

ANNEX A

CLUSTER A TECHNICAL ASSISTANCE AND CAPACITY BUILDING		SIMILAR PROPOSALS (WITH POSSIBLE REPETITION OR DUPLICATION) (i)	ACTIONABLE OR DECLARATIONS OF GENERAL PRINCIPLES / OBJECTIVES (ii)	INFORMATION ON EXISTING RELATED WIPO ACTIVITIES * (iii)
1.	To make technical assistance development-oriented and demand-driven. Furthermore, it should be targeted at specific areas and include timeframes for completion.	Annex A: 1 Annex B: 12	General principle/ Objective	Technical assistance programs and activities are conducted upon request from Member States and agreed with governments through bilateral discussions or during regional consultations. They are undertaken in pursuit of the broad policy objectives for economic development of concerned countries. In most instances, they are result-oriented and are implemented through time-bound national projects, with provisions, <i>inter alia</i> , for monitoring, reporting and evaluation of results. For example, WIPO is currently implementing national projects in Brazil, Colombia, Ethiopia, Mexico, Pakistan, Panama, Sri Lanka, United Republic of Tanzania and Uruguay; a sub-regional project in the Caribbean region and the Member States of OAPI, regarding the promotion of geographical indications, as well as the collective management of copyright and related rights in Africa.
2.	To provide increased assistance to WIPO through donor funding, so as to enable the organization meet its commitments in regards to technical activities in Africa.	Annex A: 2, 3, 8	Actionable	WIPO manages eight Funds-in-Trust arrangements for developing countries. Activities in Africa are currently financed through budgetary and extra-budgetary resources.
3.	To establish a Trust Fund within WIPO to provide specific financial assistance for least developed countries (LDCs).	Annex A: 2, 3, 8	Actionable	Although there are no Funds-in-Trust arrangements at present to specifically meet the needs of LDCs, the FIT arrangements currently in force provide funding for technical assistance programs in LDCs. The FIT arrangement with the Republic of Korea (ROK), refers in particular to LDCs. The FIT from the Swedish International Development Agency (SIDA) has a project specifically for LDCs.

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4.	Development of agreements between WIPO and private enterprises, allowing the national offices of developing countries to access specialized databases for the purposes of patent searches.	Actionable	FIT arrangement between WIPO and ROK provides resources for national offices of developing countries to gain access to specialized patent-search databases. In the LAC region, WIPO assists National IP Offices to access specialized databases on patent information owned by private enterprises, through the negotiation of special (preferential) fees for the purchasing of patent collections and for on-line databases. Four countries currently benefit from this cooperation. At the regional level, WIPO is implementing, with the European Patent Office and the Spanish Patent and Trademark Office, the LATIPAT project in order to make available all the information linked to patent applications in Spanish and/or granted in the Latin American countries.
5.	To expand WIPO's advice and technical assistance provided to SMEs and sectors dealing with scientific research and cultural industries.	Annex A: 5 Annex B: 2	Actionable WIPO develops a wide range of activities targeting SMEs in the scientific research and cultural industries. For example, specific technical assistance programs and advice have targeted SMEs in sectors involved in scientific research and cultural industries in Bangladesh, Bhutan, Brunei Darussalam, Cambodia, India, Malaysia, Nepal, the Philippines and Sri Lanka. Activities have been tailored to promote the strategic use of IP rights and patent information for SMEs in Guatemala, Dominican Republic, Uruguay, Jamaica, Saint Kitts and Nevis, Saint Vincent and the Grenadines and Trinidad and Tobago, in Latin America and the Caribbean, and in Mauritius, Nigeria, Rwanda, South Africa, United Republic of Tanzania, and the Member States of OAPI in Africa. Special studies on the use of IP by SMEs were conducted in a number of countries. Business friendly guides for SMEs have been developed on patents, trademarks, designs and copyright and customized in various countries. Studies have been

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			undertaken on university industry relations, innovation and cultural industries, and various events have been organized on the relevance of IP for the scientific community, SMEs, research centers and on commercialization of research results.
6.	To request WIPO to assist Member States in setting-up national strategies in the field of intellectual property.	Actionable	Extending assistance to countries to formulate national IP strategies is a priority in the current work program of WIPO. Many countries have requested WIPO's assistance to develop IP strategic plans, including a prior IP audit. WIPO is currently providing assistance to several countries in Africa, the Arab region, Asia and the LAC region. WIPO has also provided, on request, material for use in national strategies regarding protection of traditional knowledge (TK) and traditional cultural expressions (TCE) / expressions of folklore.
7.	To increase financial resources for technical assistance for promoting an IP culture with an emphasis on introducing intellectual property at different academic levels.	Actionable	The WIPO Worldwide Academy is devoted to the development of human resources and promotes the teaching of IP in developing countries, organizes diplomas and degree programs jointly with educational institutions with WIPO's financial assistance to students, or other special programs tailor-made for teachers of intellectual property law. The WIPO Distance Learning courses (currently six courses in seven languages with four more courses in 2007) provide basic and advanced IP education with a special fee waiver or discount scheme for participants from developing countries. To date, over 61,000 registrations have been received from 175 countries for WIPO's distance learning courses. WIPO also assists universities in the development of curricula for the teaching of IP and provides reading and teaching material for use by

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				teachers. Specific activities have already been undertaken by WIPO in India, Indonesia, Iran, Myanmar and the Philippines (in the Asia and Pacific region); Argentina, Brazil, Colombia, Jamaica, Mexico and Peru (in the LAC region); Egypt, Jordan, Sudan and Tunisia (in the Arab region) and South Africa (in the Africa region). Of increasing importance is the celebration of the international IP Day by many countries during which awareness raising activities are carried out.
8.	To request WIPO to establish a voluntary contribution fund to promote the legal, commercial and economic exploitation of intellectual property rights in developing countries and LDCs.	Annex A: 2, 3, 8	Actionable	Please see information provided for proposals 2 and 3 in Annex A.
9.	WIPO Partnership Program Database: Create a WIPO Partnership Program Database, an Internet-based tool to facilitate the strategic use of intellectual property by developing countries by bringing together all stakeholders to match specific IPR-related development needs with available resources, thereby amplifying the impact of intellectual property development assistance.	Annex A: 9 and 11 Annex B: 65	Actionable	WIPO and donor countries and institutions have started initial consultations designed to establish a framework to improve information exchange (web-based database, virtual platform for dialogue) between WIPO and donor countries and institutions and among donors with a view to improving the mobilization of IP technical assistance both in the form of funds and in kind and facilitating the matching of developing countries' needs and donors resources.
10.	Competing in the Knowledge Economy: Recognizing the importance to the economic and cultural development of		Actionable	Please see information provided for proposal 9 in Annex A.

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	effectively participating in the "knowledge economy," the WIPO Partnership Office should aggressively seek out potential partners to assist countries making the transition to or competing more effectively in the knowledge-economy.			
11.	To create a web page containing technical assistance information provided by WIPO and other relevant international organizations, in order to enhance transparency, by including, for example, requests of technical assistance made by Member States.	Annex A: 9 and 11 Annex B: 65	Actionable	WIPO's technical assistance programs for the past five years are summarized on the Internet site of WIPO. Furthermore, WIPO submits to the General Assembly each year a program performance report on technical assistance carried out in the preceding year. Please see information provided for proposal 9 in Annex A.
12.	To take into account the different levels of development of various countries in designing, delivering and evaluating technical assistance.	Annex A: 12 Annex B: 8 and 15	General principle/ Objective	Activities are carried out only with the full consent and at the request of the beneficiary countries or institutions. Underlining the importance of such assistance, since 1997 WIPO has introduced the concept of "Nationally Focused Action Plans" (NFAPs). For example, in the Central American region, WIPO contributes to the production of a patent examination manual, which incorporates the particular needs and resources of the offices of the region. Similarly, in the copyright field, work on the creation and strengthening of collective management of copyright in recent years in African, Asian and the Caribbean countries takes into account the size of the market and the resources available.
13.	To establish a Code of Ethics for the			With the approval of the WIPO Coordination Committee, the UN Standards

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	Secretariat technical assistance staff and consultants.	Annex A: 13, 15	Actionable	of Conducts for the International Civil Service were incorporated in the WIPO staff regulations and rules in 2002, and is therefore binding on all WIPO staff members and consultants.
14.	To make publicly available roster of consultants for technical assistance.		Actionable	
15.	To ensure that WIPO technical assistance staff and consultants are fully independent and avoid potential conflicts of interest.	Annex A: 13, 15	General principle/ Objective	Please see information provided for proposal 13 in Annex A.
16.	To provide technical cooperation to developing countries, at their request, in order to better understand the interface between intellectual property rights and competition policies.	Annex A: 16 and 28 Annex B: 6 and 16	Actionable	WIPO legislative assistance provides for suggestions as regards anti-competitive practices, not only in the context of repressing those practices by means of compulsory licenses but also as regards their prevention through administrative monitoring of contracts. Two studies have been commissioned on the interface between intellectual property and competition law.

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CLUSTER B NORM-SETTING, FLEXIBILITIES, PUBLIC POLICY AND PUBLIC DOMAIN	SIMILAR PROPOSALS (WITH POSSIBLE REPETITION OR DUPLICATION) (i)	ACTIONABLE OR DECLARATIONS OF GENERAL PRINCIPLES / OBJECTIVES (ii)	INFORMATION ON EXISTING RELATED WIPO ACTIVITIES * (iii)
17. Consider the protection of the public domain within WIPO's normative processes.	Annex A: 17 and 32 Annex B: 23 and 32	General principle/ Objective	Recent introduction of traditional knowledge in the International Patent Classification and in PCT minimum documentation are important steps in this respect. Further initiatives are under way to reduce the likelihood of illegitimate patents on traditional knowledge. In the draft SPLT, the definition of prior art and patentability standards seek to avoid encroachment on the public domain. WIPO's legislative advice to developing countries takes into account the public domain, e.g. when defining the scope of exclusive rights and the exceptions and limitations thereto. Within the Standing Committee on the Law of Trademarks, the relevant documents are: "Marks and International Nonproprietary Names for Pharmaceutical Substances" (SCT/16/3); "Article 6ter of the Paris Convention: Legal and Administrative Aspects" (SCT/15/3); Communication by Brazil concerning Customary names Used in Brazil Associated with Biodiversity, and "Trademark Opposition Procedures" (SCT/16/4)
18. To ensure member-driven procedures in which the WIPO's Secretariat does not play a role by endorsing or supporting particular proposals, particularly in the negotiation of international treaties and		Actionable	Revised draft basic proposal on broadcasting treaty (SCCR 15/2Rev) is based on submissions received from 20 Member States. Principle of inclusiveness prevails as regards the nature of the working document. In the Standing Committee on Patents (SCP) any major project is

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norms.			undertaken only after discussion with Member States. An Open Forum was held in March 2006 and an informal session of the SCP in April 2006 to discuss work program of the SCP. The Chair of General Assembly will hold consultations in the first half of 2007 with Member States on work program of the SCP. In the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), draft objectives and principles for protection of TK and TCEs are based directly on Member State proposals, and revised exclusively through commentary processes created by Member States. The future work of the SCT is established on the basis of Member States' proposals (please see document SCT/15/2 on "Compilation of Proposals for Future Work of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications").
19. To ensure that norm-setting activities recognize the different levels of development of Member States and reflect a balance between benefits and costs of any initiative for developed and developing countries.	Annex A: 19 and 21 Annex B: 25 and 27	Actionable	A certain number of proposed provisions in the Broadcasting Treaty provide flexibility for Member States in implementation. These include: - Public interest clauses such as access to knowledge, cultural diversity, defense of competition - Provisions on exceptions and limitations - Duration of rights which imposes a minimum period of protection, which Member States are free to extend in their national legislation,

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			structure of the rights, where Member States could opt either for an exclusive right or for a right to prohibit unauthorized use (two tier approach) In the field of patents, many discussions were held in the SCP on a balance of all interests. In addition: - Rule 8 of the PLT allows contracting parties to go to full electronic filing as from June 2, 2005. However, Member States are obliged to continue accepting paper documents for the purposes of obtaining a filing date and for complying with a time limit, thus taking into account the different levels of development of Member States in terms of electronic filing of documents. - In the PLT, Agreed Statement No. 4 provides for technical assistance (to meet their obligations under the PLT) and for financial cooperation for developing and least developed countries and countries in transition, attempting to balance the obligations these countries would have to accept if adhering to the PCT. - Four studies were undertaken in 2003 by external experts from developing countries on the effect of the patent system on developing countries. - A series of Colloquia on Selected Patent Issues are being organized to explore patent-related topics of interest to policy-makers, such as flexibilities in the patent system, national strategies and innovation policies, patents and transfer of technology. In the Singapore Treaty on the Law of Trademarks, the Resolution

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20.	To preserve the interests of the society at large, and not only those of IP owners in norm-setting activities.	Annex A: 20 Annex B: 39	General principle/ Objective Supplementary to the Singapore Treaty specifically addresses this issue. Norm-setting activities seek to promote a wide range of public interest objectives and ensure that interests of society at large are taken into consideration. For example, in the context of the proposed Broadcasting Treaty: – New approach proposed by Colombia deals with interplay between limitations and exceptions and technological protection measures to safeguard user's interests. – The issue of exceptions and limitations to copyright and related rights for the purposes of education, libraries and disabled persons included in the current agenda of the SCCR with a view to strengthening international understanding and exploring existing and proposed models of protection, and moving towards agreement regarding these specific exceptions – A Study on national legislation regarding copyright limitations and exceptions for the visually impaired is under preparation. – Two information meetings on Digital Content for the Visually Impaired, and on Educational Content and Copyright in the Digital Age were organized in 2005 In the field of trademarks, please see documents SCT/15/3, SCT/16/3 and SCT/16/4 as cited under proposal 17, as well as document SCT/16/5, which deals with the relationship between trademarks and artistic and literary works, with particular emphasis on scope of and rational for protection.

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			The IGC has accredited over 150 organizations, all those which have applied. the majority representing indigenous and local communities, has implemented a Voluntary Fund to support the active participation of such communities, and commences each session with a panel of indigenous community representatives.

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21. To reflect the priorities of all WIPO Members, both developed and developing countries, in all norm-setting activities	Annex A: 19 and 21 Annex B: 25 and 27	General principle/ Objective	In the proposed Broadcasting Treaty: - Scope of the treaty narrowed at the request of developing countries: webcasting and simulcasting have been put on separate track of negotiations; - Large part of the discussions are focussed on limitations and exceptions and public interest principles, such as access to knowledge, cultural diversity, national education and research, etc. which are of major interest to developing countries. The development of draft objectives and principles for protection of TK and TCEs respond directly to priorities of many developing country members. In the draft SPLT, beyond the discussions held on broad exceptions requested by developing countries, several of the items included in the draft provisions are in the interest of developing countries, such as a broad definition of prior art allowing to avoid patenting existing prior art, such as known TK, for example. For the SCT, please see reference to document SCT/15/2 provided in proposal 18 in Annex A.

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Annex A, page 13

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TECHNOLOGY TRANSFER, INFORMATION AND COMMUNICATION TECHNOLOGY AND ACCESS TO KNOWLEDGE				
22.	To request WIPO to expand the scope of its activities aimed at bridging the digital divide in accordance with the outcomes of the World Summit on the Information Society (WSIS) in its future activities, especially in respect of existing proposals within the context of the development agenda that should also take into account the significance of the Digital Solidarity Fund (DSF).		General principle/ Objective	WIPO conducted an Online Forum on Intellectual Property in the Information Society, from June 1-15, 2005, as a thematic meeting which was a part of its contribution to the World Summit on the Information Society. The Online Forum received some 52,000 visits, and 374 comments from a wide variety of participants in different countries. The discussions were focused on ten themes, relating to intellectual property and the Information Society, and was designed as a means to raise awareness of intellectual property and creativity as a tool to assist in bridging the digital divide. The final report, including thematic papers, is available at www.wipo.int/ipisforum/en
23.	To devise innovative ways and means, including the fostering of transfer of technology, to enable SMEs take better advantage of flexibilities as provided by relevant international agreements.		Actionable	On flexibilities, please see information provided for proposal 17 in Annex B On support for SMEs, please see information provided for proposal 5 in Annex A
24.	To request developed countries to encourage their research and scientific institutions to enhance cooperation and exchange with research and development institutions in developing countries and LDCs.	Annex A: 24 and 27	Actionable	

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25. Facilitating IP-related aspects of ICT for growth and development: Provide for a forum in WIPO Standing Committee on Information Technologies (SCIT) for discussion focused on the importance of IP-related aspects of ICT and its role in economic and cultural development, with specific attention focused on assisting Member States to identify practical strategies to use IP/ICT for economic, social and cultural development.		Actionable	SCIT Plenary meetings have provided a forum for discussions on IP-related aspects of ICT since its reform in 2001. The next Plenary is planned to be convened in June/July 2007. The role of ICT in development particularly in modernization of IP institutional framework and IP office has been annually reported and analyzed by a number of Member States in the form of Annual Technical Reports (ATR) and published on the SCIT web page, which have helped Member States to find the right approach and to seek for WIPO's assistance and international cooperation from other Member States.
26. To explore policies, initiatives and reforms necessary to ensure the transfer and dissemination of technology to the benefit of developing countries.	Annex A: 26 Annex B: 19, 45 and 46	General principle/ Objective	WIPO supports its Member States by providing capacity building programs, offering sustainable training programs and serving as a discussion forum on technology transfer topics. Training programs on licensing and technology transfer have been conducted in a large number of countries. WIPO also works with universities and research institutions to develop their IP policies and enhance their ability to transfer technologies for its distribution/commercialization. In addition, national versions of the training manual on negotiating technology licenses providing information on local laws, regulations, policy, infrastructure and experiences in the area of technology licensing have been prepared for some countries. WIPO also develops patent information tools relating to life sciences technology in areas of policy priority.

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				In April 2005, WIPO conducted a Seminar on Copyright and Internet Intermediaries as a forum to explore issues and policies, including those necessary to ensure that concerns relating to liability of intermediaries who provide access to content and services over the Internet does not act as a barrier to transfer of information and technology to developing countries. WIPO has observer status in initiatives undertaken by a number of standard setting organizations, such as ITU, ETSI, DMP, to develop open, interoperable ICT standards, especially in the field of digital rights management. WIPO has contributed to a joint study with the CBD Secretariat and UNCTAD concerning technology transfer under the Convention on Biological Diversity.
27.	To debate on supportive IP-related Policies and measures industrialized countries could adopt for promoting transfer and dissemination of technology to developing countries.	Annex A: 24 and 27	Actionable	
28.	To promote measures that will help countries combat IP related anti-competitive practices.	Annex A: 16 and 28 Annex B: 6 and 16	General principle/ Objective	

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CLUSTER D ASSESSMENTS, EVALUATION AND IMPACT STUDIES	SIMILAR PROPOSALS (WITH POSSIBLE REPETITION OR DUPLICATION) (i)	ACTIONABLE OR DECLARATIONS OF GENERAL PRINCIPLES / OBJECTIVES (ii)	INFORMATION ON EXISTING RELATED WIPO ACTIVITIES * (iii)
29. To request WIPO to develop an effective review and evaluation mechanism, on an annual basis, for the assessment of all its development-oriented activities.	Annex A: 29, 33 and 34 Annex B: 54, 60, 61 and 63	Actionable	The WIPO Strategic Evaluation Framework provides the current framework for evaluation at WIPO. To strengthen WIPO's internal evaluation function, the drafting of a WIPO Evaluation Policy is currently under way. The WIPO Evaluation Policy, which would bring WIPO in line with UN and other international evaluation standards, is expected to be finalized in 2007 and submitted to Member States for review and approval. The policy would complement the WIPO Internal Audit Charter. In March 2006, a Workshop on Evaluation and Impact Analysis was held to provide an insight into international development evaluation best practices.
30. To conduct a study in developing countries and LDCs on obstacles to intellectual property protection in the informal sector, with a view to creating substantial programs, including the tangible costs and benefits of IP protection with regards to generation of employment.		Actionable	
31. To request WIPO to undertake studies to demonstrate the economic, social and cultural impact of the use of intellectual property systems in Member States.		Actionable	WIPO's <i>Guide on Surveying the Economic Contribution of the Copyright-Based Industries</i> is a tool used to assess the contribution of the copyright-based industries to the national economy. The guide is being used in several countries as the basis for national studies. In addition, WIPO has undertaken a wide range of studies looking at how IP is being used and managed in various sectors in different countries. These include a set of studies on the use of IP by SMEs in a number of countries; a

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- (i) narrow down the proposals, in order to ensure that there is no repetition or duplication
- (ii) separate the proposals, which are actionable, from those which are declarations of general principles and objectives
- (iii) note those proposals, which relate to existing activities in WIPO and those which do not

* Column (iii) has been prepared by the Secretariat

CLUSTER D ASSESSMENTS, EVALUATION AND IMPACT STUDIES		SIMILAR PROPOSALS (WITH POSSIBLE REPETITION OR DUPLICATION) (i)	ACTIONABLE OR DECLARATIONS OF GENERAL PRINCIPLES / OBJECTIVES (ii)	INFORMATION ON EXISTING RELATED WIPO ACTIVITIES * (iii)
				series of studies on university-industry technology transfer; studies on developing a nation-branding strategy; four studies by external experts from developing countries on the effect of the patent system on developing countries; and a number of sector specific studies. WIPO Publication No. 988 ("The Intellectual Property-Conscious Nation; Mapping the Path from Developing to Developed"), published in 2006, includes information on the impact of intellectual property systems in different countries.
32.	WIPO should deepen the analysis of the implications and benefits of a rich and accessible public domain.	Annex A: 17 and 32 Annex B: 23 and 32	Actionable	Please see information provided for proposal 17 in Annex A.
33.	To continuously evaluate WIPO's technical assistance programs and activities to ensure their effectiveness.	Annex A: 29, 33 and 34 Annex B: 54, 60, 61 and 63	Actionable	
34.	To establish indicators and benchmarks for evaluation of technical assistance.	Annex A: 29, 33 and 34 Annex B: 54, 60,	Actionable	

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