
**Council for Trade-Related Aspects
of Intellectual Property Rights**

WTO SECRETARIAT TECHNICAL COOPERATION IN THE TRIPS AREA

Note by the Secretariat

This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

1. This document updates the information on the WTO Secretariat's technical cooperation activities in regard to TRIPS matters contained in document IP/C/W/375, dated 12 September 2002. It covers the period from 13 September 2002 to 31 October 2003. It deals both with the Secretariat's technical activities that specifically relate to intellectual property and with those of a broader character which have a significant intellectual property component.

Main Orientations

2. The Secretariat's technical cooperation activities in relation to TRIPS have continued to be directed towards assisting Members to understand the rights and obligations, including the available options, which flow from the TRIPS Agreement. This has been particularly the case for the least-developed country Members whose transition period has yet to expire. This activity includes helping Members to assess the amendments that may be needed to their national legislation, the adaptations in institutions that may be called for and other requirements for which they would need to plan. The Secretariat's technical cooperation activities in the TRIPS area have also been aimed at assisting Members to participate fully in the work of the TRIPS Council. This has included assisting Members to use the mechanisms under the TRIPS Agreement, such as in regard to notifications and reviews of national legislation. It has also been aimed at assisting Members to assess what is at stake for them in issues under negotiation, examination or review in the TRIPS Council and thus to participate in this work.

3. The technical cooperation made available has been essentially driven by demand from Members. The Secretariat has also provided assistance to countries seeking to join the WTO by helping them to prepare for the accession process and by training officials. Priority continues to be attached to assistance to least-developed countries. Importance has been attached to ensuring complementarity and cooperation with other intergovernmental organizations, in particular WIPO. The main modes of supply of technical cooperation specifically relating to the TRIPS Agreement have been information and advice given to Members in Geneva and study programmes, training courses, seminars and workshops for developing countries in Geneva and elsewhere. The extent to which requests for assistance could be responded to has been constrained by the substantial increase in the workload of the TRIPS Council in Geneva in recent years (for example, measured by pages of minutes, this workload has increased some seven-fold between 1998 and 2002).

Information and Advice Given to Members in Geneva

4. A significant part of the work of Secretariat officials dealing with intellectual property matters has been concerned with providing information in response to questions put to them by representatives of Member governments, e.g. notification and review procedures, the meaning of particular provisions of the TRIPS Agreement, the options available under these provisions and matters under discussion or negotiation in the TRIPS Council. Matters have been raised with the Secretariat not only by local delegations but also by visiting intellectual property officials and as a result of direct contacts from officials in capitals by telephone or in written form on issues such as domestic draft legislation or the ongoing work and negotiations in the TRIPS Council. Advice and information has also been given to officials from acceding countries and representatives of the private sector.

Seminars, Workshops, Training Courses and Other Technical Cooperation Activities

In Geneva

4. A feature of the year under review has been the further growth of resources devoted to treating TRIPS issues in the context of broader training courses, seminars and workshops held in Geneva. For example, the five long WTO Trade Policy Courses, the Introduction Course for LDCs and the Pre-Cancún WTO Course for French-Speaking African Countries, the two "Geneva Weeks" for Non-Residents, the WTO Briefing for High-Level Officials from LDCs and other events held in Geneva included presentations on the TRIPS Agreement and the ongoing work and negotiations in the TRIPS area. The long Trade Policy Courses held in Geneva during the reporting period also included a day at WIPO, learning about that Organization, its conventions and activities. In addition, the Secretariat organized a number of special study programmes for individual countries or groups of countries in Geneva, and provided speakers or briefings for a number of seminars and training programmes organized in Geneva by others, notably WIPO.

5. During the reporting period, Secretariat officials dealing with intellectual property also participated in several video-conferences organized by the WTO Secretariat or co-organized with other intergovernmental organizations and/or universities.

Outside Geneva

6. Another important part of the work of the Secretariat officials dealing with intellectual property matters has been the organization of, or participation in, international, regional and national seminars, workshops and other events outside Geneva. While some of these events have been devoted, in whole or in large part, to the TRIPS Agreement or to a specific aspect of the Agreement, one of the features of activities during the reporting period has been the increasing number of broader events outside Geneva which have included a significant TRIPS component, e.g. the Advanced Training Courses on the Doha Development Agenda, organized by the WTO Secretariat, or co-organized with other intergovernmental organizations and/or universities. The Annex to this document lists the technical cooperation missions outside Geneva in which intellectual property staff participated. Six of them fall into the first category mentioned above and the remainder into the second category.

Cooperation with WIPO and Other Intergovernmental Organizations

7. As indicated in this note and earlier reports submitted to the Council for TRIPS, cooperation with WIPO has been a key feature of WTO Secretariat technical cooperation in the TRIPS area. This has been based on the Cooperation Agreement between the two Organizations, Article 4 of which deals with legal-technical assistance and technical cooperation.¹ Since the Agreement was concluded, there has been intensive cooperation between the two Organizations on technical cooperation matters, which has been regularly reported to the Council.²

8. The WIPO-WTO Joint Initiative on Technical Cooperation for Least-Developed Countries, launched in June 2001, is aimed at helping least-developed country Members of the WTO comply with their obligations under the TRIPS Agreement and make best use of the intellectual property system for their economic, social and cultural development. It is also open to other least-developed countries. Under the Joint Initiative, the two Organizations, together with countries requesting assistance, and, where appropriate, donor countries, are endeavouring to ensure that technical cooperation activities are efficiently planned and coordinated and to maximize the use of available resources in carrying them out. Pursuant to the Joint Initiative, the International Bureau of WIPO and the WTO Secretariat organized the second regional seminar foreseen by it. The seminar was held, in cooperation with the Government of Bangladesh, at Dhaka in December 2002 for least-developed countries in Asia and the Pacific. Requests for technical assistance by individual WTO Members are being received by both secretariats, which are coordinating their efforts with a view to responding to these requests. In response to these requests, the two secretariats jointly organized national seminars in Benin and Mali in March 2003. We are planning to hold such seminars in Chad, Djibouti, Ethiopia and Uganda before the end of this year and in Niger, Senegal and Zambia in the first part of next year.

9. The WTO Secretariat has also cooperated in the provision of technical cooperation in the area of TRIPS with other intergovernmental organizations, as can be seen from the Annex to this document.

¹ The Agreement Between the World Intellectual Property Organization and the World Trade Organization came into effect on 1 January 1996. Article 4 of the Agreement provides for the International Bureau of WIPO to make available to developing country WTO Members which are not Members of WIPO the same legal-technical assistance relating to the TRIPS Agreement as it makes available to Member States of WIPO which are developing countries. The WTO Secretariat is required to reciprocate. The Agreement also provides for the International Bureau and the WTO Secretariat to enhance cooperation in their legal-technical assistance and technical cooperation activities relating to the TRIPS Agreement for developing countries, so as to maximize the usefulness of those activities and ensure their mutually supportive nature.

² See documents IP/C/W/375, 304, 201, 156, 110, 79 and 36.

ANNEX

Technical Cooperation Missions in the TRIPS Area from 13 September 2002 to 31 October 2003

Date	Place	Mission
26-28 November 2002	Moscow, Russian Federation	UNECE Seminar on IPR Enforcement for the Russian Judiciary and Enforcement Officials
11-14 December 2002	Dhaka, Bangladesh	WIPO-WTO Regional Workshop on Implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)
26 January 2003	Cairo, Egypt	Cairo Training Programme on the Doha Development Agenda - Enhancing the Participation of Arab Countries in the Multilateral Trading System
18-19 March 2003	Cotonou, Benin	WIPO-WTO Joint National Seminar on TRIPS
24-25 March 2003	Bamako, Mali	WIPO-WTO Joint National Seminar on TRIPS
28 April-7 May 2003	Tunis, Tunisia	WTO National Trade Policy Course
12-30 May 2003	Sydney, Australia	WTO-IDLO (International Law Development Organization) Trade Training Capacity Building Workshop
7 April-27 June 2003	Nairobi, Kenya	2 nd WTO Trade Policy Course in Nairobi
16-27 June 2003	Johannesburg, South Africa	WTO Advanced Training Programme on the Doha Development Agenda for English-Speaking African Countries
16-27 June 2003	Barbados	Advanced Training Course for Government Officials - "Multilateral and Regional Trade Issues for the Americas: The Doha Development Agenda and the FTAA Process" (Organization of American States, WTO and University of the West Indies)
30 June-11 July 2003	Tbilissi, Georgia	WTO Advanced Training Programme for Senior Government Officials on the Doha Development Agenda
8-11 July 2003	Lima, Peru	LatinPharma 2003 (ITC-UNCTAD-WTO)
28 June-16 July 2003	Jeddah, Saudi Arabia	IDB/WTO Short Trade Policy Course for OIC (Organization of Islamic Conference) Members

Date	Place	Mission
15-16 September 2003	Zhejiang Province, China	Training Workshop on Intellectual Property Rights Compliance and Quality Brand Development Strategy (MOFCOM and UNDP)
13-24 October 2003	Accra, Ghana	Second WTO-ADB-ECA Trade Policy Course for African Countries
30 October 2003	Montevideo, Uruguay	Third Short Trade Policy Course for ALADI Member Countries (Asociación Latinoamericana de Integración)
27 October-1 November 2003	Beijing, China	WTO/UNESCAP/MOFCOM/PKU Advanced Course for Asian and Pacific Senior Government Officials - The Doha Development Agenda: Enhancing the Participation of Asian and Pacific Economies in the Multilateral Trading System; Discussions of WTO Trade Negotiation Issues
