

**TECHNICAL COOPERATION ACTIVITIES:
INFORMATION FROM MEMBERS**

CANADA

Addendum

The following communication, dated 6 October 2011, 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) 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.

5. In May 2011, the Canadian Intellectual Property Office (CIPO) hosted its 14th annual CIPO-WIPO Executive Workshops in Ottawa. Eleven Senior Officials from Bangladesh, Brazil, Croatia, Lebanon, Mexico, Nigeria, the Philippines, Serbia, South Africa, Tajikistan, and Thailand participated in the 5-day workshop. Delegates 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. It also provided participants with insight into the Canadian Intellectual Property system and the management techniques used at CIPO, with a view to improve the capacity of intellectual property officials in developing countries. Both CIPO and WIPO bear all costs associated with this workshop.

6. In July 2011, four officials from Barbados, Belize, and St. Vincent and the Grenadines received training from CIPO and WIPO officials on the Patent Cooperation Treaty (PCT) system. The two day session was held at CIPO and covered all aspects of the PCT process. All costs were covered by WIPO and CIPO.

7. 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 (14 requests in 2010/11);
- 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)

8. 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 (Vietnam, 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)

9. 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*.

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

11. Recent outcomes of IDRC programmes include:

- 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.
- In Asia, IDRC-funded research in several developing countries pioneered the use of a dozen languages into Internet compatible fonts –including Urdu spoken in Pakistan, Afghanistan and India– rendering the Internet accessible to tens of millions of people.
- 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 World Health Organization Health Metrics Network Framework in pilot countries.

The following recent IDRC publications also help describe IDRC's support to research on technology use in developing countries:

- Strengthening Rural Livelihoods: The Impact of Information and Communication Technologies in Asia
[\("http://www.idrc.ca/EN/Resources/Publications/Pages/IDRCBookDetails.aspx?PublicationID=830"\)](http://www.idrc.ca/EN/Resources/Publications/Pages/IDRCBookDetails.aspx?PublicationID=830)
- Local Governance and ICTs in Africa: Case Studies and Guidelines for Implementation and Evaluation
[\("http://www.idrc.ca/EN/Resources/Publications/Pages/IDRCBookDetails.aspx?PublicationID=829"\)](http://www.idrc.ca/EN/Resources/Publications/Pages/IDRCBookDetails.aspx?PublicationID=829)
- Global Innovation in Emerging Economies
[\("http://www.idrc.ca/EN/Resources/Publications/Pages/IDRCBookDetails.aspx?PublicationID=796"\)](http://www.idrc.ca/EN/Resources/Publications/Pages/IDRCBookDetails.aspx?PublicationID=796)

IV. HEALTH CANADA (HC)

12. 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. In June 2009, Canada's formal acceptance of the Amendment to the TRIPS Agreement was communicated to the WTO showing Canada's commitment to the Regime and the issue of access to essential medicines. In October 2010, Health Canada participated at the WTO TRIPS Council Meeting and provided details to member countries on the CAMR framework. Health Canada also outlined its experience with the Apotex-Rwanda export and responded to their questions.

13. 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)

14. Since 2007, the RCMP 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.

15. 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 September 2011, and for the fourth 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. 81 developed and least developed countries participated in Operation Pangea IV.

VI. OTHER CANADIAN INSTITUTIONS AND RESOURCES

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

17. 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 is attended primarily by government officials from developing countries and countries in transition whose attendance is sponsored by CIDA.

18. Lastly, officials from the Department of Foreign Affairs and International Trade participated as speakers in the "WTO regional workshop for central and eastern European and central Asian countries", held in Vienna from January 26 to January 28, 2011. The workshop addressed a number of important policy issues under negotiation or consideration in the field of intellectual property in the WTO, including climate change, Public Health and the protection of geographical indications. Canada offered its perspective on biotechnology, traditional knowledge and biodiversity, paragraph 6 of the

Doha declaration on the TRIPS agreement and Public Health (Canada's Access to Medicines Regime), and the protection of geographic indications.
