

**TECHNICAL COOPERATION ACTIVITIES:  
INFORMATION FROM MEMBERS**

CANADA

Addendum

The following communication, dated 25 October 2006, is being circulated at the request of the Delegation of Canada. It was circulated as an advance copy for the TRIPS Council Meeting in October 2006.

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Pursuant to Article 67 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), the Council for TRIPS requests that developed country Members report on their technical and financial cooperation programmes in favour of developing and least-developed country Members. The present document provides information on Canada's activities concerning technical and financial cooperation in favour of developing and least-developed country Members.

Canada has undertaken a number of technical cooperation activities at the bilateral, regional and multilateral levels. Canada's bilateral efforts are mainly focussed on the Latin American, Caribbean and Asia-Pacific regions. Canada's regional activities are mainly undertaken in the context of the Asia-Pacific Economic Cooperation Intellectual Property Rights Expert's Group (APEC-IPEG). At the multilateral level, Canada works in close collaboration with the World Intellectual Property Organization (WIPO).

The following summary provides an update of these activities, which are mainly administered by the Canadian Intellectual Property Office (CIPO), the Canadian International Development Agency (CIDA), Health Canada (HC) and the Royal Canadian Mounted Police (RCMP). Other Canadian institutions such as the Centre for Trade Policy and Law (CTPL), the McGill University Faculty of Law and the Institute of Comparative Law and the Quaker International Affairs Programme are also involved in international cooperation efforts.

**I. BILATERAL ACTIVITIES**

1. CIPO offers to developing country Members a one-week Executive Workshop on Application of Management Techniques in the Delivery of Intellectual Property Services. This course is offered by CIPO in partnership with WIPO and has the following objectives: (i) to enhance knowledge and skills in the area of management techniques in the delivery of intellectual property services, with a view to improving the capacity of intellectual property officials; (ii) to provide participants with first-hand experience of the nature and scope of Canada's IP expertise, products and services; and (iii) to provide a forum for the exchange of ideas and experiences with officials from other IP offices. The course is targeted at senior-level officials.

2. In 2005, the five-day course was held from 9-13 May. The participants included delegates from Argentina, Brazil, Chile, China, Colombia, Indonesia, Malaysia, Mexico, Panama, the Philippines, Sri Lanka and Viet Nam.

3. In June 2006, Health Canada and the State Food and Drug Administration of the Peoples Republic of China signed a joint Plan of Action which includes technical cooperation in intellectual property related aspects of biologics, radiopharmaceuticals, pharmaceuticals, natural health products, active pharmaceutical ingredients, adverse drug reactions, pharmacovigilance, pharmacopoeia, Good Manufacturing Practices (GMP), medical devices, and inspection procedures.

## **II. REGIONAL/MULTILATERAL ACTIVITIES**

4. Canada has undertaken a number of technical cooperation activities at the regional level and in multilateral fora. Canada's regional activities are primarily undertaken in the context of the APEC-IPEG. At the multilateral level, Canada works in close collaboration with WIPO.

5. CIDA currently provides funding for a project on trade and health policy coherence at the national, regional, and international level that is led by the World Health Organization (WHO) and the North-South Institute. One of the key areas addressed by the project is access to medicine and the TRIPS Agreement.

6. In 2005-2006, Health Canada undertook a number of technical and financial cooperation activities. Certain technical cooperation activities described below were undertaken as an aspect of Canada's Access to Medicines Regime (CAMR), which came into effect in May 2005. CAMR was established to enable Canada to respond to the 30 August 2003 decision of the WTO on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health and permit the export of medical products from Canada to developing and least-developed countries with inadequate manufacturing capacity. Health Canada also provided additional information to the TRIPS Council to help it assess the effects of these measures.

7. In December 2005, Health Canada initiated an outreach strategy initiated to increase the visibility of CAMR and to address the information needs of potentially eligible countries. A Government of Canada compact disk (CD) and website were created to provide information to interested parties, and the CD has been distributed to a number of NGOs in developing countries. The information is available at [www.camr.gc.ca](http://www.camr.gc.ca).

8. Health Canada also undertook efforts to increase the visibility of CAMR internationally and build relationships with developing and least-developed countries in need of essential medicines. For example, Health Canada: (a) delivered a presentation on the CAMR at the International Conference of Drug Regulatory Authorities in Korea, 3-6 April 2006; (b) provided an educational session to representatives from Uganda on 19 May 2006; and (c) provided information to regulatory authorities from the Caribbean Common Market (Caricom) at the 18-19 September meeting organized by the Pan American Health Organization.

9. In addition, Health Canada contributed to developing OECD Guidelines for the Licensing of Genetic Inventions, which include guidance on best practices for governing licensing in genetics to address urgent and unmet health needs in developed and developing countries. More generally, these guidelines, which focus on access for public health systems and health researchers, provide a model governance mechanism for progressive licensing in health sciences that would benefit health systems in developing countries as well as developed countries with public healthcare systems.

10. In terms of the RCMP, the Director of the RCMP Federal Enforcement Branch is the Co-Chair of the Interpol Intellectual Property Crime Action Group (IIPCAG). Fifty percent of The IIPCAG Members come from law enforcement and fifty percent from the private-sector. This international forum continually seeks to promote international cooperation and Intellectual Property Rights (IPR) training. The RCMP, within the context of the IIPCAG, has contributed and continues to provide input towards training modules and IIPCAG's generic investigator's guide.

11. CIPO provides services on an on-going basis for WIPO's technical cooperation activities in favour of developing and least-developed country Members, including the following:

- training of senior officials of intellectual property offices of developing and least-developed country Members upon request by WIPO, including on-the-job training in operational and administrative matters with a view to supporting modernisation of domestic intellectual property services;
- performing state-of-the-art searches under the WIPO Patent Information Searches for developing countries;
- providing search and examination reports of patent applications under the WIPO Program of International Cooperation in the Search and Examination of Inventions (ICSEI); and
- supplying free copies of Canadian patent documents for developing countries, upon request from WIPO.

12. Canadian awareness building and reference resources are available for wide consultation through CIPO's website: [www.cipo.gc.ca](http://www.cipo.gc.ca)

13. In the context of APEC-IPEG, Canada participates actively in the organization's biannual deliberations aimed at sharing information and best practices on intellectual property rights.

### **III. OTHER CANADIAN INSTITUTIONS AND RESOURCES**

14. Other Canadian institutions have also been involved in providing technical assistance to developing and least-developed country Members.

15. For example, the CTPL is a Canadian institution that provides developing and transition economies with guidance and support to sustain them in the short term and with the knowledge and tools to ensure their full participation in international trade agreements, including specific training on intellectual property law and policy issues. CTPL offers a Certificate Programme in Trade Policy and Commercial Diplomacy each summer in Ottawa, Canada, that teaches the fundamentals of international trade agreements, trade policy formulation, and trade negotiation skills. The course includes a two-day module on TRIPS and related issues. The course is attended primarily by government officials from developing countries and countries in transition whose attendance is sponsored by CIDA.

16. The McGill University Faculty of Law and the Institute of Comparative Law has led a five year project which aims to assist Russia's transition to a market-based economy through the development of the legal framework for private commercial relations. CIDA provided funding for the project. Part of the project was dedicated to intellectual property under the Civil Code reform component of the project. The review and reform of the Russian intellectual property law regime is of pressing importance, both for the immediate benefits that successful reform would generate in the Russian economy, and for compliance with the requirements of Russia's accession to the WTO.

17. In 2005, the Quaker International Affairs Programme developed and translated issues papers on trade-related intellectual property rights. CIDA provided funding for these activities. These papers have been distributed among developing countries to increase understanding of intellectual property rights issues in the context of trade negotiations in multilateral, regional and bilateral fora.

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