

*[Article 22] [Resolution]
Technical Assistance and Capacity Building*

[(1)] *[Principles]* [Bearing in mind that this Treaty relates to formalities and procedures for seeking protection of industrial designs, and with a view to facilitating the implementation of the Treaty [and promoting the use of the design system],] the Organization shall [endeavor to] provide technical assistance, in particular to developing countries and Least Developed Countries. Such technical assistance shall

(i) be development-oriented, demand-driven, transparent, targeted and adequate for the strengthening of the capacity of beneficiary countries to implement the Treaty;

(ii) take into account the priorities and the specific needs of receiving countries for enabling the users to take full advantage of the provisions of the Treaty.

(2) *[Technical Assistance and Capacity Building]* (a) Technical assistance provided under this Treaty shall be for the implementation of this Treaty and, where requested, include:

(i) establishing the required legal framework and revising administrative practices and procedures of design registration authorities;

(ii) building up the necessary capacity of the Offices, [such as providing appropriate equipment and technology as well as the required infrastructure], including training of human resources.

(b) The Organization shall provide, subject to the availability of resources, financing for activities and measures that are required to implement the Treaty in accordance with paragraph (2)(a), (3) and (4)(a).¹ [Moreover, the Organization shall seek to enter into agreements with international financing organization, intergovernmental organizations and governments of receiving countries in order to provide financial support for technical assistance pursuant to this Treaty.]

[(c)]² The technical assistance provided under this Treaty shall be monitored by the Assembly at every ordinary Session. [The Assembly may establish such working groups as it may deem fit for this purpose].

¹ The Delegation of the US proposes to delete this sentence.

² Some delegations proposed to include this provision in Article 24 (Assembly). Other delegations preferred to keep this provision in the present place.

[(3)]³ *[Participation in the Assembly]*

Option 1

[The expenses of each delegation shall be borne by the Contracting Party that has appointed the delegation. The Assembly may ask the Organization to grant financial assistance to facilitate the participation of delegations of Contracting Parties that are regarded as developing countries in conformity with the established practice of the General Assembly of the United Nations or LDCs or that are countries in transition to a market economy.]

Option 2

[Contracting Parties that are regarded as developing countries or LDCs or that are countries in transition to a market economy shall be granted adequate financial assistance by the Organization to facilitate the participation of at least one delegate of such Contracting Party in all ordinary and extraordinary sessions of the Assembly, and any inter-sessional meeting, working group, revision conference or diplomatic conference in relation to the Treaty and the Regulations.]

(4) *[Other Provisions]*

[(a)]⁴ The World Intellectual Property Organization is urged to expedite the creation of a digital library system for registered designs. Contracting Parties shall endeavor to communicate published registered design information through such system. The Organization shall support Contracting Parties in their efforts to exchange information through this system.

[(b) To improve the ability of design creators (natural persons and small and medium enterprises (SMEs)) who are nationals of and reside in a developing country or an LDC to benefit from the design system, Contracting Parties shall apply a fee reduction of at least fifty per cent. [Applicants from LDCs shall benefit from a fee waiver]].

³ In case this provision were to be retained, some delegations proposed to include it in Article 24 (Assembly). Other delegations preferred to keep this provision in the present place.

⁴ Supporting this provision in principle, some delegations proposed to move it.