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Property (CDIP) (Geneva, 9 – 13 November 2015)
- Final EU statements

Delegations will find in the Annex, for information, the statements delivered on behalf of the EU and its Member States at the above mentioned WIPO meeting.

COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY

16th Session

(WIPO, Geneva, 9 – 13 November 2015)

Opening Statement

Chairman,

Je vais parler au nom de l'Union européenne et de ses Etats membres.

The EU and its Member States would like to congratulate you for chairing again this important Committee. As ever, we have every confidence in your ability to guide us through the week to meet our goals.

We would like to thank the WIPO Secretariat for preparing the meeting, in particular as regards the supporting documentation in advance of our discussions this week on a broad range of topics such as the progress reports; new guidelines on trademark licensing, strategic management of open innovation networks and IP commercialization; technical assistance; technology transfer; presentations on the WIPO Technical Assistance database, the IP Development Matchmaking Database and the Roster of Consultants; the post-2015 agenda; as well as two new project proposals.

We note with satisfaction that at the last session of this committee an agreement could be reached on the project on IP and Tourism. The EU and its Member States have come here this week with a firm commitment to continue working in a positive and cooperative manner.

Finally, Mr. Chair, under future work, we stand ready to constructively discuss possible ways to improve the work of this committee for the benefit of all the delegations.

Merci Mr le Président.

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Progress reports (CDIP/16/2)

Chairman,

The EU and its Member States would like to thank the WIPO Secretariat for the progress reports on the Implementation of the Development Agenda projects and recommendations contained in the document CDIP/16/2/.

As during previous years when progress reports were presented, we very much welcome the document as it demonstrates the significant work carried out by WIPO in implementing the Development Agenda.

We appreciate the activities listed in the document and the achievements reached. We welcome the efforts made by the Director General and his staff in achieving the goals for the preceding year as set out by the Member States of WIPO.

Thank you Chairman.

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Report on the update of the database of flexibilities (CDIP/16/5)

Chairman,

The EU and its Member States welcome the update of the database on flexibilities contained in the document CDIP/16/5.

Over the years the WIPO secretariat has gathered a substantial amount of factual information on patent related flexibilities in the multilateral framework, and the way these are implemented at national and regional level. We note that the database now contains 1371 provisions on national IP legislation related flexibilities from 202 jurisdictions. These impressive figures clearly show that the multilateral framework allows for solutions, appropriately taking into account individual countries' needs.

We would like to highlight that the flexibilities investigated should not be seen as recommendations to WIPO or WTO Member States, but as an overview of options exercised by Member States under the objective of transparency and exchange of national experiences.

Thank you Chairman.

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Technical Assistance, CDIP/16/6, CDIP/9/16, CDIP/8/INF/1)

Chairman,

The EU and its Member States thank the WIPO Secretariat for the update of the 2012 Management Response (CDIP/11/4) to the Deere Roca report on technical assistance.

Similar to the previous Management Response, the report identifies 3 categories of recommendations within the External Review. Category A contains recommendations, which are already reflected in WIPO activities, or ongoing reform programs. Category B contains recommendations, which merit further considerations. Finally, category C lists recommendations, which raise concerns as to their implementation.

The recommendations under category A of the Management Response are already partially or fully reflected in WIPO activities or in ongoing reform programs.

The Management Response does nevertheless contain a substantial amount of valuable information and overview of activities that have been undertaken by the WIPO secretariat, which have resulted in the implementation of the vast majority of the recommendations.

Overall, we note that the vast majority of the A and B category recommendations has been implemented, and that work on the recommendations under implementation has also progressed after the publication of the management response. We therefore consider the Deere Roca report to have been largely implemented. We believe we should now prepare for the Independent Review of the Development Agenda recommendations.

Our further work on technical assistance should be on those recommendations that are identified by the secretariat under category B of the Management Response as deserving further consideration. We note that the Management Response considers all but one to be implemented, which is an excellent achievement and demonstrates the commitment of the WIPO secretariat on these matters and the progress made.

This being said, continuous improvement, especially in the area of coordination, sustainability and cost efficiency of the projects, is a necessary aspect of a healthy functioning organization and we believe lessons learned will be incorporated in future work.

The recommendations, which raise concerns as to their implementation and are therefore classified under category C of the Management Response, should not be considered further.

We reiterate our commitment to dedicate a full day to IP and technical assistance. This day should focus on the identification of best practices and lessons learned from WIPO and non-WIPO technical assistance, and also offer the opportunity for joint presentations of technical assistance projects by developing and developed countries,. The EU and its Member States continue to believe that such discussions could bring value to WIPO. We look forward to such a debate, which would ensure greater transparency and accountability in all areas of technical assistance planning and delivery.

Thank you Chairman.

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WIPO General Assembly Decision on CDIP related matters (CDIP/16/9, CDIP/14/11)

Chairman,

The EU and its Member States take note of the WIPO General Assembly decision at its Forty-Seventh session on CDIP related matters, in which the General Assembly approved the request of CDIP to continue the discussions.

The CDIP has been mandated to discuss IP and Development. When we take a look at this week's agenda, we note that a broad range of topics is being addressed. So far we have discussed progress reports, evaluation reports, new proposals, technical assistance provided by WIPO, flexibilities, as well as WIPO and the post-2015 Development agenda. We consider the CDIP has been successful in addressing the broad range of issues, and that the CDIP has thus fully delivered on its mandate.

Consequently, we are convinced that the changes requested by some delegations are not needed in order to achieve the aim of having this Committee deal with IP and development issues and the implementation of the Development Agenda within WIPO bodies.

On the other topic, the Coordination Mechanism, we would like to reiterate our position in relation to the term "relevant WIPO bodies", namely that not all WIPO bodies are relevant for the purpose of the Coordination Mechanism.

We are open to continue our discussions in accordance with the General Assembly decision. However, in our opinion, such discussions must not impede the work of this Committee nor other WIPO bodies.

Thank you Chairman.

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Continuation discussions on WIPO Expert forum on International Technology Transfer (CDIP/15/5)

Chairman,

The EU and its Member States have taken note of the report on the WIPO expert forum on international technology transfer, and the formulated 'expert thoughts' contained in the document.

We would like to stress once again that matters could only be taken forward within current WIPO structures and WIPO's mandate, which is 'to promote the protection of intellectual property worldwide through cooperation among States and, where appropriate, in collaboration with any other international organization'.

We believe we should improve what we already have in a cost-effective, structured and balanced manner. In taking matters forward, we should build upon the evaluation report on the Project on Intellectual Property and Technology Transfer, CDIP/16/3, which has been presented this week. The suggestions in this report could form the basis for our further discussion on this topic.

Further, this week, 3 technology transfer guides/manuals will be presented which have been developed under the completed project Innovation and Technology Transfer Support Structure for National Institutions, namely on trademark licensing; on the strategic management of open innovation networks and on IP commercialization. WIPO could build upon the successes of existing WIPO platforms, such as the guides and further developing these.

Thank you Chairman.

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Closing statement

Chairman,

The EU and its Member States would like to congratulate you on your skilful guidance of this Committee. We would also like to extend our thanks to the Secretariat for their hard work in preparation for this Committee as well as their efforts during the week.

We followed with great interest the presentations on the Technical Assistance Database (IP-TAD) and IP Matchmaking Database.

Furthermore, we would like to underline our appreciation for the three guides presented today and the preparation of the Report on the Updated Management Response to the External Review of WIPO Technical Assistance which are a good example of the quality of the work made available to us by the WIPO Secretariat.

During this week we have discussed a number of longstanding issues. Some limited progress was achieved and we remain confident that agreement on many of the other outstanding issues is possible.

We would like to stress once again the importance of WIPO technical assistance and that continuous improvement is a necessary aspect of a healthy functioning organization.

The EU and its Member States are committed to continue their constructive engagement in these discussions and we hope we can find a pragmatic way forward on substantive work in all Committees.

Finally, we would like to welcome the fact that we have respected the timetable and that we have finished on time.

Thank you Chairman.
