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**WIPO/GRTKF/IMG/2/2 PROV.
ORIGINAL: ENGLISH
DATE : FEBRUARY 25, 2011**

**Intergovernmental Committee on Intellectual Property and
Genetic Resources, Traditional Knowledge and Folklore**

Second Intersessional Working Group

Geneva, February 21 to 25, 2011

DRAFT SUMMARY REPORT OF THE SECOND INTERSESSIONAL WORKING GROUP

prepared by the Secretariat

Agenda Item 1: Opening of the session

1. The session was opened by Mr. Johannes Christian Wichard, Deputy Director General, on behalf of the Director General, Mr. Francis Gurry.
2. Mr. Wend Wendland (WIPO) acted as Secretary to the Second Intersessional Working Group (IWG 2).

Agenda Item 2: Election of officers

3. Dr. Ian Heath (Australia) was elected Chair and Mr. Yonah Seleti (South Africa), Professor N.S. Gopalakrishnan (India), Ms. Yang Hongju (China) and Ms. Lorena Bolaños (Guatemala) were elected Vice-chairs of IWG 2.

Agenda Item 3: Adoption of the agenda

4. IWG 2 adopted the draft agenda (WIPO/GRTKF/IWG/2/1 Prov.) as its agenda without modifications.

Agenda Item 4: Traditional knowledge

5. With reference to document WIPO/GRTKF/IC/18/5 Prov., IWG 2 extensively discussed each of the draft articles contained therein. That discussion took place in plenary on Monday February 21 and Tuesday February 22, 2011.
6. After that discussion in the plenary of IWG 2, six informal, open-ended drafting groups were established to further discuss, exchange and consolidate the various views expressed in the plenary, and to propose streamlined text, including options, comments and scenarios. Those drafting groups were established to address one or more issues as set out in the Annex to the present document. The work of the drafting groups was coordinated, during a meeting on the evening of Wednesday February 23, 2011, between the Chair of IWG 2 and the Conveners and Rapporteurs of the drafting groups, as well as the Vice-Chairs of IWG 2, after which, on the morning of Thursday February 24, 2011, the drafting groups had a further opportunity to review their respective article or articles. Thereafter, each drafting group's article(s) were presented to and discussed by all the experts in the IWG 2 plenary in the afternoon of Thursday February 24, 2011 and on Friday, February 25, 2011. The draft articles and comments thereon were noted by IWG 2 and not adopted as such.
7. IWG 2 requested the Secretariat to prepare, for the next session of the IGC (May 9 to 13, 2011), a document (WIPO/GRTKF/IWG/2/3) incorporating the draft articles prepared by the informal drafting groups, as well as the comments made by the individual experts in the IWG 2 plenary on February 24 and 25, 2011 as referred to in paragraph 6 above, with attribution and including comments made by experts representing observers.
8. IWG 2 also requested that the present document (WIPO/GRTKF/IWG/2/2), to which should be attached the List of Participants of IWG 2, be submitted to the IGC at its next session.
9. IWG 2 noted the "Glossary of Key Terms related to Intellectual Property and Traditional Knowledge" (WIPO/GRTKF/IWG/2/INF 2) and requested that it be transmitted as an information document to the next session of the IGC.

Agenda Item 5: Any other business

10. There was no discussion under this agenda item.

Agenda item 6: Adoption of report

11. IWG 2 adopted this report on February 25, 2011.

Agenda item 7: Closing of the session

12. The Chair thanked all the experts for their active participation and dedication and closed the session.

[Annex follows]

Open-ended, informal drafting groups at IWG 2

Group 1: Scope of Subject Matter

Group 2: Beneficiaries (including the question of Transboundary Traditional Knowledge)

Group 3: Scope of Protection

Group 4: Exceptions and Limitations; Sanctions, Remedies and Enforcement (including the question of Dispute Resolution).

Group 5: Administration of Rights; Duration of Protection; Formalities

Group 6: Transitional Measures; Consistency with the General Legal Framework; International and Regional Protection.

[End of Annex and of document]