the decision paragraph which had been read was the one that Member States had already agreed in December. The Chair took it that nothing had changed and all delegations were committed, in the same manner, as they had been committed since last December and throughout the informal consultation process. Therefore, the Chair asked whether the African Group could support the decision paragraph as read by the Chair. The Group's position would, at the same time, be recorded in the report of the meeting.

218. The Delegation of Kenya, speaking on behalf of the African Group, expressed uncertainty as to the ability of the Group to support the decision and, as Group Coordinator, it would not be able to take a decision for the Group. The Delegation requested the Chair to move on and to come back to this issue later.

219. The Delegation of Iran (Islamic Republic of) expressed difficulty in understanding the relevance of one year of informal consultations to guiding principles if locations of external offices were to be discussed without due regard to the guiding principles. For this reason, it thought it would be reasonable to adopt guiding principles as a roadmap for the opening of the future WIPO external offices.

220. The Delegation of the Republic of Korea, speaking on behalf of the Asia and Pacific Group, made its position clear that, first, the guiding principles should be adopted and subsequently, decisions or discussions regarding the numbers and the locations of offices could be carried out. The Delegation reiterated that this was the position of the Asia and Pacific Group.

221. The Facilitator proposed that, as all delegations were so concerned about the process and the proper sequence of decisions, perhaps it would help to accommodate the African Group's concern. It suggested that the word "subsequently" be inserted after "finalizing the guiding principles". The Facilitator stated that that would give the text balance and would make clear the sequence of decisions. Principles first and other issues during the second phase. The Facilitator expressed its willingness to withdraw this proposal if it was not agreed upon.

222. The Delegation of South Africa stated that the African Group was asked to consider the proposal from last year and requested the Chair to recall the procedure and process that had been agreed before that decision so as to have clarity on what was needed to do to go forward.

223. The Chair stated that the informal consultations had been ongoing since last Spring and all delegations had been able to participate. The Chair trusted that all delegations had a good understanding of this process and asked the Delegation of South Africa if it had a particular concern.

224. The Delegation of South Africa replied that there was confusion or selective amnesia on how matters should proceed. The Delegation stated that it had heard that adoption of the guiding principles should be first, but the Facilitator had said there was a three-step process as follows: First, finalize, not adopt, the guiding principles, second, a discussion on number and location, and third, a decision. The Delegation requested clarity on the issue of what outstanding issues meant and supported the statement of the Delegation of Kenya, on behalf of the African Group, that there were various interpretations. Consequently, there was a need for clarity so that, next year, the same issues would not be revisited.

225. The Chair stated that in her understanding "all outstanding issues" meant "all outstanding issues" and that the Facilitator had proposed adding the word "subsequently". The Chair asked if that would help those delegations that had doubts, the addition being towards the end of the second paragraph of the draft decision, starting from the second to last line as follows: "outstanding issues for consideration and recommendation by the Program and Budget Committee and, subsequently, a decision by the General Assembly." The Chair asked if this would help the African Group.

226. At the request of the Delegation of Iran (Islamic Republic of), the Facilitator read again his proposal that, in the third line of paragraph two, there was to be the following: "the establishment of WIPO external offices with a view to finalizing the guiding principles, and, subsequently, all other outstanding issues" and then the sentence continued. The Delegation further stated that a decision on the other proposal by the African Group would also then be needed.

227. The Chair stated that it was now clear where the word "subsequently" was to be inserted.

228. The Delegation of Iran (Islamic Republic of) thanked the Facilitator for its proposal and asked for clarification of “subsequently”, as it could not capture what would be the outcome of putting this word in the draft decision.

229. The Delegation of Algeria understood that the Facilitator proposed two elements. The first one was to add the term “subsequently” and the other was to add the phrase “numbers and location” after other outstanding issues. The Delegation requested clarification.

230. The Facilitator stated that he had hoped that the African Group would explain again what it wanted to include. The Facilitator’s proposal was to add “subsequently” and then there would still need to be a decision on the African Group proposal.

231. The Delegation of Nigeria thanked the Facilitator for the hard work on the guiding principles. With respect to the current proposal, the Delegation stated that it was not sufficient. The Delegation of Nigeria, along with the African Group, looked at this as a package of guiding principles and locations and numbers, and would like that to be reflected in the decision of the Assemblies.

232. The Delegation of South Africa also sought clarity regarding the Facilitator’s proposal, while at the same time supporting the statement made by the Delegation of Nigeria. The Delegation continued that the African Group had always made it very clear that this was a package deal. First, guiding principles; second, number and location. The Delegation stated that it would like this position to be reflected in a decision.

233. The Chair stated that it was becoming clear that there was no consensus on the decision paragraph.

234. The Facilitator noted that it was one thing to be against the proposal and to restate positions and another thing to make proposals. The Facilitator invited the African Group to read out once again its proposal. He added that drafting language was needed, otherwise it would not be possible to move forward.

235. The Delegation of Kenya, speaking on behalf of the African Group, stated that the Group’s proposal was as follows: “It is decided to hold open-ended consultations under the guidance of the Chair of the General Assembly with the view to finalizing the guiding principles and number and location for consideration by the Program and Budget Committee and the General Assembly in September of 2015.”

236. The Delegation of Iran (Islamic Republic of) stated that it did not consider the process to be a package deal. Rather, it saw it as a two-phase process. First, there should be approval of the guiding principles and then the guiding principles should be applied in selecting offices and numbers. According to these guiding principles, all applications should be sent to the PBC and reviewed by the PBC. At this point, reports should be prepared by the Secretariat in conformity with the guiding principles. The guiding principles should be considered as a roadmap and be approved first. Otherwise, there would not be any legal base to apply in selecting offices. For this reason, the Delegation supported the draft decision of the Assemblies. Otherwise, the Delegation did not see any decision on this item.

237. The Delegation of France requested clarification on methodology. It was 9 p.m. and the first item on the evening’s agenda had not been adopted. There were other four agenda items to come. The Delegation had understood that there would be agreement coming out of informal discussions, as a minimum, and that no further debate would take place, which, if it did, would take the session beyond midnight. The Delegation urged other delegations to reach agreement on the issues.

238. The Delegation of the United Kingdom recalled that delegations which had participated in the informal consultations had already had these discussions. The position expressed by the African Group in informal discussions was clear and that the only way out was to leave the language as originally proposed and reflect the concerns of the African Group in the report of this meeting. The Delegation pointed out that the language as it currently stood would not prevent the two-phase approach and that delegations were working in the same direction and that this would be reflected in the records. The Delegation supported the decision paragraph as originally proposed.

239. The Delegation of the Republic of Korea supported the statements made by the Delegations of Iran (Islamic Republic of) and of the United Kingdom in support of the decision paragraph as originally proposed.

240. The Delegation of Mexico supported the statements of those delegations which had said that this was an issue that had already been discussed in the informal discussions. The Delegation noted that it was quite clear that there was no consensus with regard to the position of the African Group and that, as the Delegation of France had stated, this was the minimum common denominator that would allow a continuation of work on this issue. The Delegation expressed the belief that there was an understanding and some progress had been made. While this decision was not one the Delegation had hoped for, it was a decision which would enable work to continue.

241. The Delegation of the Russian Federation stated that the issue of approving the guiding principles and the decision on the number of offices were two steps that should be taken together. The Delegation expressed its view that two offices should be opened in Africa.

242. The Facilitator stated that it was not possible to reach an easy agreement and supported the proposal made by the Delegation of the United Kingdom, whereby the African Group concerns could be read into the record. The Facilitator further submitted the idea that confirmation by the Chair on process could also be read into the record of the meeting and he expressed willingness to draft the corresponding text for consultation with other delegations.

243. The Chair expressed her willingness to explore any solution and reminded all delegations that progress was very well recorded, such that, even though the decision paragraph looked exactly the same as the decision paragraph from last December, it included the attachment which was the almost finalized guidelines. The Chair stated that this was written proof of the progress that had been made since December and hoped that delegations would see confirmation of the work done and the progress achieved. The Chair added that if any other form of statement would enable finalization of a decision, then the Chair would be open to considering it.

244. The Delegation of Algeria wished to make its position clear and without prejudice to the position of the African Group. The Delegation wondered why its concerns should only be part of the report of the meeting and those of the African Group, on which there was consensus, should only be part of an Annex. The Delegation wished to clarify matters on which agreement had already been reached.

245. The Chair clarified that she had not referred to the African Group's position to be annexed, but had referred to the draft guidelines that would be annexed to the decision as proof of the progress made. The decision paragraph referred to draft guidelines, which were attached to the decision. The Chair explained that there were three proposals. The proposal by the Facilitator as initially read out, the proposal by the Facilitator to add the word "subsequently" and the proposal of the African Group which included an amendment of the second paragraph, deletion of part of the text in the middle, and included the reference to location and number. The Chair

further stated that with three proposals, it was easy to conclude that there was no consensus in the Assemblies. This automatically led to a fourth proposal which was that no decision be taken. The Chair explained that this would be a decision of the Assemblies and that there would be certain consequences, for example, the draft guidelines which were almost finished would not be attached to that kind of decision. The Chair explained that while there was support for some of the proposals, there was not consensus and, consequently, the Chair proposed to decide not to take a decision.

246. The Delegation of Mexico stated that this was not a decision that the Delegation liked and further stated that, if no consensus on this text was forthcoming, the Delegation would ask for this item to remain on the agenda of the Assemblies whether or not there were consultations. If that could be accepted by other delegations, the Assemblies could just take note of the report of the Facilitator and decide to continue with the discussions at the next session.

247. The Chair thanked the Delegation of Mexico for the fifth proposal.

248. The Delegation of Iran (Islamic Republic of) supported the proposal made by the Delegation of Mexico.

249. The Chair stated that there were five proposals, four of which had received some support but none of which had received consensus and that in order to move in the direction proposed by the Delegation of Mexico, time would be needed to draft a decision paragraph. In view of this, the Chair sought the agreement of delegations to move on to the next item, leaving this item open. The Chair saw no objection and moved on to the next agenda item.

250. After informal consultations among certain delegations, the Chair reopened Agenda Item 12 concerning external offices and read out a proposed draft decision as follows: "The Assemblies of the Member States of WIPO and the Unions administered by it, each as far as it is concerned, took note of the report of the Facilitator on the outcome of consultations that were held during the 54<sup>th</sup> Series of Assemblies meetings, and of the draft principles regarding WIPO external offices as attached." The Chair asked if the decision paragraph could be adopted.

251. The Delegation of Algeria restated its position, namely not to remove the guiding principles from the entire issue of numbers and location. The Delegation had believed that the Chair would propose a decision paragraph which said there was no decision.

252. The Chair indicated that the proposed draft decision was, indeed, an attempt to acknowledge what had been taken up so far, and the activities undertaken, but if this was not accepted, obviously there would not be a decision on this agenda item. The Chair continued that throughout the process of preparing this decision, the Chair had been assured by consultations that had taken place that this could be adopted by all delegations. The Chair requested confirmation from the Delegation of Algeria that there was no agreement on the proposed draft decision.

253. The Delegation of Algeria replied that it was just restating the African Group's position.

254. The Delegation of Kenya, speaking on behalf of the African Group, stated that, in consultations with the Chair, the Delegation had agreed that no decision on all items would be conveyed as the delegations were all informed, and the African Group was not expecting any language other than "no agreement".

255. The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, did not take a decision on external offices, considered under this item.

#### ITEM 13 OF THE CONSOLIDATED AGENDA

##### REPORT OF THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP) AND REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

256. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

#### ITEM 14 OF THE CONSOLIDATED AGENDA

##### CONSIDERATION OF THE CONVENING OF A DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A DESIGN LAW TREATY (DLT)

257. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

#### ITEM 15 OF THE CONSOLIDATED AGENDA

##### MATTERS RELATING TO THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)

258. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

#### ITEM 16 OF THE CONSOLIDATED AGENDA

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

259. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

#### ITEM 17 OF THE CONSOLIDATED AGENDA

##### REPORTS ON OTHER WIPO COMMITTEES

260. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

ITEM 18 OF THE CONSOLIDATED AGENDA

PCT SYSTEM

261. See the report of the session of the PCT Union Assembly (document PCT/A/46/6).

ITEM 19 OF THE CONSOLIDATED AGENDA

MADRID SYSTEM

262. See the report of the session of the Madrid Union Assembly (document MM/A/48/4).

ITEM 20 OF THE CONSOLIDATED AGENDA

HAGUE SYSTEM

263. See the report of the session of the Hague Union Assembly (document H/A/34/3).

ITEM 21 OF THE CONSOLIDATED AGENDA

THE WIPO COORDINATION COMMITTEE TO PROVIDE ADVICE TO THE LISBON UNION ASSEMBLY REGARDING THE CONVENING OF A DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A REVISED LISBON AGREEMENT ON APPELLATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS IN 2015

264. See the report of the session of the WIPO Coordination Committee (document WO/CC/70/5).

ITEM 22 OF THE CONSOLIDATED AGENDA

LISBON SYSTEM

265. See the report of the session of the Lisbon Union Assembly (document LI/A/31/3).

ITEM 23 OF THE CONSOLIDATED AGENDA

WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

266. See the report of the session of the WIPO General Assembly (document WO/GA/46/12).

ITEM 24 OF THE CONSOLIDATED AGENDA

ANNUAL REPORT ON HUMAN RESOURCES

267. See the report of the session of the WIPO Coordination Committee (document WO/CC/70/5).

## ITEM 25 OF THE CONSOLIDATED AGENDA

### STAFF REGULATIONS AND RULES: AMENDMENTS TO STAFF REGULATIONS FOR APPROVAL; NOTIFICATION OF AMENDMENTS TO STAFF RULES

268. See the report of the session of the WIPO Coordination Committee (document WO/CC/70/5).

## ITEM 26 OF THE CONSOLIDATED AGENDA

### ADOPTION OF THE GENERAL REPORT AND OF THE INDIVIDUAL REPORTS OF EACH GOVERNING BODY

269. The Chair announced that due to the lateness of the hour, and the high number of statements made by delegations, the Secretariat would finalize the draft reports by October 15, 2014. The draft reports would be sent to Member States and posted on the WIPO web site. Comments should be submitted to the Secretariat by December 15, 2014, after which the final reports would be deemed adopted by January 15, 2015.

## ITEM 27 OF THE CONSOLIDATED AGENDA

### CLOSING OF THE SESSIONS

270. The Delegation of Kenya, speaking on behalf of the African Group, thanked the Chair and the facilitators for their tireless efforts in trying to reach consensus on various issues. The Delegation noted with disappointment that Member States could not reach an agreement on substantive recommendations on various issues. The Delegation was also disappointed with the attempt to question the mandates agreed in various committees in previous sessions. With regard to the SCCR, Member States could not even agree to mention by name the three topics under discussion, i.e., broadcasting organizations, limitations and exceptions, due to fear by some delegations that it would amount to reiteration of the mandate of the work of the Committee. Member States had abdicated their role at the General Assembly to give a clear mandate to the committees, and rather chose to leave the matter open to different interpretation, thereby blocking the work of the committees. The Delegation said this was a distressful result. The Delegation noted that there was no consensus on the draft decision of external offices, due to the disagreement to finalize the guiding principles and the decision on the number and location of the offices. On IGC, Member States could not agree to convene a conference as per the mandate of the IGC. The Delegation noted that the work program in the IGC should be predicated on the mandate of the Committee. In that regard, the Delegation was surprised by the attempts to establish the work program without giving accurate direction as to what the outcome of such meetings would be. The Delegation hoped that Member States would take the decision to convene a diplomatic conference in 2016 to adopt a legally binding instrument for a full protection of GRs, TK and TCES. As regards the DLT, the Delegation would like an article on technical assistance to be included in the basic proposal of the treaty before convening a diplomatic conference. It therefore hoped that Member States would seriously reflect and decide to take into account the interests of various groups, without diminishing the mandates in various committees. The Delegation hoped that through this approach, Member States would be able to have productive outcomes in their future sessions, and move forward in a true cooperative spirit.

271. The Delegation of the Czech Republic, speaking on behalf of the CEBS Group, expressed its sincere thanks to the Chair, the facilitators and the Secretariat for the efforts and work invested in the deliberations of the Assemblies. The Delegation also thanked all delegations for their contributions to the discussions during the sessions. The Delegation stated that after attending a series of consultations on several topics, and participating in the afternoon, evening and night plenaries, it would be tempting to continue the statement in a disappointing tone. Instead, the Delegation addressed the positive aspects, in particular, it welcomed the decisions related to the PCT, Madrid and Hague Systems which would improve the global intellectual property services. The Delegation reaffirmed its commitment to the work of the Lisbon Union working group and the revision of the Lisbon System. It looked forward to further progress towards the diplomatic conference in 2015. The Delegation continued to pay great attention to the activities of the WIPO committees and wished to express its belief that Member States would focus on more substantive deliberations, in particular, the SCP. The Delegation hoped that discussions on issues concerning patent law towards patent harmonization would be launched soon. The Delegation noted with satisfaction that the PBC would continue the discussion on governance. It expressed its readiness to participate in this important debate in order to improve the efficiency of meetings. It also noted the progress achieved on the subject of external offices, especially, the clarifications achieved on the guiding principles, even though the decision on the language could not be reached. As regards the international normative framework issues, the Delegation expressed its disappointment by the fact that no compromise was reached on DLT, SCCR and IGC. The Delegation stated that it had always been supportive and was ready to seek solutions to these issues, namely by being able to find flexibilities in the positions of Member States and making proposals in that spirit. Contrary to the Delegation's expectations during these Assemblies, it was again demonstrated that artificial linkages between topics only create lose/lose outcome for all. The Delegation urged delegations to engage in a constructive spirit in all topics, to be open for dialogue and at the same time allow mature topics to progress in an independent manner. At this point in time, Member States had to face the realities of these Assemblies and reflect properly within their delegations, their groups, and, maybe most importantly, among different groups. In conclusion, the Delegation restated its commitment to engage constructively on WIPO agendas in the months and years to come.

272. The Delegation of Japan, speaking on behalf of Group B, presented its sincere gratitude to the Chair, the facilitators and the Secretariat for their tireless work during the General Assembly. The Delegation also thanked the interpreters and all Member States for their contribution to the General Assembly. As the previous speaker, the Delegation wished to shed light on the positive aspect of the General Assembly. First, the General Assembly was better organized. Unlike last year, informal consultations were conducted in a manner that avoided overlapping, which allowed Member States to be part of the negotiations. In addition, the Assemblies agreed with some improvements of the global IP services, which were the core part of the Organization, including the definition of the new international authority or amendment of the rules of the PCT. However, the Delegation was disappointed that Member States could not agree with four outstanding issues. As regards DLT, it was very disappointing that Member States failed again to agree to convene a diplomatic conference for those States which had already accomplished the maturity for a diplomatic conference. The Delegation stated that it had made an effort by proposing some language which could give some comfort to some members, but in spite of those efforts, it was regrettable that the Member States could not reach an agreement. For the IGC, it was also a pity that Member States could not agree with the work program, which would have allowed Member States to move forward on the substantive aspects. In respect of the external offices, the Delegation had engaged in the discussion with a constructive spirit by putting forward the proposal of the possible decision points, which included some language that could give some comfort to some Member States who had concerns about deliverables and the guiding principles. In addition, the Delegation stated that it was regrettable that Member States could not agree with the guiding principles. The Delegation reiterated its

commitment to be engaged in the further process to enable the robust guiding principles to achieve the external offices network, which could contribute to the Organization. As regards the SCCR, some consensus also emerged around the words relating to the treaty for broadcasting organizations. Nevertheless, it was regrettable that Member States could not agree with the substantive decision due to the artificial linkage and treatment of the three issues. As lessons learned from this General Assembly, the Delegation noted that Member States had to always consider during negotiations the common elements agreed, and should not repeat their positions several times. The Delegation echoed the words of wisdom of the Chair that unsettled issues at the committee level should not be brought to the General Assembly. The Delegation reiterated its commitment to continue to engage in the discussions at the committees and the General Assembly, in order to fulfill the responsibilities of the respective committees of WIPO. In conclusion, the Delegation thanked Group B for its support during his term as Coordinator.

273. The Delegation of Bangladesh, speaking on behalf of the Asia and Pacific Group, thanked the Chair for her able leadership and persistent efforts to reach a consensus. The Delegation also thanked the Vice-Chairs, the Director General, the Secretariat for their important contributions, as well as the facilitators for their tireless efforts. The Delegation noted that despite the fact that Member States did not have an optimum outcome on a number of issues, Member States had taken some important decisions which would hopefully pave way for future actions and contribute greatly in their endeavors in the different activities at WIPO. The Delegation was disappointed that in spite of sincere efforts by all Member States, many decisions for the Member States, especially for the developing countries and LDCs could not be reached. The Delegation mentioned that though IP promotes progress and development, all the countries of the world do not equally benefit from it for historical reasons. The Delegation stated that balanced application and the utilization of IP based on existing socio-economic state were extremely important for the countries of the Asia and Pacific region. Hence, the opening of WIPO external offices, having an article in the DLT on technical assistance, having exceptions and limitations for different institutions and for persons with other disabilities, and an internationally legally binding agreement for GRTKF were all important issues for its members. The Delegation hoped that all the countries would show the spirit of compromise to finish the job assigned to them. It hoped that the Chair would provide wise guidance to resolve all the outstanding issues during the intervening period, especially for the IGC. The Delegation restated its commitment to engage constructively in the efforts of the Chair. Finally, the Delegation thanked the Secretariat for making it possible to have the General Assembly in this magnificent New Conference Hall, the interpreters for their support as well as Member States for their constructive spirit.

274. The Delegation of Paraguay, speaking on behalf of GRULAC, thanked the Chair for her patience, the Secretariat for its cooperation, the work of the interpreters, and the support of the administrative staff in the daily work throughout the Assemblies. The Delegation expressed its frustration that Member States were unable to achieve the expected results on the topics which were the fruit of the informal consultations. The Delegation reiterated the commitment of the GRULAC countries to work in a serious and constructive manner on all the topics which were still pending on WIPO's agenda. The Delegation highlighted the constructive spirit of the GRULAC countries, and hoped that that spirit would soon return to the work of WIPO.

275. The Delegation of Belarus, speaking on behalf of CACEEC, thanked the Chair, the Director General, the facilitators and the interpreters for their tireless tasks. The Delegation regretted that Member States were unable to obtain the results they had hoped and expected. Nevertheless, Member States would work on this in the future, specifically, in regional groups.

276. The Delegation of China thanked all the facilitators as well as the Secretariat for the efforts made during the General Assembly. The Delegation noted that most of the agenda items were achieved. Unfortunately, some of the items could not be concluded. The Delegation

regretted this outcome that presented a time for reflection. The Delegation stated that IP had played a greater role in the economic growth and development. Hence, as one of the major UN specialized organizations, WIPO should play a better role in promoting the economic and social development. The Delegation pointed out that WIPO belonged to all Member States and, therefore, the work of WIPO could advance only if Member States were united to accommodate the interests of each other and to discuss issues in a practical way. Member States should not be afraid of encountering problems but should rather have the courage to solve those problems. The Delegation was committed to working together with other delegations to show a greater political will and faith, and to demonstrate more flexibility and patience, so as to promote the establishment of a more balanced international IP regime to benefit more developing countries, as well as to promote the world economic growth.

277. The Delegation of Italy, speaking on behalf of the European Union and its member states, thanked the Chair for her tireless efforts, and the Secretariat and the facilitators for their commitment to a successful outcome of these Assemblies. Member States certainly could not feel proud of the outcome of the debate. The Delegation believed that this debate had created a sort of false dichotomy. The Delegation assured Member States that there were no enemies on the meaningful discussion on IGC or on the exceptions and limitations. The Delegation was willing to discuss and work constructively on these issues. The Delegation regretted that no decision had been taken on the convening of a diplomatic conference on the DLT and the work program for the IGC and the SCCR. The Delegation hoped that the period following the General Assembly would be used by Member States to discuss among themselves, to clarify further their positions and to find a way forward for the work on these important normative issues. The Delegation was ready to be engaged.

278. The Delegation of France stated that it had no written statement because it was not expecting such an end to this General Assembly. The Delegation regretted the outcome of the General Assembly. As some delegations had previously said, the positive note was that WIPO remained a service provider organization for enterprises or research laboratories, and it served all the Member States. It was true that the Coordination Committee had endorsed the diplomatic conference of the Lisbon agreement to be held in 2015. However, Member States should not deny the fact that the normative agenda of WIPO was in crisis. We have the WTO crisis and now we have the WIPO crisis. There were no mandates for three working groups, i.e, SCT, SCCR and the IGC. The Delegation requested that the Secretariat quickly report to Member States with a new work plan, with an outline of meetings or the absence of some of the meetings, to enable the IP Offices from capitals to plan their trips. The Delegation noted that there would be a vacuum for many of those topics. The staff working on those three topics had to be mobilized and motivated. The Delegation inquired what Members States would propose for the staff with respect to their duties. Although there were many disappointments, the Delegation desired to continue working with Member States. The Delegation thanked the Chair for her efforts and noted that Member States were as desperate as her as far as norm setting was concerned.

279. The Delegation of the United States of America thanked the Chair and the facilitators for their hard work and for the time expended on very difficult issues. It also thanked the Director General and the Secretariat for their efforts. The Delegation was disappointed with the outcome of the Assemblies but not really surprised due to the lack of progress across the board in the standing committees. It hoped that the failure would serve as an impetus for Member States to re-think the process by which normative aspirations were addressed. As the Delegation had said in the recent Program and Budget Committee session, it was time to seriously consider exploring an alternative to the standing committee system. This could involve a "committee of experts" approach, where political decisions were made up front before technical experts engaged in discussions and negotiations. This kind of approach could help to alleviate the pressure of forcing decisions when political will was absent.

280. The Delegation of Mexico wished to add its voice to those of the delegations that had spoken before it in thanking the Chair, the Secretariat, the Director General, the facilitators and the interpreters for all their efforts and dedication over the past few days. The Delegation expressed its deep concern at the results of the current Assemblies, which it held to be insufficient in nature. In the Delegation's view, the lack of trust and inability to make progress displayed by the Member States regarding the conclusion of agreements on the most important agenda items had been entirely predictable. As the Delegation had pointed out in its initial statement, the lack of progress not only hindered the development of the IP system worldwide but also had a negative impact on the human and financial resources of the Organization. Furthermore, the current situation contrasted sharply with the significant achievements of the Organization in the recent past; a fact which made the results of that day's work all the more frustrating. However, the Delegation wished to extend a two-fold invitation. Firstly, all Member States were called on to rekindle the spirit of flexibility and creativity in which discussions within the Organization had been carried out in the past; discussions which had made it possible to achieve significant outcomes benefitting all the countries concerned and the international community. Secondly, the Delegation urged the Member States to consider whether an impasse had been reached and whether the time had come for the Assemblies to seriously consider turning to other decision-making mechanisms, such as that referred to in Rule 25 of the WIPO General Rules of Procedure.

281. The Delegation of Iran (Islamic Republic of) said that the main requirement for achieving a successful result from an agenda was the existence of a balanced agenda that ensured the interest of all Members, developed countries and developing countries included. Failure to pay attention to that reality had resulted in a total deadlock and a lack of success in the General Assembly. It was regrettable that Member States had made no progress on the substantive and norm-setting work of the Organization. It was also disappointing that even an agreed mandate in some committees had been challenged by some Member States. The General Assembly could not reach agreement on the IGC, a Committee that would be more affected than other WIPO committees because it was, by its nature, not a permanent committee. Therefore, the most important committee for developing countries would be treated as a second class committee in the Organization. The Delegation hoped that Member States would consider re-visiting the nature of this Committee when deciding upon its future mandate.

282. The Delegation of Egypt said that it could not be more eloquent than the Coordinator of the African Group, the representative of the Delegation of Kenya, in laying out the interests of the African Group in terms of what was deemed to be a failure to arrive at a consensus outcome from the General Assembly. Nonetheless, the Delegation wished to extend its thanks to the Chair and the facilitators for what appeared to be a keenness to arrive at some sort of balanced outcome. However, in analyzing the context of the past week of discussions, the Delegation could reach only one conclusion, which was that there had been a failure to find the middle ground that balanced the interests of all stakeholders. As the Delegation had mentioned earlier, this put at stake and called into question the credibility of the Organization. It was incumbent upon all Member States to take stock of what was happening, to take a standpoint to see where they were and where they were going, and to start reviewing in a comprehensive manner the overall process of the Organization's work and functioning. This was if Member States wished the Organization to continue on its track of serving the interests of all its stakeholders and its constituency, which was mainly Member States, since it was a Member State-driven Organization. In this regard, the manifestation of what had been seen was not leading in that direction. In terms of some of the issues that had been discussed, for example, the issue of exceptions and limitations within the SCCR, it was noticeable that the argument was being put as a developing versus a developed country discussion. This was not really the case as libraries existed not only in developing countries, as much as educational institutions. If there was a stake in finding an outcome along this track, it belonged to the whole constituency of the Organization. The Delegation did not want to end on a negative note and hoped that the negative atmosphere that had marred discussions during the General Assembly would not be

carried through to future WIPO meetings. On a positive note, it believed that the Internet was now functioning in the room despite some hurdles at the beginning of the meeting.

283. The Delegation of Brazil wished to thank the Chair, and through her, all the members of the Secretariat for the efforts and the guidance throughout the General Assembly. The Delegation wished to express at this point in time its disappointment and frustration with the outcome of the General Assembly. It was disappointed and frustrated but not surprised given the degree of resistance that some delegations had shown throughout discussions since the previous week and even before in other fora in the Organization. The Delegation said that the standing committees and other fora were essential, and it was only through them that it would be possible to rescue the Organization from the realm of doom where some delegations had deliberately pushed it in spite of the resistance and efforts that developing countries had made in defense of the Organization during this General Assembly. It was regrettable that the lack of a deeper and more enlightened understanding of multilateralism had actually led Member States to this sad outcome. The Delegation said that, in looking at the results of this General Assembly, no single delegation had won this time. All had lost and perhaps lost a lot.

284. The Delegation of Pakistan appreciated the hard work done by the Chair, the facilitators and the Secretariat. However, it was disappointed and regretted the lack of progress on substantive issues, including on the IGC and SCCR, which were of special importance to developing countries. It hoped to see future work geared towards a more balanced IP regime bearing in mind especially the diversity and levels of development of different countries.

285. The Delegation of Nigeria thanked the Chair for her leadership throughout the process. It also extended its thanks to the Director General and to the Secretariat for their tireless work throughout the process, to the interpreters who were being kept back until this late hour, and to the facilitators who had worked tirelessly to achieve results throughout the committees. The Delegation endorsed the statement delivered by the Delegation of Kenya on behalf of the African Group. Since all issues that the African Group held dear had been itemized by the Group Coordinator, the Delegation did not wish to take too much time itemizing them again. It noted that IP played a crucial role for the socioeconomic lives of all Member States. It said that it was regrettable that the first outcome in this new magnificent meeting room had been one of failure, and that no decisions had been taken on any of the key issues that were very important to individuals, businesses, corporations in and the nations of all Member States. It was not encouraging at all. The Delegation hoped that, collectively, the meeting room and the Organization would not be turned into a theater of inaction. All Member States needed to recommit to moving forward, to progressing on the issues before them, and to listening with willingness to the other side, to re-find trust somehow and somewhere. It thought that Member States could move forward if there was political will. The Delegation said that, while it had not been a good General Assembly, there were no victors and no vanquished. Member States should all go back to the drawing board and hopefully bring new constructives into their future work.

286. The Delegation of South Africa thanked the Chair for her tenacity. It was quite late in the day and she was still going strong. It thanked the Director General for his presence up to this time, which was a demonstration of great commitment to the work of the Organization. It also thanked the Secretariat, and colleagues and delegates present, without whom there would be no such gathering. The Delegation wished to express that it had strong economic interests in the work of WIPO, that it hoped that these strong economic interests would be taken seriously in deliberations, and that the future outcomes would take seriously developing countries' economic interests in this fora. In terms of the work that lay ahead, it hoped that this year, a period when there would be not so many activities as was possible, Member States could take the time not only to reflect on the workings of the Organization, but also to reassess how a win/win situation could be properly achieved and a more dedicated political will towards the end. It was also grateful to note the dignified manner in which the exchanges around the negotiations had been

conducted, and was thankful to the facilitators for creating such an ambiance of mutual respect between the members of the delegations. It hoped that, in building on such mutual respect, Member States would be able to find each other in the processes that lay ahead.

287. The Director General thanked the Chair for her guidance over the course of the last week and thanked each of the four facilitators who had worked under the Chair's guidance throughout that period. He also wished to take the opportunity to thank all delegations. He said that the fact that so many delegations were present at this time of the morning was quite extraordinary and a demonstration of the commitment that had been shown throughout the course of the last 10 days. He shared the disappointment that the General Assembly had been unable to achieve all of the results that he thought all delegations would have liked to have achieved. The Director General thought it important to contextualize the failures. He said that most of the lack of decisions primarily related to the normative program of the Organization. He wished, therefore, to urge all delegations to reflect deeply on the state of WIPO's normative program, since this was the one that was most in question, and to reflect, in particular, on where they wished to take multilateral cooperation in the normative area. He thought that this was at the crux of the disagreement experienced in the course of the last two weeks. As far as the future was concerned, he had noted the comments made by the Delegation of France. Obviously, both, delegations and the Secretariat, would have to think about where, these failures to decide, and the lack of decisions, left the Organization. He believed it meant falling back to the Program and Budget, which would need to be examined carefully to see exactly what guidance it provided for work in the coming months and over the coming year, indeed, until the next Assemblies. The Secretariat would, of course, do its best to facilitate consultations amongst Member States so that Member States could take decisions about the forward work program within the framework of the Program and Budget. The Director General paid tribute to one of his colleagues, Mr. Henri-Charles Goossens who had worked for the Organization for 24 years, the last 21 years of which had been in the Conference Services. It was Mr. Goossens's 21<sup>st</sup> Assemblies for the Organization, and Mr. Goossens had been Head of the Meetings Unit since 2006. The Director General said that he was sure that many of the delegations knew Mr. Goossens, who would be retiring within the next month. The Director General wished to pay tribute to Mr. Goossens' dedicated service throughout that period. He also wished to thank all of the other colleagues who had worked so well to prepare for the Assemblies and who had worked so well throughout the Assemblies. Finally, the Director General wished to add his thanks to those already expressed for the wonderful work carried out by the interpreters.

288. The Chair thanked the Director General for his words. For her part, she wished to thank, at the outset, all the distinguished delegates and colleagues for their support and cooperation in the conduct of the Assemblies. She thanked the Director General, in particular, for his constant availability and advice on several occasions. She also congratulated the Director General on the inauguration of the fabulous conference hall in which it had been such a pleasure to work. She hoped that the hall would serve WIPO and its Member States very well in the years to come. Looking back over the span of the Assemblies, the Chair said that the facilitators, who had worked so tirelessly throughout the Assemblies, deserved particular appreciation. In this regard, she wished to acknowledge the work, efforts and contributions of Mr. Ian Goss, who had facilitated discussions on Item 16, matters concerning the IGC; Ambassador Thomas Fitschen, who had facilitated discussions on external offices; Mr. Martin Moscoso, who had facilitated discussions on Item 15, SCCR; and Mr. Adil El Maliki, who had facilitated discussions on Item 14, DLT. Before concluding, she also wished to thank Mr. Naresh Prasad, Secretary of the Assemblies and his team, including Mr. Sergio Balibrea, Director, Assemblies Affairs and

Documentation Division, as well as Mr. Edward Kwakwa, Legal Counsel, for their willing support and assistance to her as Chair. Finally, the Chair extended her appreciation to all of the staff of WIPO who had provided their invaluable services throughout the Assemblies, and said that her special thanks went of course to the interpreters for their patience and cooperation.

289. The Fifty-Fourth Series of Meetings of the Assemblies and other Bodies of the Member States of WIPO was closed by the Chair of the WIPO General Assembly.

[Annex I follows]

Director General's Report  
September 2014

1. I am very pleased to have the opportunity to present the work accomplished by the Organization during the year that has passed since the last meeting of the WIPO Assemblies in September 2013.

### **Financial Performance**

2. The financial condition of the Organization continues to be very sound. We completed the 2012-2013 biennium with an overall surplus of CHF 34.6 million. The income for the biennium was CHF 680 million, 5.1% higher than the budget target, largely as a consequence of higher-than-forecast growth rates in our Global IP Systems, particularly the Patent Cooperation Treaty (PCT). Expenditure for the biennium was CHF 612 million, which was 5.6% lower than the budgeted amount. The savings achieved on expenditure resulted from cost efficiencies; productivity gains, mainly through information technology (IT) systems and new management tools; and the use of outsourced resources in selected areas, principally translation and IT.

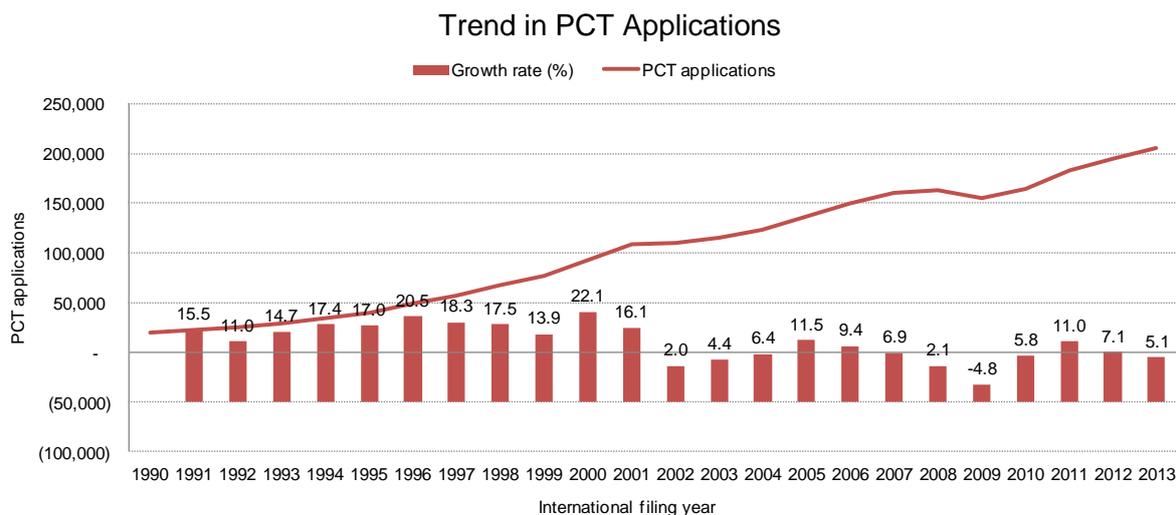
3. As a result of the surplus, the reserves continue to be in a healthy condition. At the end of 2013, the net assets of the Organization were CHF 208.8 million, which placed the reserves above the target level set by Member States. As the budget and the reserves of the Organization grow in importance, we believe that it is timely to assess the effectiveness of our investment policy. At the suggestion of the Secretariat, the Program and Budget Committee (PBC) has approved the preparation of proposals for the possible revision of the investment policy for the PBC's meeting in 2015. In a similar vein, we believe that it would be timely to re-visit the target level set by the Member States for the Organization's reserves, as well as the need to continue the working capital funds that were established during the infancies of our Global IP Systems, when the extent of future use of the Systems was uncertain. The PBC also approved this suggested action and proposals in this regard will be prepared for next year.

4. We are still at an early stage in the new 2014-2015 biennium, but the experience of the first eight months indicates that we are on target to meet budget expectations. All things being equal, which is not necessarily the best assumption in a world economy that is still beset by uncertainty, a hesitant recovery and low visibility, we hope to exceed modestly budget expectations for the biennium.

### **Global IP Systems**

5. The healthy condition of the Organization's finances results from our Global IP Systems, which generate 95% of the revenue of the Organization. The largest share is provided by the Patent Cooperation Treaty (PCT), which accounts for 74% of total revenue.

6. **Patent Cooperation Treaty (PCT).** Growth in the use of the PCT has continued at a robust pace. In 2013, PCT filings increased by 5.1%, with the yearly total passing 200,000 applications for the first time. A similar trend has prevailed in the first half of 2014.

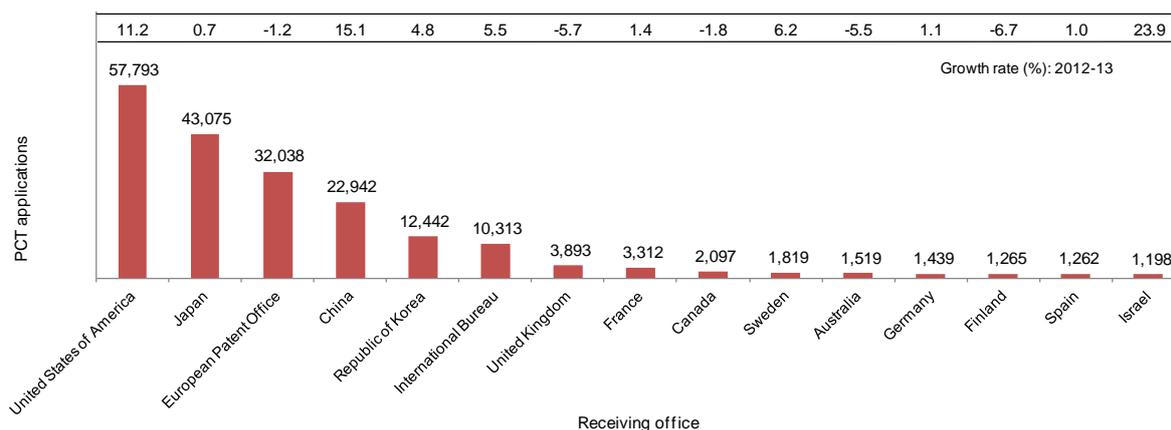


Note: Data for 2013 are WIPO estimates.

Source: WIPO statistics database, March 2014

7. The largest source of PCT applications is the United States of America (USA). In 2013, applications from the USA rose by 10.8% and, for the first time, exceeded the number of PCT applications filed before the onset of the Global Financial Crisis in 2007. Japan is the second largest filer of PCT applications, followed by China. PCT applications from China rose by 15.6% in 2013 and China overtook Germany to become the third largest filer of PCT applications. In terms of regions, Asian countries continued to be the largest source of filings, accounting for 40.6% of all international applications. Europe and North America were the source of 29.3% and 28.2% of international applications, respectively.

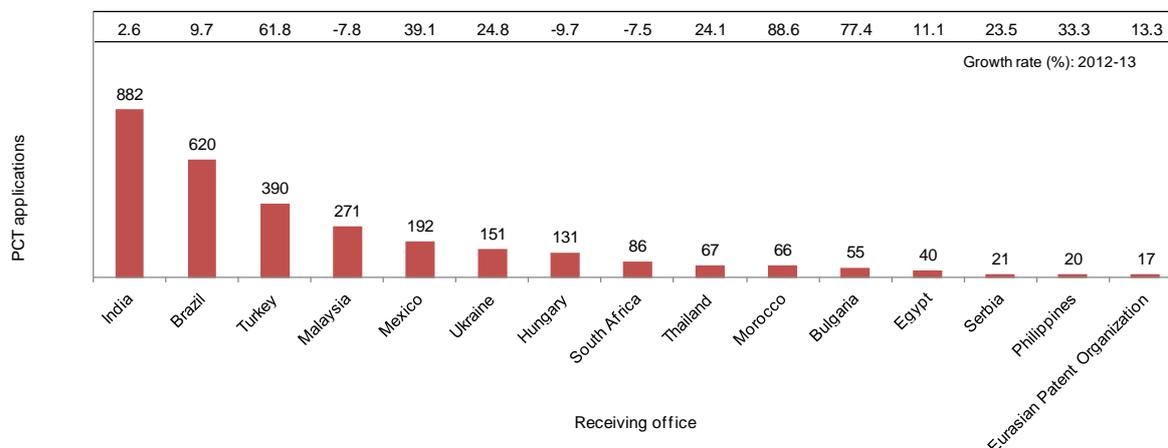
### Top 15 PCT Receiving Offices



Note: Data for 2013 are WIPO estimates.

Source: WIPO statistics database, March 2014

### PCT Applications from Selected Middle Income Offices



Note: Data for 2013 are WIPO estimates.

Source: WIPO statistics database, March 2014

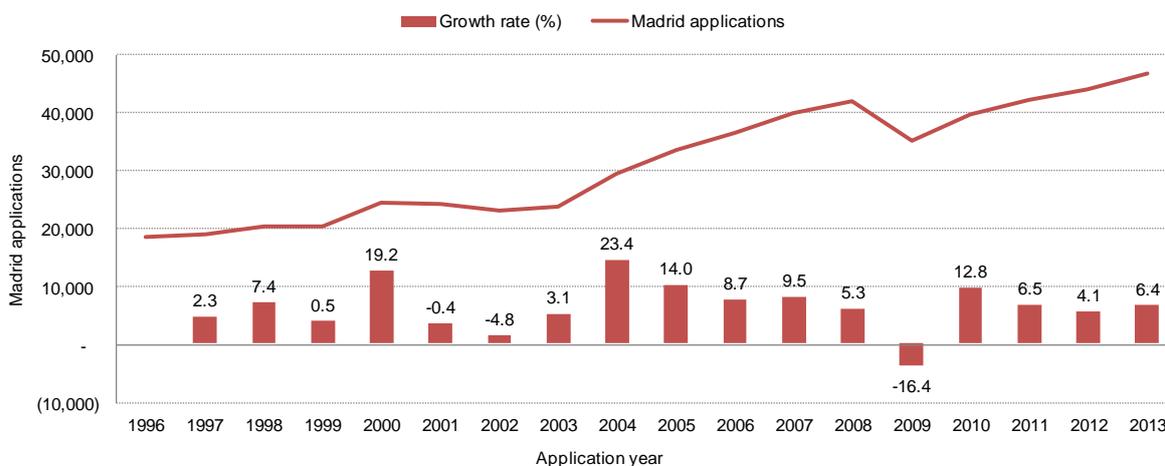
8. The electronic operating environment of the PCT, particularly ePCT, continued to evolve and to deliver dividends in the form of enhanced levels of service for IP Offices participating in the PCT System and for applicants, as well as in the form of improved productivity.

9. One of the important services provided by the International Bureau in the PCT System is translation. Translations by the International Bureau are intended to enhance the disclosure function of the patent system by making the technological information in PCT applications accessible in languages other than those in which the original documents were filed. The International Bureau ensures, through translation, that the titles and abstracts of all PCT applications are available in English and French. In 2013, this involved producing translations of 280,820 abstracts. In addition, the International Bureau ensures that all international search and preliminary examination reports are available in English. This involved translating 93,459 international search and preliminary examination reports in 2013.

10. Given the importance of translation for access to technological information, we have also developed a number of translation tools that we have also made available to users, Offices and the general public. The latest tool to be made available publicly is the WIPO Pearl terminology database, which was launched on the WIPO website in September 2014. The database provides access to thousands of technical terms across all 10 publication languages of the PCT.

11. **The Madrid System for the International Registration of Marks.** The Madrid System continues to grow at a pleasing rate of expansion, with international applications rising in 2013 by 6.4% to 46,829. In the first six months of 2014, this trend continued, with international applications rising by 5.3% compared to the same period in 2013.

### Growth of Madrid Applications



Note: Data for 2013 are WIPO estimates.

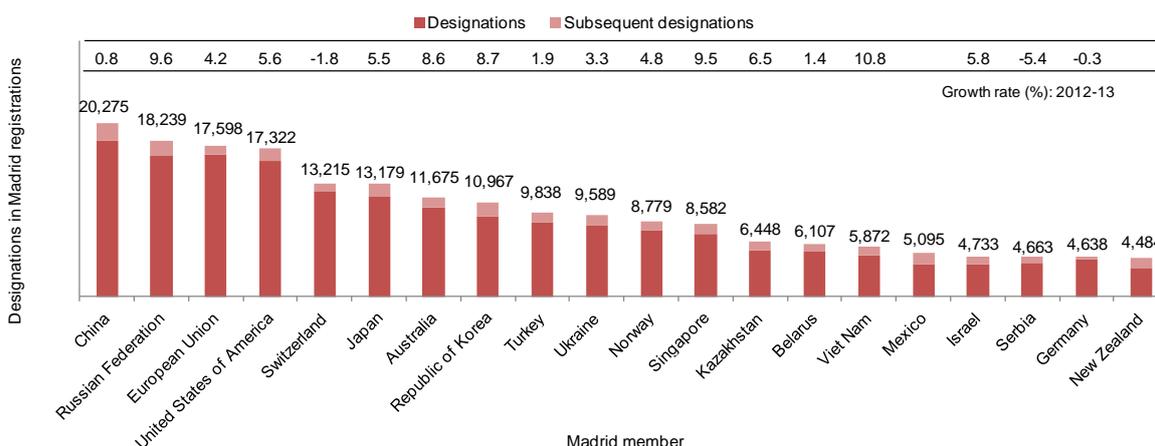
Source: WIPO statistics database, March 2014

There are now over 600,000 international registrations in force on the Madrid International Register.

12. The Contracting Parties where applicants seek protection (designated Contracting Parties) is an important indicator of trade relations and the perceived attractiveness of different markets. In 2013, China continued to be the most designated Contracting Party, followed by the Russian Federation, the European Union and the United States of America.

### Top 20 Designated Madrid Members

### Top 20 Designated Madrid Members



Note: Data for 2013 are WIPO estimates.

Source: WIPO statistics database, March 2014

13. In order for the Madrid System to become a truly global system, the membership will need to expand beyond the current total of 92. We have been involved in extensive preparatory work with a large number of prospective new contracting parties. We hope to see this work materialize in the form of new members over the next 12 months.

14. As the Madrid System expands, we will pay close attention to the efficiency and quality of the services provided by the Secretariat. We have embarked upon a major reform in the last 12 months in this regard, with the development of an ambitious strategic plan for improvement. We expect that the implementation of this plan will yield significant results in terms of improved customer service, simplified procedures, increased productivity, a proposal for a simplified fee structure and an enhanced electronic operating framework for the International Bureau, the IP Offices of Contracting Parties and users.

15. **Hague System for the International Registration of Designs.** The Hague System continues to experience slow but steady growth on a relatively small number of international applications. In 2013, international applications increased by 14.8% to 2,990 international applications.

16. The start of what we expect to be a major transformation in the Hague System occurred with the accession of the Republic of Korea in March 2014. As reported in previous years, we expect further accessions from countries with major economies in the very near future. We have commenced preparations for the expected rise in numbers of applications that will result from the new accessions, as well as for the more complex procedures that will be involved when countries that examine design applications substantively become part of the Hague System.

17. **Lisbon Agreement for the Protection of Appellations of Origin and their International Registration.** Work on the revision of the Lisbon Agreement continues to progress well. One year ago, at the 2013 meeting of the WIPO Assemblies, the Lisbon Union Assembly approved a road map proposed by the Working Group on the Development of the Lisbon System to finalize its work on the revision. The road map foresees the convening of a Diplomatic Conference for the Adoption of a Revised Lisbon Agreement on Appellations of Origin and Geographical Indications in 2015. The preparatory committee for the diplomatic conference will be held in October 2014, in conjunction with a further session of the Working Group. The preparatory committee will fix the dates and venue of the diplomatic conference, while the Working Group will prepare the text of the basic proposal for the revised treaty.

18. **WIPO Arbitration and Mediation Center.** The Center continues to be the leading service provider for Internet domain name disputes. This is an area that is evolving rapidly, with changes being introduced in the domain name system by the Internet Corporation for Assigned Names and Numbers (ICANN). The introduction of new generic top-level domains (gTLDs), in particular, potentially increased the vulnerability of trademark owners to the misuse of their marks through cybersquatting.

19. In 2013, the Center received 2,585 Internet domain name disputes. Cases were filed by complainants and respondents from 109 countries. The cases were decided by 327 WIPO panelists from 50 countries, with 14 different languages of proceedings. Among WIPO cases in 2013, country code Top-Level Domains (ccTLDs) accounted for almost 13% of filings, up 1% from the previous year, with 70 national domain registries now connected to WIPO domain name dispute resolution services. In 2013, the WIPO Center became a provider for the .FM (Micronesia (Federated States of)), .GD (Grenada), and .ML (Mali) domain spaces.

20. WIPO assisted ICANN in the development and implementation of a new dispute-resolution procedure (the Legal Rights Objection procedure (LRO)), designed to ensure that proposed new gTLDs did not usurp trademark rights. In September 2013, the WIPO Center posted the final expert panel decision for the 69 LRO cases that it administered.

21. In addition to the administration of Internet domain name disputes and general intellectual property mediations, arbitrations and expert determinations, the Center provides a range of specialist services that leverage the expertise and experience of its staff. Upon request, the Center works with IP Offices that are establishing alternative dispute resolution (ADR) frameworks by collaborating on the development of training programs and case administration procedures. Current collaborations include work with the Offices of Brazil, Colombia, Indonesia, the Philippines and Singapore. Recently, the Center has completed a review of the WIPO Mediation, Arbitration and Expedited Arbitration Rules (WIPO Rules) to reflect the Center's considerable case experience and the global evolution of ADR practices. WIPO's expertise in complex patent arbitrations led it to work with stakeholders in 2013 to develop tailored arbitration model submission agreements for disputes involving the determination of fair, reasonable and non-discriminatory (FRAND) licensing terms. The WIPO FRAND model agreements are available on the WIPO website.

### **The International Normative Framework**

22. We have been actively promoting accessions to the treaties administered by the Organization, including the latest two to be concluded, the Beijing Treaty on Audiovisual Performances of 2012 and the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled of 2013. In the past year, there were 20 new accessions to WIPO-administered treaties. By June 27, 2014, when the Marrakesh Treaty closed for signature, 80 States had signed it. The first instrument of ratification of the treaty was deposited by India, also in June 2014. Five States have now ratified the Beijing Treaty.

23. Progress in the normative committees since the 2013 Assemblies has been slow and agreement has been elusive. Despite the lack of tangible results, delegations managed to reach a higher level of understanding of many of the issues under discussion.

24. Substantive work on the proposed design law treaty progressed very well in the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications and the text of the proposed treaty is the subject of widespread agreement. However, the final step to a diplomatic conference to conclude the treaty is blocked by a difference in view over the manner of expressing, at this stage, the proposal for technical assistance that it is envisaged will be given to developing countries to assist in complying with a new treaty. It is hoped that the 2014 meeting of the Assemblies may find a way to overcome this formal difference.

25. Work on a new treaty to update the protection of broadcasts first started 20 years ago. Understandably, the proponents of the new treaty are disheartened that the Standing Committee on Copyright and Related Rights was unable to agree upon a work program leading to a diplomatic conference in 2016. In a world of global communications and audiences, broadcasting has become increasingly important both economically and socially. It is, for example, the major means for financing sport around the world through the sale of broadcasting rights. To the extent that the broadcast signal is pirated and made available on unauthorized

sites, the value of the rights purchased diminishes. Hence, the need for an appropriate level of protection for the broadcast signal against unauthorized misappropriation. Again, it is hoped that the Member States can advance the project for a proposed treaty to a timely conclusion.

26. The Standing Committee on Copyright and Related Rights has also been discussing exceptions and limitations for libraries and archives, and for educational, teaching and research institutions and persons with other disabilities. Some progress has been made in the discussions. The areas are complex, not the least because of the rapid changes flowing from the digital environment that are affecting the interests and positions of all actors in the production, distribution and consumption of creative works.

27. The Intergovernmental Committee on Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources continued its long-standing discussions with an intense work program. While the texts under discussion have been cleaned considerably as a result of the discussions, more work on negotiating viable outcomes appears to be needed. The importance of the work is universally acknowledged. The work program for the next year will be discussed in the current session of the Assemblies.

## **Development**

28. While WIPO has a dedicated Sector and programs for development cooperation, in line with the objective of the Development Agenda of mainstreaming of development, many other Sectors of the Organization and many other programs provide platforms and technical assistance for developing and least developed countries and transition economies.

29. The Development Sector works with Member States to assist in the development of IP Strategies and in the coordination of the implementation of work plans under those strategies through capacity building, technical assistance and IT systems. All parts of the Organization are involved in the execution of the work plans. In the past year, a new online tool was developed to help with this work. The National IP Strategy Database includes data on national IP systems and the use of IP to address the priority development areas of countries, guided by the methodology designed as part of one of the Development Agenda projects (no. 10). IP Strategies have been adopted or implemented in nearly 50 countries, including 14 in Africa, 7 in the Arab region, 11 in Asia and the Pacific and 15 in Latin America and the Caribbean.

30. The work overseen by the Committee on Development and Intellectual Property (CDIP) has produced a range of reports and studies that have assisted in understanding the role of intellectual property in relation to a number of different subjects, notably Appropriate Technology for Development; IP and the Brain Drain; Patents and the Public Domain; IP and Product Branding; South-South Cooperation; Patent-Based Flexibilities in the Multilateral Legal Framework; and IP and the Informal Economy.

31. In the past year, the WIPO Academy has provided training to around 35,000 people from 189 countries, mostly through the Distance Learning Program. In addition to the development of a new course on IP and Collective Management, the eLearning platform and its online registration system was upgraded to simplify electronic enrolment and to improve the collection of statistical data. The Professional Development program trained about 250 government officials in various areas of IP. Ninety-five students enrolled in programs for masters of IP law

and 320 students and young professionals participated in summer schools organized with partner institutions in nine countries.

32. The Organization continues to reach out to creators as a special group. Two new guides were published for creators, the first on IP issues for developers of video games, and the second on monetizing copyright assets. The second edition of the successful guide on How to Make a Living from Music was released in July 2014.

### **Global Infrastructure**

33. The Global Infrastructure Sector seeks to advance a number of policy objectives through cooperation in relation to the technical infrastructure that underlies the intellectual property system. Those policy objectives include

- the more efficient functioning of the IP system, for example through the Digital Access Service (DAS), which enables an applicant to file a priority document once for multiple participating countries, or our classification systems;
- a better quality of information for decision-making, for example, through our Global Databases and Centralized Access to Search and Examination (CASE);
- the externalization of the economic and business intelligence generated by the IP system for better policy analysis and business decisions, for example, through our Global Databases;
- access to technology and knowledge and the establishment of systems to facilitate that access, for example, through Technology and Innovation Support Centers (TISCs).

34. Classification Systems and Standards. Classification systems assist in retrieving and providing access to the technological and business information generated by the IP system, as well as in the organization of the administrative tasks of IP Offices. Standards assist in enabling data to be exchanged between IP Offices in interoperable formats. The International Patent Classification (IPC) has accelerated its revision work with the number of revision projects growing from 14 in 2012 to 34 since the IPC Revision Roadmap was launched in February 2013. The IPC is now easier to use with a modified publication web-based platform featuring a new search tool and a viewer for comparing the leading classification systems. As a result, the IPC publication was visited online 80,000 times in 2013 (up from 67,000 visits in 2012). The rapid rate of change in the global marketplace has also been reflected in the Nice Classification (classifying goods and services for the purpose of the registration of marks), which is now revised and published annually. The new annual publication platform includes several new search functions and a taxonomy, a hierarchical structure developed under the 45 Nice Classes in collaboration with OHIM. The new publication platform has contributed to a sharp increase in the number of visits from less than 100,000 visits to the previous platform to 2.4 million visits to the new platform in 2013.

35. Global IP Databases. WIPO now has two, and will soon have three, Global Databases covering registered IP rights, with the Global Design Database expected to join PATENTSCOPE and the Global Brands Database before the end of the year. WIPO's databases provide a number of multilingual search and browsing tools, which include PATENTSCOPE's cross-lingual search and retrieval function (CLIR) in 12 languages and WIPO's unique machine translation tool tailored to IP information (TAPTA). The latter tool was

developed by in-house expertise. It now includes eight language pairs and is also in use, through WIPO's assistance and cooperation, at UN Headquarters.

36. The Global Brands Database includes international data, namely, data from the Madrid System, Lisbon System and Article 6*ter* collections, as well as national data from national systems. It has made enormous progress in the last year. Three new collections have been added (New Zealand, Oman and USA), bringing the total number of national collections to 14. The database now holds 13 million records (up from 700,000 in 2012). A new image-based search function was introduced to the Global Brands Database, the first of its kind to become available in a free-to-use brands database. This function allows users to search for visually similar images and figurative elements of trademarks around the world.

37. The PATENTSCOPE database continues to expand with the inclusion of more than 37 million records of worldwide patent documents from 37 IPOs and 2.5 million international patent applications published under the PCT.

38. Access to Technological Information and Knowledge. The Organization provides a number of resources and services to enhance access to IP information and knowledge in developing and least developed countries. The most established services for increasing access are the 40 national Technology and Innovation Support Center (TISC) projects around the world. The projects encompass 320 individual TISCs that, between them, hosted 86 onsite training events, trained 5,000 participants, registered 2,500 participants for distance learning courses of the WIPO Academy and supported 190,000 inquiries. The eTISC networking forum, created for TISC participants to share knowledge, now has 920 members from over 90 countries and 2,000 CD-ROM copies of the eTutorial tailor-made online training material have been distributed (with a further 5,000 digital copies downloaded from the WIPO website).

39. Access to scientific and technical periodicals and commercial databases for individuals and institutions in developing and least developed countries is provided through two programs - ARDI (Access to Research and Development for Innovation) and ASPI (Access to Specialized Patent Information). ARDI now includes access to around 20,000 journals, books and reference works provided by 17 publisher partners. In the last year, the number of users registered in the program has increased from 191 to 304 institutions in 76 countries. Usage of ASPI has steadily increased with the increase in skills in eligible countries. The countries with the highest number of registered users are Colombia, Madagascar and Senegal.

40. Global Platforms. In addition to WIPO IP Office Systems, such as the WIPO Industrial Property Administration System (IPAS), Member States also have access to two global platforms for sharing IP Office data. WIPO CASE (Centralized Access to Search and Examination) enables Member States to share work and to have access to the results of patent searches and examinations by participating IP Offices. Ten IP Offices are participating in WIPO CASE at the moment and a number of others have expressed interest. The WIPO Digital Access Service (DAS) enables 10 participating IP Offices to transmit electronic copies of priority documents in relation to patent, trademark, industrial design and utility model applications.

41. Accessible Books Consortium (ABC). In conjunction with several key partners, including the World Blind Union, the International Publishers Association and the DAISY Consortium, the Organization launched the ABC to help implement the objectives of the Marrakesh VIP Treaty

and to boost the number of books available in accessible formats around the world. To achieve these objectives, the ABC works in three ways:

- Sharing technical skills in producing and distributing accessible format books in developing and least developed countries;
- Promoting the adoption of an industry-wide accessibility standard for “inclusive publishing”, so that digital publications can be read equally by people with and without visual impairments; and
- Exchanging books in accessible formats through the development of the database created under the former Trusted Intermediary Global Accessible Resources (TIGAR) project. The database now references over 238,000 accessible books in 55 languages from libraries from around the world.

### **Global Reference Sources**

42. The Organization continues to provide the world-leading reference sources of IP information and analysis.

43. The **Global Innovation Index (GII)**, sponsored and published by WIPO in cooperation with INSEAD and Cornell University, seeks to provide a bench-marking tool to facilitate discussion on the role of innovation and to assist policy-makers, business leaders and other stakeholders to identify strengths and weaknesses in national innovation systems.

44. The 2014 edition of the GII had as its theme “The Human Factor in Innovation”. It was launched, with the support of the Australian Government, on the margins of the B20 Business Leaders’ Meeting in Sydney. This was the first GII launch outside of Geneva, thus helping to attract a wider geographical audience for its findings.

45. The **IP Statistics Data Center** is a web-tool that now offers access to the statistics that WIPO collects through its annual statistics questionnaire, as well as monthly, quarterly and annual performance data for the PCT, Madrid and Hague Systems. Users can select the time periods, countries and indicators of interest; analyze relevant statistics using the tool’s graphic visualization feature; and download the data in bulk for further analysis. This resource is evolving into the leading resource for IP statistics worldwide, serving the needs of policy-makers, researchers and other users.

46. World IP Report. In November 2013, we published our second World IP Report entitled *Brands – Reputation and Image in the Global Marketplace*. The World IP Report series aims to explain, clarify and offer fresh insights into the role that the IP system plays in economies, hoping to facilitate evidence-based policy-making. The 2013 Report was produced by the Office of the Chief Economist, with contributions from colleagues in the Branding and Design sector. It examines key policy, business and economic questions on global branding behavior and trademark use.

47. **WIPO Lex**, WIPO’s free global database of the IP treaties and the laws and regulations of 195 countries (members of WIPO, WTO or the UN) has been further enhanced in the past year. Since the launch of the Russian interface in 2013, WIPO Lex is now available in all six official

UN languages. It features more than 12,000 national legal texts, including available translations in various languages, and more than 700 bilateral, regional and multilateral treaties. The database has a rapidly expanding audience from every continent and country in the world.

## **Administration and Management**

48. The functions performed by the Administration and Management Sector provide the support services and structure for the achievements described in this report. At the heart of those services is the portfolio of strategic projects aimed at modernizing administrative and management systems that was initiated in 2010. Other work by the Sector in the past year includes improvements in safety and security for WIPO's visitors, staff and assets; work on an On-Line Travel Booking tool, which is being piloted at the present time and which aims to reduce the Secretariat's overall travel expenditure; and the achievement of the international certification of our Information Security practices (ISO 27001 Certification), which recognizes the high standard of our management of clients' sensitive information.

49. **WIPO's Language Policy** reflects the high priority Member States place on multilingualism in WIPO and its importance within the broader UN system. As planned, coverage in the six UN languages was extended to all Main Bodies and Standing Committees by the end of 2013. The same coverage of meeting documentation will be extended to Working Groups in a phased and cost-effective manner during the current, and next, biennia. The additional translation workload is being absorbed primarily through increased reliance on outsourcing. New computer-assisted translation and terminology tools were acquired and deployed in 2013 to facilitate standardization of terminology, automatic recognition of previously translated texts, consistency, productivity and quality control of translations.

50. WIPO Campus Project. The 2014 WIPO Assemblies will take place in the New Conference Hall, which represents the last major construction in the WIPO Campus Project. The latest additions to the WIPO Campus encompass the New Hall, a New Access Center and security perimeter, an enlarged AB Building Lobby, renovated technical facilities and a series of new small and medium sized meeting rooms close to the New Hall. These facilities are expected to give Member States added flexibility and opportunity for scheduling, organizing and conducting meetings. The New Conference Hall will also be made available to external users.

## **New External Offices**

51. In accordance with the decision of the WIPO Assemblies in 2013, new external offices were opened in the summer of 2014 in Beijing and Moscow. Both Offices are now up and running and will be developed to full staffing over the course of the next year. I should like to express our gratitude to the Governments of China and the Russian Federation for their generosity in making excellent facilities available for the Offices. A photograph of the Beijing Office appears in this Report and shows the magnificence of the premises made available by the Beijing authorities and China.

## Human Resources

52. Underpinning all of the work and achievements outlined in this report is the work of my colleagues, the staff of WIPO. WIPO's Human Resources strategy aims to balance the efficient management of these staff with a supportive and enabling work environment that helps achieve program objectives in all areas of WIPO.

53. In the past year, we have improved our efficiency through the use of new IT tools that have introduced business intelligence capabilities, electronic voting, an Enterprise Resource Planning (ERP) payroll module and a ticketing system for improved customer service. Workforce planning, the allocation of personnel to program activities in line with other planning processes, has been introduced and mainstreamed. This invaluable method enables new priority areas to be staffed and managers to better deploy and realign the workforce, while keeping the overall size of the workforce stable. The process will be fully integrated into the 2016-17 biennial planning.

54. Other improvements in workforce planning and tailored recruitment have included a new contractual framework for staff and non-staff contracts and reductions in recruitment time, as well as the increased use of assessment centers and written tests in recruitment. Progress has also been made on achieving greater geographic diversity and gender balance (our target for 2020 across the whole Organization) to ensure that WIPO's workforce is representative of Member States and draws on all talent from all regions.

55. Support for staff has underpinned many HR initiatives in 2014 with new policies for Occupational Health and Safety and for Learning and Development. Improvements to the flexitime and leave system give staff more options to align work and personal commitments and have contributed to a marked decrease in absenteeism. Regular communication with staff throughout the implementation of these initiatives has helped develop understanding of, engagement with, and broad support for them. New procedures have been trialed that reward excellent performance with a number of monetary and non-monetary incentives for individuals and teams; other procedures address under-performance in a systematic and supportive manner. The reform of WIPO's Internal Justice System, approved by the last Assemblies, has been further advanced through the establishment of improved procedures and the promotion of informal conflict resolution tools.

56. The very positive results achieved by the Organization in the past year have only been possible as a result of the constructive engagement, commitment and support of the Member States and of the professionalism and dedication of the staff. I should like to express my gratitude for this to the Member States and to the women and men who have contributed so much to WIPO as staff members.

## Boxes

### **Building Respect for IP**

Strong IP ecosystems require a balance between enforcement activities and preventative actions. It is this balance that the concept of “Building Respect for IP” represents. WIPO has helped put this new approach at the heart of policy discussion in this area. It is also the cornerstone of this discussion in WIPO’s Advisory Committee on Enforcement (ACE). This year’s ninth session of ACE was a “marketplace of ideas,” enabling the discussion and exploration of innovative initiatives in the online environment, new preventative activities and the place of Alternative Dispute Resolution mechanisms in IP enforcement.

The Secretariat continues to provide Member States with legislative and capacity-building assistance in the area of Building Respect for IP. In the past year, 11 Member States have been helped to draft legislative solutions appropriate to their national requirements based on Part III of the TRIPS Agreement. Twenty-five training programs have been run worldwide with the aim of empowering national authorities to find the balance between enforcement and prevention necessary to reduce demand for infringing goods and increase supplies of genuine products. WIPO has also developed a modular awareness-raising strategy for building respect for IP that prioritizes initiatives that help young people appreciate the value of IP.

### **WIPO Re:Search**

The WIPO Re:Search Consortium responds to the urgent need for new and better treatments, cures and vaccines for Neglected Tropical Diseases (NTDs) malaria and tuberculosis. Launched in 2011, this innovative, multi-stakeholder project now brings together around 90 members from both the public and private sector from all around the world (including 17 from African countries). The platform allows organizations to share their intellectual property, compounds, expertise, facilities and know-how royalty-free with qualified researchers working on new solutions for NTDs, malaria and tuberculosis.

WIPO Re:Search works on the basis of an online, freely accessible database of IP, technology and other knowledge assets and a Partnership Hub administered by BIO Ventures for Global Health (BVGH). By proactively connecting owners of IP assets with potential users and licensees, BVGH has already developed more than 60 research partnerships. At the same time, thanks to a generous Funds-in-Trust allocation from the Government of Australia, WIPO Re:Search has been able to fund five scientists from African countries (Cameroon, Egypt, Ghana, Nigeria and South Africa) at private sector and university research centers in India, Switzerland and the United States of America.

### **WIPO Green**

November 2013 saw the official launch of WIPO GREEN – The Marketplace for Sustainable Technology that connects green technology and service providers with those seeking innovative solutions to environmental challenges. The central elements of WIPO GREEN are a Database and the Network. Through the Database, providers can upload their green technology products, services and IP assets. Individuals, companies or other organizations seeking green solutions can browse the catalogue to find well over 1,000 technologies and products for license or sale.

The Database also allows users to advertise their unmet technology needs. The WIPO GREEN Network facilitates connections between a wide range of players in the green technology value chain, including intergovernmental organizations and investors. The Network already consists of around 50 Partner Organizations, both public and private, from across the world.

## Communications

WIPO aims to communicate the importance of IP, innovation and creativity clearly and effectively to the broadest possible audience. In the online environment, this means thinking innovatively about the way WIPO talks and responds to its users. The new WIPO Website was the first UN site to use “responsive” web design technology which adjusts automatically to provide optimal display and navigation on desktop, tablet or smartphone. Users of the new website, the popular WIPO Magazine and the more than 100 WIPO-branded products produced this year are also interacting with WIPO’s new organizational identity or brand.

WIPO has continued to strengthen its online presence in the past year, notably through:

- a new WIPO Media Center webpage interacting with Twitter to promote WIPO’s activities;
- 70% increase in our Twitter following among the IP community, and over 30 million potential impressions of tweets.
- 80 new videos including news content, IP stories and tutorials, and
- Over 5.7 million views of WIPO’s videos on YouTube since the channel launched in 2010.

Participation by Member States in World IP Day 2014 reached a record level with this year’s campaign *Movies – A Global Passion* acting as the focus for 352 events held in 110 countries (up from 236 events in 93 countries in 2013). Views of our Chinese World IP Day webpage exceeded those of the English version for the first time this year. Our Facebook page saw the most ‘likes’ from India, the US, Mexico, Egypt and Brazil.

## Collective Management Organizations

In both the analogue and digital environment, Collective Management Organizations (CMOs) are critical in ensuring that artists, performers, writers, publishers and all copyright holders can earn an income from their work. WIPO is generating a number of tools and resources to assist Member States as they create and support CMOs. The ‘TAG of Excellence’ (for excellence in Transparency, Accountability and Governance) will be a new voluntary standard aimed at codifying internationally accepted norms, consolidating best practices, making collective management globally cohesive and providing guidance and support for CMOs as they strive for optimum performance levels. Progress has been made in attracting key stakeholders and beginning work on outlining elements of the standards.

Challenges to the existing rights management architecture are being addressed by a number of data management system projects. One new project, launched this year following approval from the Member States, plans to update WIPOCOS (the modular interoperable data management information technology system that is offered free of cost to CMOs in developing countries). WIPOCOS has already been deployed in 22 countries (mostly in Africa) and assists CMOs in performing the main operations for both copyright and related rights.

WIPO is also making progress on a new platform to enable collective management societies in developing and least developed countries to participate effectively in the global copyright marketplace. The initial design of the system (called the WIPO Copyright Connection or WCC) is complete and software will be developed in 2015. Other resources being developed for CMOs include a new interactive online collective management handbook created in collaboration with global law firm Baker & McKenzie; a specialist Collective Management Distance Learning Program to be launched by the WIPO Academy in early 2015; a Mentoring Program linking CMOs in developing countries with CMOs in developed countries; and a range of communication tools designed specifically for CMOs.

[Annex II follows]

INDEX OF INTERVENTIONS BY DELEGATIONS OF STATES; REGIONAL GROUPS;  
REPRESENTATIVES OF INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS AND  
INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS

(The numbers refer to the paragraphs in this document)

Delegations of States:

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<sup>1</sup> On behalf of the Asia and Pacific Group.  
<sup>2</sup> On behalf of the Central Asian, Caucasus and Eastern European Countries (CACEEC).  
<sup>3</sup> On behalf of the Least Developed Countries (LDCs).  
<sup>4</sup> On behalf of the Group of Central European and Baltic States (CEBS).  
<sup>5</sup> On behalf of the European Union (EU) and its member states.  
<sup>6</sup> On behalf of Group B.  
<sup>7</sup> On behalf of the African Group.  
<sup>8</sup> On behalf of the Group of Latin American and Caribbean Countries (GRULAC).  
<sup>9</sup> On behalf of the Association of Southeast Asian Nations (ASEAN).