

**TECHNICAL COOPERATION ACTIVITIES:
INFORMATION FROM MEMBERS**

CANADA

Addendum

The following communication, dated 21 October 2009, is being circulated at the request of the delegation of Canada.

1. 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.

2. Canada has undertaken a number of technical cooperation activities at the bilateral, regional and multilateral levels. Canada's bilateral efforts are mainly focused 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), where Canada participates actively in the organization's biannual deliberations aimed at sharing information and best practices on intellectual property rights. At the multilateral level, Canada works in close collaboration with the World Intellectual Property Organization (WIPO).

3. 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), International Development Research Centre (IDRC), Health Canada (HC) and the Royal Canadian Mounted Police (RCMP). Other Canadian institutions, such as the Centre for Trade Policy and Law (CTPL) and Department of Foreign Affairs and International Trade (DFAIT), are also involved in international technical cooperation efforts.

I. CANADIAN INTELLECTUAL PROPERTY OFFICE (CIPO)

4. CIPO hosted its annual **CIPO/WIPO Executive Workshop** on the "*Application of Management Techniques in the Delivery of Intellectual Property Services*". The training course is open to nationals from the following Regions: Latin America, Caribbean Region, Asia-Pacific, the Middle East, Africa and Eastern Europe.

In June 2008, nine senior officials from Bangladesh, Cambodia, Cuba, Mauritius, Mexico, Pakistan, the Republic of Maldives, the Ukraine and Zambia participated in the 5-day workshop. It provided participants with insight into the Canadian IP system and the management techniques used at CIPO, with a view to improve the capacity of intellectual property officials in developing countries. The 2009 workshop is scheduled to take place from 19-23 October 2009. Both CIPO and WIPO bear all costs associated with this workshop.

5. CIPO provides other activities in favour of developing and least developed country Members, including the following:

- 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 Programme 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.

II. CANADIAN INTERNATIONAL DEVELOPMENT AGENCY (CIDA)

6. The APEC-WTO Capacity Building Initiative Economic Integration Programme (APEC-EIP) is a CIDA Can\$9.95 million initiative, implemented with the Conference Board of Canada and the Estey Centre for Law and Economics in International Trade, aiming to build the capacity of government agencies and departments in four APEC economies in Southeast Asia (Viet Nam, Thailand, Indonesia and the Philippines) as well as Cambodia and Lao PDR. In Cambodia, APEC-EIP has developed an Intellectual Property component to enforce intellectual property rights and train personnel in the country. In 2007-2008, with the expert advice of APEC-EIP, the Ministry of Commerce drafted the legislation on "Trade Secrets and Undisclosed Information" and related sub-decrees and, at the request of the Secretary of State, APEC-EIP developed a training curriculum on the new legislation for members of the Cambodian judiciary. In addition, APEC-EIP has developed - and delivered - a broader training curriculum on trade policy and the WTO, in which the course entitled "Introduction to Trade Policy and the WTO" makes reference to the TRIPS Agreement, as part of its review of the scope of WTO sectoral coverage. The responsibility for the training curriculum is now being transferred to the newly created South East Asia Trade Policy Training Network (SEATRANET), which is receiving institutional support by APEC-EIP.

III. INTERNATIONAL DEVELOPMENT RESEARCH CENTRE (IDRC)

7. IDRC's Pan Americas Networking initiative has helped countries such as Haiti in developing capacity for Internet use. IDRC's Pan Asia Networking initiative has focussed on Viet Nam, Lao PDR, Sri Lanka and Nepal. In these countries, IDRC assisted in the elaboration of a participatory process for formulating the country's information technologies policy. IDRC also assisted in the implementation of the participatory process and the country's information technologies policy. IDRC is funding research projects to support developing countries to better understand the implications of intellectual property rules which have an important impact on access to digital content. These countries should be able to develop policies that foster access to information and knowledge. IDRC is supporting three regional research networks in Asia (LIRNE Asia), Latin America (DIRSI) and Africa (RIA) actively participating in the policy dialogue around the contribution of ICTs to economic growth and development. Particularly, these networks are assessing developing countries' policies and regulatory environment as they relate to the telecom sector. They are also developing indicators

to inform decision making and investments in ICTs that could best contribute to sustainable development.

IV. HEALTH CANADA (HC)

8. Health Canada continues to take opportunities at international venues to inform drug regulatory authorities from developing and least developed countries about 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 lower-cost versions of patented therapeutic products from Canada to developing and least developed countries with inadequate or no manufacturing capacity. As an example, Health Canada provided information to drug regulatory authorities from African nations during World Health Organization consultations that took place in December 2006 and June 2007.

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 health care systems. Health Canada is working to develop approaches to optimally disseminate, publicize, promote and facilitate the uptake of the OECD Guidelines through a range of appropriate channels in Canada.

V. ROYAL CANADIAN MOUNTED POLICE (RCMP)

10. The RCMP is an active member of the Interpol Intellectual Property Crime Action Group (IIPCAG), a body which provides Interpol's General Secretariat with expert advice on all matters pertaining to IP Crime. Fifty per cent of the IIPCAG members come from law enforcement and fifty per cent private-sector. This international forum continually seeks to promote international cooperation and Intellectual Property Rights (IPR) training.

11. The RCMP and Interpol co-hosted the 2nd International Law Enforcement IP Crime Conference in Halifax, Nova Scotia, Canada on 24-26 June, 2008. The conference brought together over 390 police and customs personnel and stakeholders from 45 countries (including two LDCs, Angola and Liberia) for the purpose of discussing trends, exchanging best practices and networking.

12. 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.

13. Since 2007, the RCMP also contributed to three International IP Crime Training Seminars hosted by Interpol in Rome, Italy. The seminars have been given to participants from developed and least developed countries, facilitating the exchange of best practices and techniques and networking.

VI. 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, Canada-based Centre for Trade Policy and Law (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, which continued in 2008, is attended primarily by government officials from developing countries and countries in transition whose attendance is sponsored by CIDA.

16. Lastly, officials from the Department of Foreign Affairs and International Trade participated as speakers in the WTO "Regional Workshop on Certain Topical Issues in Regard to Intellectual Property for Countries of the Caribbean", held in Bridgetown, Barbados, 15-17 September 2009 and at "L'Atelier régional sur certaines questions d'actualité concernant la propriété intellectuelle à l'intention des pays africains francophones", held in Tunis, Tunisia, 13-15 October 2009. The Workshops addressed a number of important policy issues under negotiation or consideration in the field of intellectual property in the WTO, including TRIPS and Public Health, access to genetic resources and protection of traditional knowledge, and protection of geographical indications. The aim is to provide information and an opportunity for an exchange of views among countries of the region in order to facilitate their effective participation in the areas which are subject to ongoing negotiations and discussions. With regard to TRIPS and public health, the workshops supported participating countries in the implementation and use of the TRIPS provisions and flexibilities. Canada offered the perspective of a developed WTO Member on all subjects that were discussed.
