

TECHNICAL COOPERATION ACTIVITIES: INFORMATION FROM OTHER
INTERGOVERNMENTAL ORGANIZATIONS

Addendum

UNCTAD

At its meeting of 24 May 1995, the Council for TRIPS agreed to request certain intergovernmental organizations to provide information on their technical and financial cooperation programmes in the area of intellectual property relevant to the implementation of the TRIPS Agreement (IP/C/M/2, paragraph 53).

This addendum reproduces the information which has been received in response to this request from the Secretariat of the United Nations Conference on Trade and Development by means of a communication, dated 10 August 1995.

I. Technical Assistance for the Implementation of the TRIPS Agreement

1. The UNCTAD Ad hoc Working Group on the Interrelationship between Investment and Technology Transfer, during the course of its deliberations (January 1993-March 1994), referred to different, though interrelated issues which included, *inter alia*, policies to promote technology and technological innovation, mechanisms of technology transfer, human resources development and intellectual property protection. The Group concluded that "in the post-Uruguay Round period, intellectual property rights protection is deemed to constitute an important component of an environment conducive to international transfer of technology, including FDI. Further studies and technical assistance, in collaboration with the World Trade Organization (WTO) may be needed in order to elucidate the relationship between intellectual property rights and the transfer of technology, particularly for the implementation of the GATT Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), taking into account the characteristics of contemporary knowledge, inventions and ownerships".¹

¹Final report of the Ad hoc Working Group on the Interrelationship between Investment and Technology Transfer to the Trade and Development Board, United Nations, New York 1994 (TD/B/40(2)/17), paragraph 27.

2. In the light of the above, the Group recommended for further analysis and consideration by UNCTAD of "ways and means to implement the provision of the GATT Agreement on TRIPS in coordination with WTO and WIPO".²

3. Technical cooperation, including particularly training activities in the field of the transfer and development of technology has often included a component related to the understanding of issues related to TRIPS. In the future, the UNCTAD Secretariat will be ready to continue to provide technical cooperation to interested developing countries, in particular least-developed countries, in the areas of competence of the organization. UNCTAD will continue to provide inputs on the elucidation of the relationships between IPRs and transfer of technology.

II. Technical Cooperation in the area of international trade related to the TRIPS Agreement

1. Technical cooperation activities in the area of international trade, particularly in the context of assessment and implementation of the results of the Uruguay Round, strengthening of institutional capacity and accession to the WTO, include activities related to the TRIPS Agreement. These activities are undertaken in regional or country specific context and involve advisory missions, seminars and preparation of studies.

2. For example, UNCTAD LATINTRADE project, jointly with SELA and WIPO, has organized a workshop on TRIPS (Caracas, 28-30 June 1995) for the Latin American and Caribbean countries. The workshop dealt, *inter alia*, with the implications of the TRIPS Agreement, the compatibility of national laws with the Agreement, and regional integration. The workshop also reviewed the built-in agenda for future negotiations, e.g. on geographical indications and biological processes. It identified the need for a number of specific studies, including a study on transfer of technology and compulsory and contractual licensing, a comparative study on administrative and judicial actions necessary to ensure protection of intellectual property rights, and a study on the feasibility of creating a database on jurisprudence in the area of intellectual property with a view to facilitating exchange of information and harmonization of laws and practices in the region. The workshop elaborated a programme of joint action by SELA countries in the area of TRIPS and identified the specific technical assistance needs.

²Ibid, paragraph 32.