

**TECHNICAL COOPERATION ACTIVITIES:  
INFORMATION FROM MEMBERS**

CANADA

Addendum

The following communication, dated 22 October 2010, 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 an update on Canada's activities concerning technical and financial cooperation in the area of intellectual property 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 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), Natural Resources Canada (NRCan) 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. In both 2009 and 2010, the Canadian Intellectual Property Office (CIPO) hosted its 12th and 13th annual CIPO-WIPO Executive Workshops in Ottawa. For the 2010 Workshop, twelve senior officials from Algeria, Dominica, Ecuador, India, Kazakhstan, Kenya, Malaysia, Morocco, Moldova, Philippines, Singapore and Tanzania discussed the "*Application of Management Techniques in the Delivery of Intellectual Property Services*". The Workshop included presentations on topics such as quality, leveraging international relationships, understanding client needs, the challenges of designing a proper national intellectual property policy and the Role of WIPO in the promotion of intellectual

property. For the five-day 2009 Workshop, thirteen senior officials from China, the Czech Republic, Egypt, Indonesia, Kyrgyzstan, Mexico, Nigeria, Pakistan, Philippines, Russia, South Africa, Thailand and Uganda participated. Overall, the annual workshops provided participants with insight into the Canadian intellectual property system and the management techniques used at CIPO, with a view to improving the capacity of intellectual property officials in developing countries and to provide a forum for the exchange of ideas. Both CIPO and WIPO bore 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 (WPIS) programme;
- providing search and examination reports of patent applications for developing countries under the WIPO Programme of International Cooperation in the Search and Examination of Inventions (ICSEI);
- supplying free copies of Canadian patent documents for developing countries, upon request from WIPO.
- providing technical assistance in the area of Patents to the Antigua and Barbuda Intellectual Property and Commerce Office (ABIPCO), in February 2010, to assist in developing their Patent Act and Rules, and to help them to understand the implications of their involvement in the WIPO Patent Cooperation Treaty (PCT).
- providing training to the Belize Intellectual Property Office (BELIPO), in April 2009, on practical considerations for the searching and examination of patent applications, on the duties of a PCT Receiving Office, and on the International Patent Classification system. The Belize Office requested training from CIPO through a WIPO programme to assist developing countries. Presentations were also made to the Belize legal community on: CIPO (an overview); patents examination; and on the PCT.

## **II. CANADIAN INTERNATIONAL DEVELOPMENT AGENCY (CIDA)**

6. The APEC-WTO Capacity Building Initiative Economic Integration Programme (APEC-EIP) is a Canadian International Development Agency (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. For technical cooperation with developing countries, Canada's International Development Research Centre (IDRC) supports research in developing countries to promote growth and development. It does so using a "grants-plus" approach that combines financial support to create new opportunities for research, engagement with recipients in the research process, and brokering that helps strengthen research-to-policy linkages. IDRC works with researchers and innovators in the developing world, to develop their own ideas, communicate their results, and contribute to the larger efforts to reduce poverty. IDRC provides technical assistance related to research design and methodology, communication and evaluation. The work of IDRC is part of Canada's international assistance and is guided by the *International Development Research Centre Act*.

8. Under the Strategic Framework 2010-2015, IDRC focuses on agriculture and the environment, science and innovation; social and economic policy; and health and health systems. Within each focus, programmes define the specific development problem and identify the most promising approaches to address them.

9. Recent outcomes of IDRC programmes include:

- African researchers are developing interoperable eHealth solutions, utilizing open standards and architectures to help countries implement national health information systems. This work was selected as a vehicle to test the WHO Health Metrics Network Framework in pilot countries.
- Research showing that African countries have not taken advantage of the provisions available in the TRIPS agreement such as patent pooling, and the research exemption, to access patented knowledge for innovation. Such findings help developing countries strike a balance between patent protection and encouraging innovation in areas critical to social development.
- Work on the following: The Future Control of Food ([http://www.idrc.ca/en/ev-118094-201-1-DO\\_TOPIC.html](http://www.idrc.ca/en/ev-118094-201-1-DO_TOPIC.html)) that clarifies the legal jargon of negotiations on the trade-related aspects of food; Access to Knowledge in Africa ([http://www.idrc.ca/en/ev-156920-201-1-DO\\_TOPIC.html](http://www.idrc.ca/en/ev-156920-201-1-DO_TOPIC.html)) analyzes the legal and practical issues posed by copyright for access to learning materials in Africa; and, Living the Information Society in Asia ([http://www.idrc.ca/en/ev-137700-201-1-DO\\_TOPIC.html](http://www.idrc.ca/en/ev-137700-201-1-DO_TOPIC.html)) examines policy implications as how people interact with information technologies in everyday life. These publications are freely available via <http://www.idrc.ca>.

10. 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)**

11. Health Canada (HC) 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.

12. 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. NATURAL RESOURCES CANADA (NRCAN)**

##### Senegal National Geomatics Plan (2009-2013)

13. Natural Resources Canada's Earth Sciences Sector is working with CIDA under a Memorandum of Understanding (MOU) with the Government of Senegal to partner on a CAN\$6 million (plus in-kind contributions) "Senegal National Geomatics Plan". This project will contribute to sustainable management in Senegal and the development of related human and technical resources. The Objectives of the Geomatics Plan are to:

- Develop uniform standards for spatial data.
- Establish standards for cost-sharing of responsibilities.
- Expand existing data infrastructure and technologies for data collection to establish a topographic data base.
- Provide training on use and implementation of geomatics technologies.
- Promote awareness amongst Senegal's private sector and operational management on the capabilities and applications of geospatial information and models.

##### India Landslide Project (2006-2009)

14. In close cooperation with the Indian Geological Survey, the objective of the India Landslide Project was for India and Canada to collaborate on increasing the capacity and knowledge in India to help predict and prevent landslides. This work involved mitigating risk through the use and promotion of Canadian in-situ technology and the processes involved in the monitoring, evaluation and assessment of threats.

15. This cooperation increased the knowledge and capacity building for Indian landslide experts to undertake hazard assessments and the monitoring of landslides to help reduce the risk of losses

associated with possible slope failures. This Project actively promoted Canadian private sector expertise and cooperation in landslide monitoring/mitigation with potential clients involved in landslide work in India. Overall, this work helps reduce the potential loss of life and infrastructure resulting from landslide hazards in both India and Canada.

16. This project operated through a Memorandum of Understanding between Natural Resources Canada (NRCan) and the India Ministry of Mines signed on 1 April 2003 and a Project Annex between India Ministry of Mines and NRCan signed 19 September 2006.

17. The joint project included technology transfer and capacity building of national expertise residing in the Geological Survey of India through a series of seminars, short courses, field trips, and other activities coordinated and provided by scientists from NRCan, academia and the private sector.

#### China Hydrocarbon Geosciences Collaboration Project (2004-2012)

18. Several Canadian and Chinese stakeholders are partnering to significantly advance geochemical research. This is a key area of research because heavy oil and unconventional gases are the largest sources of fossil fuels in both countries.

19. Through a comparative study of Chinese and Canadian basins of acidic petroleum, the early phases of the Project centered on the development of laboratory analytical protocols for its characterization, as well as development of subsurface mapping techniques to identify petroleum traps.

20. The current phase of the project focuses on geochemical research capacity building for unconventional gas resources. Through personnel exchange and joint workshops, the project is utilizing the geoscientific expertise of NRCan (Earth Sciences Sector) and other Canadian and Chinese stakeholder to provide mutual sample and data access in Canadian and Chinese shallow gas and deepwater projects; develop practical tools for characterizing shallow gas and deepwater gas systems; and improvise methodologies for gas resource assessment and spatial prediction.

21. Overall, the objective of the "China Hydrocarbon Geosciences Collaboration Project" is to:

- Develop better techniques to define heavy oil and unconventional gas deposits.
- Enhance Chinese expertise and capacities in geochemical research.
- Help Canadian private sector and Chinese industry identify investment opportunities in the Canadian oil and gas sector.
- Create deeper research ties and future opportunities with China.

#### NRCan (Canadian Forest Service)

22. The African Model Forest Initiative (AMFI) was established by the Government of Canada in 2009 as a follow-up to commitments made at the 2008 Francophonie Summit in Quebec City. With a budget of CAN\$15 million over three years starting April 2009, this NRCan Programme supports efforts by the International Model Forest Network Secretariat to develop Model Forests in francophone nations of the Congo Basin and parts of Mediterranean Africa (Morocco, Tunisia, Algeria). The Programme also promotes rural sustainable development and good governance, encourages biodiversity conservation, and helps these nations build effective networks with other Model Forests around the world.

23. Carbon Budget Modelling – Leading edge modelling to understand and budget carbon flows from forests is being shared freely with many developing countries. Spanish language translations are being made and outreach to a broader audience is being developed.

24. Global Observation of Forest Cover and Land Dynamics (GOFC-GOLD) – active in Asia, Africa and Latin America. This is multi-year work under UN auspices to build capacity abroad and tracks important land cover change. The GOFC-GOLD Project Office at CFS co-organized the International Workshop on Monitoring Forest Carbon Stocks and Fluxes in the Congo Basin, from 2 to 4 February 2010, Brazzaville, Republic of Congo, together with its OSFAC regional network and several other organizations.

## **VI. ROYAL CANADIAN MOUNTED POLICE (RCMP)**

25. Since 2007, the RCMP also contributes to International Intellectual Property Crime Training Seminars hosted by Interpol each year. The seminars have been given to participants from developed and least developed countries, facilitating the exchange of best practices and techniques, and networking.

26. The RCMP and Health Canada are also active members of the Permanent Forum on International Pharmaceutical Crime (PFIPC). The forum re-groups 15 developed countries and members from the private sector, allowing for the exchange of best practices, information on trends and enforcement initiatives and networking. In June 2010, and for the third consecutive year, the PFIPC and Interpol organized "Operation Pangea" (an International Week of Action) to raise public awareness of the risks of buying medicines on the internet. More than 45 developed and least developed countries committed to participate in Operation Pangea III.

27. The RCMP and Interpol co-hosted the International Law Enforcement Intellectual Property Crime Conference in Canada in 2007 and 2008. Each conference brought together over 375 police officers, customs personnel and stakeholders from over 40 countries (including two LDCs, Angola and Liberia) for the purpose of discussing trends, exchanging best practices and networking.

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

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

29. For example, the 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.

30. Lastly, officials from the Department of Foreign Affairs and International Trade participated as speakers in the WTO regional workshop for French speaking African countries: "L'Atelier régional sur certaines questions d'actualité concernant la propriété intellectuelle à l'intention des pays africains francophones", held in Tunis, Tunisie, from 13 to 15 October 2009. The Workshop 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 workshop also intends to support participating countries in the implementation and use of the TRIPS provisions and flexibilities. Canada offered the perspective of a developed WTO Member on all subject being discussed.

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