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

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**TECHNICAL COOPERATION ACTIVITIES:
INFORMATION FROM MEMBERS**

CANADA

Addendum

The following communication, dated 7 October 2014, 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, covering the 2013-2014 period.

2. Canada has undertaken a number of technical cooperation activities at the multilateral, plurilateral and bilateral levels. At the multilateral level, Canada works in close collaboration with the World Intellectual Property Organization (WIPO). Canada also provides continuing contributions to the World Bank, the Inter-American Development Bank, the African Development Bank and the Asian Development Bank, as well as the Global Environment Facility (GEF). Examples of the Canada's regional activities include the work 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.

3. The following summary provides an update of these activities, which are mainly administered by the Canadian Intellectual Property Office (CIPO), the Department of Foreign Affairs, Trade and Development (DFATD), incorporating the former Canadian International Development Agency¹, the 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) are also involved in international technical cooperation efforts.

1 PROGRAMMES BY DEPARTMENT, AGENCY OR ORGANIZATION

1.1 Canadian Intellectual Property office (CIPO)²

4. CIPO's Workshop on "the Application of Management Techniques in the Delivery of Intellectual Property Services" was held from June 9 to 13 June 2014. The Workshop is part of the WIPO

¹ On June 26 2013, the former Canadian International Development Agency (CIDA) was merged with the Department of Foreign Affairs and International Trade to create the Department of Foreign Affairs, Trade and Development (DFATD). Certain references to CIDA remain in this text and the two organization titles should be considered interchangeable for the purposes of this report.

² An overview of CIPO's international initiatives is provided at: <http://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/wr02324.html#apec>.

Professional Development Programme aimed at providing general and specialized training to senior IP executives in developing and least developed countries. The WIPO / CIPO Workshop was open to nationals from the following Regions: Latin America; Caribbean Region; Asia-Pacific; the Middle East; Africa; and Eastern Europe. Ten Senior Officials from Serbia, Romania, the Philippines, Pakistan, Bangladesh, Tunisia, Egypt, Malaysia, Indonesia, and Bangladesh participated in the 5-day Workshop. The Workshop included presentations on topics such as quality management, leveraging international relationships, understanding client needs, the challenges of designing a proper national intellectual property policy and the history of WIPO and its challenges. Furthermore, the Workshop also 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. Both CIPO and WIPO bear all costs associated with this workshop.

5. CIPO, as a PCT International Authority also hosted a training activity for examiners from the Chilean Institute of Industrial Property. The training took place in Santiago, Chile and Ottawa, Canada.

6. CIPO provides other activities in favor 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). CIPO performed requests in 2014; and
- Supplying free copies of Canadian patent documents for developing countries, upon request from WIPO.

1.2 Department of Foreign Affairs, Trade and Development (Dfard)

7. DFATD's development branch deals with development assistance and aims to manage Canada's support and resources effectively and accountably to achieve meaningful, sustainable results as well as engage in policy development in Canada and internationally, enabling Canada's effort to realize its development objectives. DFATD is responsible for various technical cooperation and financial cooperation programmes with developing countries which seek to provide support to legislation reform. Such programmes include³:

- **National Legislative Development project (Viet Nam)** - The objective of the project is to strengthen the legal foundations for economic growth through an integrated programme of reforms to the Vietnamese legislative development process. It addresses several priorities of the Government of Viet Nam's legal reform agenda, including: the development of laws that are clear and more easily implemented; improved review of legislation to ensure that it is consistent internally and with other legislation; and more effective public participation in the lawmaking process. The project addresses these concerns through an integrated work programme addressing all points of the legislative development process, with attention to legislation that supports economic growth and development.
- **Policy Implementation Assistance Project (PIAP) - Phase III (Viet Nam)** - The goal of this project is to support policies and reforms that promote transparent and accountable governance in Viet Nam. PIAP aims to improve the capacities of key Vietnamese government bodies within the National Assembly to guide and enable Viet Nam's ongoing socio-economic reform process.

³ More information on DFATD's programmes are available through the DFATD project browser: "<http://les.acdi-cida.gc.ca/servlet/JKMSearchController?desTemplateFile=cpoAdvSearchEn.htm&desClientLocale=enUS&AppID=cpoEn>."

- **Canadian-Caribbean Cooperation Fund (Antigua and Barbuda, Anguilla, Barbados, Belize, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Montserrat, Suriname, Trinidad and Tobago, Turks and Caicos Islands, Dominica, Saint Vincent and the Grenadines)** - The goal of the Canadian-Caribbean Cooperation Fund (CCF) is to advance public sector reform and to contribute to improving the environment for business development in the Caribbean. The purposes are: (1) to strengthen public sector entities for the effective and efficient delivery of services and (2) to address bottlenecks to private sector development and business investment. Public Works and Government Services Canada (PWGSC) is the organization responsible for managing the CCF on behalf of DFATD. PWGSC has established a network of local fund coordinators, currently based in Guyana, Antigua, and Jamaica, who have been contracted to serve local needs, facilitate the application process and monitor local CCF initiatives. The CCF provides technical assistance in response to initiatives proposed by local government ministries, regional organizations, business associations or institutions such as universities. These initiatives aim primarily to increase local governments' capacities to formulate effective policies, to deliver efficient services, and to enhance the climate for business development.
- **Democratic Institutions Programme (Ethiopia)** - The Democratic Institutions Programme is a multi-donor initiative designed to support the development of a democratic, constitutional federalism in Ethiopia that is accountable and responsive to Ethiopian citizens. Its purpose is to deepen the democratization process by strengthening key state institutions including the National Electoral Board of Ethiopia, the Ethiopian Human Rights Commission, the Ethiopian Institute of the Ombudsman, the Federal Ethics and Anti-Corruption Commission, the House of Peoples' Representatives and Regional State Councils, and the House of Federation. The Democratic Institutions Programme focuses on improving the quality of legislation, working systems, and procedures; reorganization for institutional efficiency and accountability; awareness raising and consensus building; public engagement, consultations, and reporting both to the public and to other state actors; and conflict resolution. It is managed by the United Nations Development Programme (UNDP).
- **Municipal Partners for Economic Development Project (Mali, Tanzania, Burkina Faso, Bolivia, Cambodia, Nicaragua, and Viet Nam)** - The Federation of Canadian Municipalities' (FCM) project aims to enhance sustainable and equitable economic growth in selected developing countries in Africa, Asia and the Americas. Its specific purpose is to support local governments and local government associations (LGAs) in these countries to enable them to provide more effective services that advance sustainable and equitable local economic development. The FCM co-manages the project with the seven national LGAs. Technical assistance is provided to LGAs to increase their capacity for policy development and political representation, so that national legislation, regulations and policies are supportive of an increased local government role in economic development. As well, technical assistance supports their efforts to establish training and knowledge-sharing programmes on sustainable and equitable economic development.

8. A major development with respect to Technical Assistance has been the creation of the **Canadian Trade and Development Facility** comprised of a new Expert Deployment Mechanism, an alliance with the Trade Facilitation Office Canada and a commitment to consider the development of other sustainable economic growth projects, if required. The funding initiative will help developing countries negotiate, implement and benefit from trade and investment agreements with Canada and other countries.

1.3 International development research centre (IDRC)

9. Canada's International Development Research Centre (IDRC), an arm's length crown corporation, 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, capacity-building, and brokering to 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. The work of IDRC is part of Canada's international development assistance and is guided by the *International Development Research Centre Act*.

Under the Strategic Framework 2010-2015, IDRC focuses on 4 thematic areas: agriculture and the environment, science and innovation; social and economic policy; and global health policy. Notably, the Information and Networks (I&N) programme, which falls under the science and innovation thematic area, supports research to ensure that the use of networked technologies has positive results, particularly for creative industries, governance, learning, and science. The Programme seeks to:

- promote openness through information-sharing and collaborative processes;
- protect the rights of citizens and consumers;
- encourage the inclusion of marginalized communities in the benefits of networked societies; and
- broaden the field of research on information networks and development.

10. 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.
- Research pointing to the value of collaborative platforms for open source drug development.⁴

11. The following IDRC publications are examples of IDRC's support to research on technology use in developing countries:

- Open Minds: Lessons from Nigeria on Intellectual Property, Innovation, and Development⁵
- Open Source Biotechnology Platforms for Global Health and Development: Two Case Studies⁶
- Connecting ICTs to Development⁷

12. Specifically, IDRC has a number of research programmes that aim to provide technical assistance to developed and least developed countries, including the following⁸:

- **Pervasive Technologies: Access to Knowledge (A2K) in the Marketplace (India)** - This project explores the interplay between intellectual property and the production and deployment of pervasive networked technologies and seeks to provide a supply-side picture of how intellectual property plays a role in the proliferation of access technologies. The resulting body of research is expected to shed light on how to better promote access to knowledge in Asia, with a view to influencing intellectual property laws and practices.
- **Open Business Models: New Compensation Mechanisms for Creativity and Inclusion (focus on Brazil, Colombia, Jamaica)** This research aims to explore important new business models in the networked society, their implications for the rights

⁴ See "Open Source Biotechnology Platforms for Global Health and Development: Two Case Studies" <http://www.idrc.ca/en/resources/publications/openebooks/541-1/index.html>

⁵ Available at: <http://www.idrc.ca/en/resources/publications/openebooks/541-1/index.html>

⁶ Available at: <http://www.idrc.ca/en/resources/publications/openebooks/541-1/index.html>

⁷ Available at: <http://idl-bnc.idrc.ca/dspace/bitstream/10625/52228/1/IDL-52228.pdf>

⁸ A list of IDRC's programs can be accessed on the IDRC website : <http://idris.idrc.ca/app/Search>

of consumers and creators, and their role in increasing inclusion and cultural diversity. It will also examine how the "click economy" (especially online ad-based models that use micropayments) and the "sharing economy" (peer-to-peer distribution of digital content) are transforming the developing regions of the world.

- **Ecology of Access to Educational Material in Developing World Universities (focus on Brazil, India, South Africa)** - This grant supports a multi-country inquiry into access to educational materials in developing country universities with a focus on Brazil, India and South Africa. The findings will contribute to a wider inquiry into global market and policy dynamics, and to the emerging positive agenda on access, copyright and enforcement at the international level.
- **African Innovation Research on Intellectual Property's Role in Open Development (South Africa, Egypt, Ghana, Nigeria)** - This project aims to analyse the link between copyright, patents and trademarks and innovators' access to and production of knowledge-intensive products and services. Case studies will focus on the energy sector, creative industries and agriculture in several African countries. The project will foster capacity building on the part of African IP researchers, uptake of the research results by policymakers, and peer networking with researchers in Asia and Latin America. A network of African researchers will be coordinated by the Intellectual Property Law and Policy Research Unit, University of Cape Town, South Africa. Sub-nodes of collaborating researchers will be located in Northern Africa (Egypt), West and Central Africa (Ghana or Nigeria) and East Africa (Kenya).
- **Global Administrative Law and Developing Countries (Brazil, Colombia)** - The research network on global administrative law (GAL network) was organized by New York University Law School with IDRC support to improve the ability of developing country scholars, researchers, lawyers, officials, nongovernmental organizations and businesses to understand and influence important developments in global regulatory governance. This grant allowed, inter alia, the Los Andes University Law School Bogota (Colombia) to examine how transnational processes have shaped intellectual property norms governing access to medicine in Argentina, Brazil and Colombia.
- **Improving the Integration of Young African Researchers into Research and Innovation Systems (Burkina Faso, Cameroon, Senegal)** - This project explores opportunities available to young researchers in (Burkina Faso, Cameroon, Senegal) to work in private institutions and research centers, intellectual property services, norms and standards services, nongovernmental organizations and think tanks. Contracts with associations and entrepreneurs will allow them to define their needs and propose ways of inserting young researchers into the business world. The goal is to turn young researchers into productive citizens, useful to their society, internationally competitive and aware of their contribution to the development of the continent.

1.4 Health Canada

13. 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.

1.5 Royal Canadian Mounted Police (RCMP)

14. Since 2007, the RCMP has contributed 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 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.

16. In May 2014, and for the seventh year in a row, 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. 113 developed, developing and least developed countries participated in Operation Pangea VII from 13 to 20 May 2014.

2 OTHER CANADIAN INSTITUTIONS AND RESOURCES

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

18. 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.
