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Delegations will find attached, for information, the statements delivered on behalf of the EU and its Member States at the above-mentioned WIPO meetings.

**Sixty-Fourth Series of Meetings of the Assemblies of the Member States of WIPO
(Geneva, 6 – 14 July 2023)**

Agenda Item 5

General/Opening Statement

Chair, Honourable Ministers, Your Excellencies, distinguished delegates,

Spain is honoured to take the floor on behalf of the European Union and its Member States.

1. Chair, we would like to thank you for your excellent work throughout these challenging times and assure you of our complete trust in your leadership abilities and constructive approach. We would also like to thank the WIPO Secretariat for all its preparatory work.
2. The EU and its Member States welcome the WIPO Secretariat's report on assistance and support for Ukraine's innovation and creativity sector and intellectual property system, on the basis of the decision taken at the last General Assemblies. The report provides objective evidence of the significant negative impact of the Russian Federation's war against Ukraine on the Ukrainian IP ecosystem, as well as on Ukraine's innovative and creative sectors. We strongly acknowledge the need for WIPO's continued engagement in supporting efforts to rebuild the Ukrainian Intellectual Property infrastructure and capacity.
3. We continue to condemn the Russian Federation's unjustified and unprovoked war against Ukraine, which is a gross violation of international law. And, no different to other UN organizations, international law is the very basis of this organization. This war is a significant obstacle, both to the work of WIPO, and to all that WIPO and its Member States collectively stand for. On behalf of the European Union and its Member States, we reiterate our continuous support and solidarity with Ukraine and with the Ukrainian people.

4. We are convinced that strong and balanced IP systems can and should contribute to global economic recovery. We continue to support WIPO in reaching out to business in an effort to ensure a swift economic upturn. Inspired by the Sustainable Development Goals, we suggest focusing particularly on the green and digital transitions, building on balanced and forward-looking IP ecosystems. The question of sustainability and continuing discussions on IP and artificial intelligence remain high priorities for the EU.
5. WIPO's outlined holistic vision and strategic approach to global innovation and creativity, supported by a balanced and effective system of IPR, includes proposals to reach out to and empower every member of society, in an inclusive and undifferentiated manner. We are encouraged by focusing on concrete results supported by WIPO's horizontal and targeted measures and programs, for individuals and SMEs in particular.
6. Turning to the normative work of WIPO, we reiterate our commitment to progressing towards the conclusion of a meaningful Broadcasting Organisations Treaty that would take into account technological developments. As regards patents, we continue to believe that the SCP should serve *inter alia* as a forum for discussions about the differences between existing patent law systems, as well as the harmonisation of substantive patent law in the future.
7. We are encouraged by seeing the work progress in different committees and thank other delegations for their continuous engagement and for consensus reached.
8. In conclusion, let me assure you we remain committed to engaging constructively in all discussions during these WIPO Assemblies. We look forward to having a productive session under your able guidance.

Thank you.

Agenda Item 13 (i)

Report on the Standing Committee on the Law of Copyright and Related Rights (SCCR)

Doc. WO/GA/56/5

Madam Chair,

1. The European Union and its Member States remain committed to progressing towards a worthwhile Treaty for the Protection of Broadcasting Organisations. We are thankful to the SCCR Chair, the SCCR Vice-Chair and the facilitators for their work to review the draft Treaty and to present a second revised text at the SCCR in March. This text ensured a good basis to advance our discussions.
2. We would like to reiterate that the European Union and its Member States attach great importance to ensuring that the treaty responds to the technological realities of the 21st century. We stand ready to engage in further discussions on the text in order to ensure a meaningful, appropriate protection to the broadcasting organisations.
3. The EU and its Member States stand ready to continue to engage constructively in the discussions on Exceptions and Limitations, in particular on the basis of the Work Program agreed at the SCCR 43. We strongly believe that libraries, archives and museums play a crucial role in the dissemination of knowledge, information and culture, along with the preservation of our history. We also attach importance to the support of educational and research institutions and people with disabilities. However, as consistently expressed in the past, we cannot support work towards legally binding instruments at the international level. Our focus should be WIPO support and capacity building for WIPO members and improving their national legislation within the existing international copyright framework.
4. In terms of other agenda items, should the SCCR agenda be expanded to cover additional items in the future, we would recommend, as already indicated in the past, including the topic of the Author's Resale Right (*droit de suite*) on the permanent agenda of the SCCR.

Thank you.

Agenda Item 13 (ii)

Report on the Standing Committee on the Law of Patents (SCP)

Doc. WO/GA/56/6

Chair,

1. Spain is honoured to take the floor on behalf of the European Union and its Member States. We would like to thank the Chairs, the WIPO Secretariat and the members of the Standing Committee on the Law of Patents for the continuous efforts and progress made since the last General Assembly. There have been constructive discussions and developments on all five main topics on the agenda of the SCP, namely (1) exceptions and limitations to patent rights; (2) the quality of patents, including opposition systems; (3) patents and health; (4) the confidentiality of communications between clients and their patent advisors, and (5) transfer of technology.
2. The quality of patents, including opposition systems, is of particular importance to the European Union. High-quality patents can guarantee the proper balance between the interests of inventors, industry, and other stakeholders on one hand, and of society as a whole on the other hand. We are looking forward to advancing the Committee's work, in particular with regard to the topic of artificial intelligence (AI). Work on this issue will consist *inter alia* of discussions on AI inventorship, AI generated inventions as well as an information sharing session on the use of AI for patent examination procedures. These discussions will, among other things, build on the proposal by delegations of Brazil and Spain in document SCP/31/8 Rev., on sharing experience and information on the patentability of inventions using AI and by AI, and the proposal submitted by the delegations of France and Spain as contained in document SCP/30/9 on AI and patents. We continue to believe that, in addition to contributing to the technical quality of patents, the SCP should serve as a forum for discussions about the differences between existing patent law systems, as well as the harmonisation of substantive patent law in the future.

3. The EU and its Member States attach great importance to the confidentiality of communications between clients and their patent advisors. We look forward to continuing discussions on recent developments and experiences, as well as to an information-sharing session focusing on recent developments and experiences on cross-border aspects of confidentiality of communications between clients and their patent advisors, to take place at SCP/35.
4. We believe that technology transfer is an important tool that helps foster innovation and development. It can create win-win situations in international economic relations. It remains a topic of great importance for the European Union. Therefore, we are looking forward to the information-sharing sessions at SCP/35 on international cooperation in respect of technology transfer through the patent system, including technical assistance and capacity building, licensing of technology and collaboration involving both the public and private sectors, as well as on Standard-Essential Patents and licensing.
5. As regards Patents and Health, in the aftermath of the COVID-19 pandemic, it has become clear that effective incentives supporting researchers, patent licensing, as well as broad, affordable and equitable global access to safe and effective vaccines, diagnostics and treatments are equally crucial to fight public health crises. A solid, well-functioning, transparent and predictable system for intellectual property rights, including its exceptions and flexibilities, has proven not to be the problem, but part of the solution. For this reason, we encourage the continuation of the fruitful trilateral collaboration between WIPO, WHO and WTO, which is essential to achieving a comprehensive approach to intellectual property, public health issues and trade, including innovation in health technologies and access to affordable medicines. In particular, the EU and its Member States see value in extending the regular update on publicly accessible databases of patent status information concerning medicines and vaccines. We also look forward to the sharing session among Member States on practices involving licensing of medical technologies for the diagnosis, prevention and treatment of COVID-19, including examples of compulsory and voluntary licensing.

6. While the European Union and its Member States consider all topics on the agenda important, we would like to reiterate our special interest in enhancing international cooperation and improving technical knowledge on patentability requirements. Ensuring a more efficient, more effective and higher-quality patent system in all Member States is in our view the right way forward in removing trade barriers and can prominently contribute to economic prosperity.
7. The European Union and its Member States are committed to continuing efforts to advance the work of the Committee in accordance with the agreed work plan. We look forward to the interesting discussions and information sharing in the SCP in the hope of achieving tangible results in the future.

Thank you.

Agenda Item 13 (iii)
Report on the Standing Committee on the Law of Trademarks, Industrial Designs and
Geographical Indications (SCT)
Doc. WO/GA/56/8

Madam Chair,

1. The EU and its Member States welcome the continued progress of discussions during the last session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications.
2. First and foremost, on the topic of designs, we look forward to the special session of the Committee focused on the Design Law Treaty and we stand ready to constructively engage to solve the outstanding issues regarding the draft texts.

On the topic of Graphical User Interface (GUI), icon and type face/type font designs, we look forward to continuing discussions on the updated proposal by the Delegations of Canada, Israel, Japan, the Republic of Korea, the United Kingdom, the United States of America and the European Union and its Member States for a Joint Recommendation Concerning Industrial Design Protection for Designs for Graphical User Interfaces (document SCT/44/6 Rev.4). We reiterate our view that the adoption of recommendations on GUI designs will further contribute to the modernisation of practices on designs and facilitate safeguarding designers' rights in rapidly evolving technological fields.

3. Turning to trade marks, on the topic of country names, we look forward to continuing discussions based on the joint proposal in document SCT/43/6 commending the spirit of seeking consensus reflected therein. Concerning the topic of nation brands, we look forward to the Information Session on the Protection of Nation Brands in Member States to be organised at the next session of the SCT based on the joint proposal contained in document SCT/45/6 Rev.3.

4. Finally, as for geographical indications, the EU and its Member States would like to thank the Secretariat and Members of the SCT for the work in preparing and delivering the information sessions on geographical indications. We take note of the next session on “Trademarks and geographical indications: prior rights, grounds for refusal”. We remain very concerned over the treatment of geographical indications on the internet, particularly in relation to internet domain name disputes.
5. Chair, the EU and its Member States remain actively engaged in continuing work in all three key areas of the SCT.

Thank you.

Agenda Item 13 (iv)

Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations

Doc. WO/GA/56/9

Chair,

1. The EU and its Member States would like to express our continued commitment and support to the important work carried out by the Committee on Development and Intellectual Property. We are pleased to note that the Committee has successfully followed its mandate and through the mainstreaming of the Development Agenda (DA) across WIPO sectors, as well as adoption of new DA projects, WIPO have responded to current development-related needs of Member States during 2022. The Committee has also successfully advanced discussions on various IP and development related issues, as agreed by the Committee or by the General Assembly.
2. The EU and its Member States take note of the Director General's Report on the implementation of the Development Agenda for the year 2022 and Review of the implementation of Development Agenda Recommendations. We are pleased to note that by the end of 2022 48 DA projects had been approved by Committee. We also note with great appreciation the wide range of technical assistance activities that have been provided, which we believe have contributed significantly to the improvements in the intellectual property frameworks of the beneficiary countries.
3. The EU and its Member States note with appreciation the work on women and IP and the projects to increase the role of women in innovation. Promoting gender equality is a high priority for the European Union as it will not only benefit the individuals but all countries and all levels of society. We are also pleased to note that the series of sharing session on "Closing the Gender Gap in IP", which looked at the barriers that women face in accessing the IP system, as well as explored the good practices and existing multi-stakeholder initiatives in this domain, was attended by over 300 participants from over 110 countries.

4. We note that the International Conference on Intellectual Property and Development with the sub-topic ‘Intellectual Property and Innovation for Sustainable Agriculture’ organised in the context of the DA and CDIP was well-attended and illustrated the importance of IP tools to support innovation and development in a changing world. The conference brought together speakers from IGOs, NGOs, governments, academia, and the private sector to exchanging views about the challenges that the agricultural sector is facing in view of the current global climate crisis, and how IP and innovation, including geographical indications, can help to address those challenges.
5. In conclusion, we acknowledge the extensive and successful work performed by the CDIP. We remain committed to contributing to further progress in the Committee’s field, bearing in mind WIPO’s objective to promote the protection of intellectual property throughout the world, including through the cooperation among its Member States.

Thank you.

Agenda Item 13 (v)

**The Intergovernmental Committee on Intellectual Property and Genetic Resources,
Traditional Knowledge and Folklore (IGC)**

Doc. WO/GA/56/10

Chair,

1. On behalf of the EU and its Member States, let me first reiterate our commitment to engage constructively in the work of the IGC.
2. During the last session of the IGC, the Committee successfully adopted the recommendations for the mandate renewal for 2024-2025. The EU would like to reiterate its support to this proposed mandate and encourage its adoption by the General Assembly. As we see it, the mandate renewal based on the terms agreed during IGC 47 allows us to continue the work that this Committee has been doing for several years, while at the same time it accommodates the new circumstances that arise from the convening of a Diplomatic Conference to conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources.
3. Chair, the EU and its Member States stand ready to continue the substantive work in the IGC as foreseen in its new mandate.

Thank you.

Agenda Item 17
Lisbon System
Doc. LI/A/40/1

Chair,

1. The European Union and its Member States welcome the entry into force on 1 January 2023 of the amendments to the Common Regulations under the Lisbon Agreement and the Geneva Act. We propose to continue the path of improving the Common Regulations in order to simplify and streamline the procedures under the Lisbon System, also with the aim of providing greater clarity to its users. Therefore, we support the adoption of the amendments to the Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, as set out in the Annex to document LI/A/40/1 prepared by the Secretariat.
2. The EU has made further progress in the implementation of its membership in the Lisbon System under the Geneva Act. We are now in the final stages of the legislative process for the adoption of an EU regulation concerning geographical indication protection for craft and industrial products.
3. Whilst we welcome the proposed moderate increase of the 2024-2025 WIPO budget for the Lisbon system, we consider that in view of the increasing membership of the Lisbon System, adequate resources should be made available to manage the registration system effectively. In this respect, we underline the need to ensure that the Lisbon system is able to perform efficiently, meaning that the current backlog, as well as the anticipated workload resulting from the growing membership are addressed and that the full deployment of the functionalities of the new IT platform, namely the e-Lisbon Registry, is achieved to ensure an efficient and smooth functioning of a modern electronic system of registration, notification and publication. We also reiterate the importance of appropriate technical assistance being provided to support the Member States that have recently become – or express an interest in becoming – member of the Lisbon System, and in particular of the Geneva Act of the Lisbon Agreement.

4. The EU and its Member States note the continuous enlargement of the membership of the Geneva Act over the course of last year. We welcome the accession of the African Intellectual Property Organization (OAPI) as the second intergovernmental organization to join the Lisbon System. The inclusion of 17 new African countries is a strong political signal of the increasing attractiveness of the Lisbon system. We also welcome the recent accession of the Republic of Tunisia.
5. However, the EU and its Member States express serious concerns related to the Russian Federation's recent accession to the Geneva Act. For as long as Russia does not reverse course and abide by the principles of the UN Charter and its international obligations, it is clear that business-as-usual with the country at the UN and other multilateral fora is no longer an option.
6. The Russian Federation is violating the international legal order through its war of aggression against Ukraine. The EU and its Member States express solidarity with Ukraine and support the sovereignty, independence and the territorial integrity of Ukraine within its internationally recognised borders and its inherent right of self-defence against the Russian aggression. We call on Russia to immediately stop all violations of international law, its illegal war of aggression against Ukraine and immediately, completely and unconditionally withdraw all of its military forces and proxies from the entire territory of Ukraine and to fully respect Ukraine's territorial integrity, sovereignty and independence.
7. On behalf of the EU and its Member States, let me reiterate our continuous support and solidarity with Ukraine and Ukrainian people.

Thank you.

Chair,

We remain convinced that it is possible to find a way to provide financial support to the Lisbon Union in line with the principle of 'the capacity to pay', while securing full respect for the long-standing principles of financial solidarity between the different WIPO Unions and equality of treatment for each area of IP.

Thank you.

Agenda Item 21

Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System

Doc. A/64/8

Chair,

1. I am delivering this statement on behalf of the European Union and its Member States to reiterate our persistent support and solidarity with Ukraine, which is facing a continuous war of aggression of the Russian Federation for more than one year.
2. We call on Russia to immediately cease all violations of international law, instantly and completely withdraw its troops from the whole territory of Ukraine and to fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders.
3. On behalf of the European Union and its Member States, we reiterate our continuous support for and solidarity with the Ukrainian people and Ukraine, which is now a candidate country for the membership of the European Union.
4. The EU and its Member States welcome the Director General's presentation of the report and for WIPO's commitment to continue to implement technical assistance, legal assistance, capacity building, and other assistance for Ukraine as appropriate and as required for the restoration and rebuilding of Ukraine's intellectual property ecosystem.
5. The report leaves no doubt about the significant negative consequences on the Ukrainian IP ecosystem of the Russian aggression against Ukraine.
6. WIPO is best placed to address the IP specific implications of the war, as well as to assess and to provide the assistance necessary for the restoration and rebuilding of Ukraine's creative industry and its intellectual property system. Continued adequate and timely WIPO support and assistance to the innovation and intellectual property ecosystem is necessary to mitigate these impacts.

7. The report shows clearly that the proper implementation of the provisions of the decision taken at the General Assembly last year on Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System continue to be key to ensuring adequate support to the efforts of the Ukrainian communities, aimed at restoring operational and adequate functioning of the International Property ecosystem.

Thank you.
