

**Council for Trade-Related Aspects
of Intellectual Property Rights**

WTO SECRETARIAT TECHNICAL COOPERATION IN THE TRIPS AREA

Note by the Secretariat

This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

1. This document updates the information on the WTO Secretariat's technical cooperation activities in regard to TRIPS matters contained in document IP/C/W/304, dated 12 September 2001. It covers the period from 1 September 2001 to 13 September 2002. It focuses on the Secretariat's technical cooperation activities that specifically relate to intellectual property. However, it should be noted that the general technical cooperation and training activities of the WTO Secretariat usually cover intellectual property. These activities as they relate to intellectual property matters are briefly discussed in the last section of this note.

Main Orientations

2. The focus of the Secretariat's technical cooperation activities specifically in relation to TRIPS has continued to be on assisting Members to understand the rights and obligations which flow from the TRIPS Agreement. It has been aimed at helping Members to assess the amendments that may be needed to their national legislation, the adaptations in institutions that may be called for and other requirements for which they would need to plan, and to train staff, both for these purposes and for the actual implementation of TRIPS-consistent legislation in the fields of standards and enforcement. The purpose has also been to assist Members to participate fully in the operation of the TRIPS Council, including to meet their procedural obligations under the Agreement and to participate fully in the Doha work programme.

3. The technical cooperation made available has been essentially driven by demand from Members. The Secretariat has also provided assistance to countries seeking to join the WTO by helping them to prepare for the accession process and by training officials. Priority continues to be attached to assistance to least-developed countries. Importance has been attached to ensuring complementarity and cooperation with other intergovernmental organizations, in particular WIPO. The main modes of supply of technical cooperation specifically relating to the TRIPS Agreement have been information and advice given to Members in Geneva, study programmes, training courses, seminars and workshops for developing countries in Geneva and elsewhere, and, to a lesser extent, NGO conferences. However, the extent to which requests for assistance could be responded to continued, in the course of the reporting period, to be constrained by personnel and financial resources.

Information and Advice Given to Members in Geneva

4. A large part of the work of Secretariat officials dealing with intellectual property matters has been concerned with providing information in response to questions put to them by representatives of Member Governments. During the reporting period, focus has been on notification and review procedures, the meaning of particular provisions of the TRIPS Agreement and matters under discussion or negotiation in the TRIPS Council. Matters have been raised with the Secretariat not only by local delegations but also by visiting intellectual property officials and as a result of direct contacts from officials in capitals by phone or in written form. Often the issues raised relate to draft legislation under consideration. Advice and information has also been given to officials from acceding countries and representatives of the private sector.

Seminars and Workshops for Developing and Acceding Countries

5. During the reporting period, the Secretariat provided speakers to 25 international, regional and national seminars, workshops and other events outside Geneva devoted in whole or in large part to the TRIPS Agreement or to a specific aspect of the Agreement and aimed to be of benefit to officials of developing and acceding countries directly concerned with implementation of the Agreement as well as with the work programme and negotiations mandated by Ministers at Doha. Participation of the Secretariat officials in certain events, including those organized by WIPO, was financed by the organizers. The Annex to this document contains a list of technical cooperation missions outside Geneva in the TRIPS area. In addition to missions outside Geneva, TRIPS staff members also participated in several distance learning courses organized by the WTO Secretariat or co-organized with other intergovernmental organizations and/or universities.

6. In addition, the Secretariat organized special study programmes for individual countries or groups of countries in Geneva, and provided speakers or briefings for a number of seminars and training programmes organized in Geneva by others, notably WIPO.

Cooperation with WIPO and Other Intergovernmental Organizations

7. As indicated in this note and earlier reports submitted to the Council for TRIPS, cooperation with WIPO has been a key feature of WTO Secretariat technical cooperation in the TRIPS area. This has been based on the Cooperation Agreement between the two Organizations, Article 4 of which deals with legal-technical assistance and technical cooperation.¹ Since the Agreement was concluded, there has been intensive cooperation between the two Organizations on technical cooperation matters, which has been regularly reported to the Council.²

8. The WIPO-WTO Joint Initiative on Technical Cooperation for Least-Developed Countries, launched in June 2001, is aimed at helping least-developed country Members of the WTO comply with their obligations under the TRIPS Agreement and make best use of the intellectual property system for their economic, social and cultural development. It is also open to other least-developed countries as well. Under this Joint Initiative, the two Organizations, together with countries requesting assistance, and, where appropriate, donor countries, are endeavouring to ensure that technical cooperation activities are efficiently planned and coordinated and to maximize the use of

¹ The Agreement Between the World Intellectual Property Organization and the World Trade Organization came into effect on 1 January 1996. Article 4 of the Agreement provides for the International Bureau of WIPO to make available to developing country WTO Members which are not Members of WIPO the same legal-technical assistance relating to the TRIPS Agreement as it makes available to Member States of WIPO which are developing countries. The WTO Secretariat is required to reciprocate. The Agreement also provides for the International Bureau and the WTO Secretariat to enhance cooperation in their legal-technical assistance and technical cooperation activities relating to the TRIPS Agreement for developing countries, so as to maximize the usefulness of those activities and ensure their mutually supportive nature.

² See documents IP/C/W/304, 201,156, 110, 79 and 36.

available resources in carrying them out. Pursuant to this Joint Initiative, the International Bureau of WIPO and the WTO Secretariat organized in April 2002, in cooperation with the Government of the Republic of Tanzania, a regional workshop for least-developed Sub-Saharan African countries and Haiti. A second regional seminar will be held in December 2002 for least-developed countries in Asia and the Pacific region. Requests for technical assistance by individual WTO Members are being received by both secretariats, which are coordinating their efforts in view to respond to these requests during the remaining part of this year and onwards.

9. The WTO Secretariat has also cooperated in the provision of technical cooperation in the area of TRIPS with a number of other intergovernmental organizations and non-governmental organizations, as can be seen from the Annex to this document.

Other Technical Cooperation and Training Activities

10. As noted above, the general technical cooperation and training activities of the WTO Secretariat usually cover intellectual property. These have increased considerably over the last year in the light of the requirements of the Doha Declaration. Secretariat officials working on intellectual property matters have participated in these activities to the extent possible. Such activities have included seminars, workshops and training courses aimed at providing an overall appreciation of the WTO provisions and mechanisms and other assistance; they took place in Geneva and outside Geneva. For example, the regular and special WTO Trade Policy Courses include presentations on the TRIPS Agreement, and the participants in the regular courses spend one day at WIPO, learning about that Organization, its conventions and activities. In addition, the training material and other documentation prepared by the Secretariat contain information on the TRIPS Agreement.

ANNEX

Technical Cooperation Missions in the TRIPS Area from 1 September 2001 to 13 September 2002

Date	Place	Mission
26-28 September 2001	Warsaw, Poland	WHO Conference on "The TRIPS Agreement and its Impact on Access and Prices of Pharmaceuticals in Eastern Europe"
14-15 December 2001	Bangalore, India	Conference on Intellectual Property Rights, organized by the Indian Institute of Management
3-4 January 2002	Chennai, India	Symposium on Biotechnology for Development
28 January-1 February 2002	Bangkok, Thailand	Intellectual Property Training Programme, organized by the Thai Department of Intellectual Property (DIP), in cooperation with Japan International Cooperation Agency (JICA), for Cambodia, Laos, Myanmar and Viet Nam
28 January-1 February 2002	Beijing, China	WHO National Workshop on WTO Accession and Impacts on the Health Sector
17-18 February 2002	Cairo, Egypt	WIPO National Seminar on Pharmaceuticals and Intellectual Property Rights
4-8 March 2002	Fiji	WTO-FORSEC 2 nd Annual Short Trade Policy Course for Pacific Islands Countries
18-22 March 2002	Hanoi and Ho Chi Minh City, Viet Nam	Special Programme of Cooperation Between Vietnam and Switzerland in the Field of Intellectual Property – Seminars on industrial property
20 March 2002	Berne, Switzerland	WTI (World Trade Institute) Accessions Training Course (for Newly Independent States)
3-5 April 2002	New Delhi, India	Seminar on Systems for the Protection and Commercialization of Traditional Knowledge, organized by the Government of India in cooperation with UNCTAD
10-12 April 2002	El Salvador	ITC South-South Trade Promotion Programme – Central America: Pilot Programme for Intra-Regional Trade Expansion - "LatinPharma 2002"
16 April 2002	Rabat, Morocco	Trade Policy Course

Date	Place	Mission
22-25 April 2002	Dar es Salaam, Tanzania	WIPO-WTO Regional Workshop on Implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), organized in cooperation with the Government of Tanzania
25 April 2002	Amman, Jordan	WTLA (World Trade Law Association) Regional Conference
28-30 April 2002	Doha, Qatar	WIPO/WTO Arab Regional Meeting on Intellectual Property and the Results of the Doha Ministerial Conference, organized in cooperation with the Ministry of Economy and Commerce of Qatar
8-10 May 2002	Beijing, China	EU-China Intellectual Property Programme Meeting
20-22 May 2002	Istanbul, Turkey	IDB (Islamic Development Bank) Trade Policy Courses for the Organization of Islamic Conference (OIC)
10-11 June	Algiers, Algeria	National Seminar on the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), organized by WIPO in cooperation with the Algerian National Institute of Industrial Property (INAPI) and the National Office of Copyright and Related Rights (O.N.D.A.)
24 June 2002	Bogotá, Colombia	National Seminar on Intellectual Property
26-27 June 2002	Addis Ababa, Ethiopia	First WTO-ECA (United Nations Economic Commission for Africa) – ADB (African Development Bank) Trade Policy Course for African Countries
4-5 July 2002	Casablanca, Morocco	WIPO National Seminar on the Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and the Patent Protection of Pharmaceutical Products
8-12 July 2002	Abuja, Nigeria	National Training Course
8-12 July 2002	Windhoek, Namibia	WTO Regional Seminar on Trade and Environment for English-speaking Countries in Africa

Date	Place	Mission
9-11 September 2002	Nairobi, Kenya	WTO Trade Policy Course in Nairobi
11-13 September 2002	Casablanca, Morocco	WTO Trade Policy Course in Casablanca
