

PROGRAM 1 PATENT LAW

PLANNING CONTEXT

1.1. Key challenges addressed by this Program include ensuring that the development of international patent law keeps pace with the rapidly evolving technological, economic and social environment. Program 1 covers issues relating to patents, utility models, undisclosed information/trade secrets and integrated circuits. The most important challenges anticipated for the 2014/15 biennium are as follows:

- The pace of technological change, which poses a challenge to the development of the international patent system;
- A continuing call for better information about the role, impact and implementation of the international patent system, including flexibilities, in both multilateral fora and through legislative and policy advice to Member States;
- The existence of alternative approaches to norm-setting outside of the multilateral context;
- The impact of the patent system on increasingly complex and globalized innovation mechanisms, and different perceptions as to its role, including its benefits for society at large;
- The tension inherent in public policy choices relating to the appropriate scope and application of the patent system;
- The need for better dissemination of technologies through the patent system;
- Insufficient capacities for preparing, filing, and prosecuting patent applications;
- The increasing demand for legislative and policy assistance to Member States;
- The accelerated pace at which complex technologies are developed and how they are brought to market, implicating the role of essential patents in the implementation of technical standards; and
- The need to address patent law in the context of other closely related categories of intellectual property, such as trade secrets.

IMPLEMENTATION STRATEGIES

1.2. As the normative process is Member State driven, the Program will focus its efforts on providing reliable information and supporting an environment conducive to engagement and dialogue among Member States regarding areas of common interest. The Program will continue to improve its responsiveness and efficiency in legislative and policy assistance. The relevant DA recommendations will be taken into account in the context of all activities of this Program during the biennium. In particular, provision of patent-related information and legislative advice fully take into account Recommendations 15, 17, 20 and 22, thus supporting the DA objectives of "evidence-based international and national policy and decision making on IP" and "national and international IP regulatory frameworks that promote creativity and innovation and reflect the level of development of the different WIPO member States". In addition, the Program will take into consideration the work undertaken under the completed DA projects related to IP and the Public Domain and Patents and the Public Domain implementing Recommendations 16 and 20.

1.3. Specifically, during the next biennium the Program expects to:

- Organize up to four meetings of the SCP;

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- Organize, upon request, information meetings for Member State representatives, to provide information on topics related to patent policy, law and practices taking duly into account DA Recommendation 15 and 16;
- Continue to provide, upon request, legislative advice to Member States relating to patents, utility models, trade secrets, and layout designs of integrated circuits in line with DA Recommendations 17, 20 and 22;
- Continue to support and assist Member States regarding the Paris Convention, the Budapest Treaty, and the Patent Law Treaty;
- Continue to assist Member States in respect of utility models, undisclosed information/trade secrets and integrated circuits;
- Enhance capacities of inventors, and those providing services to them, to prepare and file patent applications and promote effective and efficient use of patents through providing empirical information and organizing training and seminars;
- Address the interplay between patent law and other categories of intellectual property law, in particular, trade secrets, in relation to promotion of innovation and dissemination of technology;
- Develop activities that assist Member States and other stakeholders in mitigating potential conflicts between the patent system and the standardization system;
- Continue to support the work of the Development Sector relating to issues pertinent to this Program, including the provision of studies ~~on~~ relevant to DA recommendations 12, 13 and 14 and 16, as requested by the CDIP ; and
- Continue to work with Programs 2 (Trademarks, Industrial Designs and Geographical Indications), 3 (Copyright and Related Rights), 4 (Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources), 5 (PCT System), 7 (WIPO Arbitration and Mediation Center), 8 (Development Agenda Coordination), 9 (Africa, Arab, Asia and the Pacific, Latin America and the Caribbean Countries, Least Developed Countries), 10 (Cooperation with Certain Countries in Europe and Asia), 11 (The WIPO Academy), 12 (International Classifications and Standards), 13 (Global Databases), 14 (Services for Access to Information and Knowledge), 15 Business Solutions for IP Offices), 16 (Economics and Statistics), 18 (IP and Global Challenges) and 20 (Communications) on issues pertinent to this Program.

MAJOR RISKS AND MITIGATION STRATEGIES

Risk(s) to the Program achieving its Results	Mitigation plans in place or under implementation
Reduced relevance of the Standing Committee on the Law of Patents as a multilateral forum.	Provision of impartial and professional guidance. Provision of an inclusive and neutral environment for dialogue amongst Member States. Provision of timely, accurate and relevant information needed by Member States.

RESULTS FRAMEWORK

Expected Results	Performance Indicators	Baselines	Targets
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