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**Submissions from entities in the United Nations system and elsewhere on their efforts in  
2012 to implement the outcome of the WSIS**

Submission by

**World Intellectual Property Organization**

This submission was prepared as an input to the report of the UN Secretary-General on “Progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels” (to the 16th session of the CSTD), in response to the request by the Economic and Social Council, in its resolution 2006/46, to the UN Secretary-General to inform the Commission on Science and Technology for Development on the implementation of the outcomes of the WSIS as part of his annual reporting to the Commission.

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WORLD INTELLECTUAL PROPERTY ORGANIZATION CONTRIBUTION IN 2012  
TO THE IMPLEMENTATION OF THE OUTCOMES OF  
THE WORLD SUMMIT ON THE INFORMATION SOCIETY

December 21, 2012

This report has been prepared by the Secretariat of the World Intellectual Property Organization (WIPO) and provides an update of WIPO's contribution, in 2012, to the implementation of the outcomes of the World Summit on the Information Society. WIPO is committed to contribute to the development of an inclusive and development-oriented Information Society as set out in the WSIS objectives and the implementation of the Geneva Plan of Action.

## WSIS ACTION LINE ACTIVITIES IN 2012

### 1. Action Line C3 "Access to information and knowledge"

WIPO works to promote a balanced international IP system as a means of rewarding creativity, stimulating innovation, and contributing to economic development and access to knowledge in the public interest. WIPO's Standing Committee on Copyright and Related Rights (SCCR) monitors and reviews developments in international copyright law, and where appropriate, develops new approaches to important issues raised by market and technology developments. In 2012, WIPO's SCCR discussed, *inter alia*, limitations and exceptions to copyright, and in particular the need for specific user groups, like visually-impaired persons (VIPs), libraries and archives, and educational institutions, to have access to digital content under reasonable conditions and in accessible formats. The SCCR is in the process of drafting text for an international instrument to benefit visually impaired/print disabled persons by increasing the availability of published works in accessible formats. The WIPO General Assembly agreed to a "road map" to make progress towards a diplomatic conference on this subject in 2013. The SCCR formally recognized the importance of addressing, without delay and with appropriate deliberation, the special needs of VIPs and other reading-disabled persons.

WIPO continued its work in 2012 on developing a project, together with other intergovernmental organizations<sup>1</sup> (IGOs), aimed at drafting open licenses for IGOs based on the Creative Commons (CC) model. This project takes into consideration the needs of IGOs in areas such as immunity, jurisdiction, applicable law etc. To this end, two approaches have been developed simultaneously, and are under discussion within a working group formed by the different organizations involved in this project. First, the development of a Creative Commons license adapted to the needs of IGOs, and second a new draft of a sui generis Open IGO license (OIGO), based on the contributions of the working group. The draft CC license adapted to IGOs is at a very advanced level of development.

Moreover, in November 2012, the Ministry of Culture, Sports and Tourism (MCST) of the Republic Korea in cooperation with WIPO organized the International Copyright Technology Conference 2012. The Conference provided an opportunity to exchange views and information on policy and strategy considerations relating to copyright in the digital environment.

*Contributing to on-line access of technological information contained in patents in order to support science, technology and innovation:*

The Access to Research for Development and Innovation (ARDI)<sup>2</sup> program facilitates access to scientific and technical journals through a public-private partnership between WIPO and partners in the publishing industry.

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<sup>1</sup> Food and Agriculture Organization of the United Nations (FAO), Organization for Economic Cooperation and Development (OECD), United Nations (UN), World Bank, International Monetary Fund (IMF) etc.

<sup>2</sup> For further information see at <http://www.wipo.int/ardi/en/>

It is also part of the Research4Life<sup>3</sup> partnership together with specialized programs from the World Health Organization (HINARI), the Food and Agriculture Organization (AGORA) and the United Nation's Environment Programme's (OARE). A significant increase in the content accessible through ARDI took place in 2012 permitting access to over 2,000 key journals and 7,000 e-books from 16 major partner publishers. A similar partnership with five of the world's leading commercial patent database providers, which established the Access to Specialized Patent Information (ASPI)<sup>4</sup> program, allows access to commercial patent databases providing more sophisticated search and analysis tools in retrieving and assessing relevant technology. Both the ARDI and ASPI programs seek to reinforce the capacity of developing countries to participate in the knowledge economy and to support researchers in developing countries in creating and developing new solutions to technical challenges faced on a local and global level by providing access to least developed countries (LDCs) for free and to certain other developing countries at very low cost.

Access to these databases and services are underpinned by training and awareness-raising activities within the framework of WIPO's project to establish Technology and Innovation Support Centers (TISCs)<sup>5</sup>, which are intended to provide the local research and business community with expert assistance in accessing and effectively retrieving technological information from the many online resources such as patent, scientific and technical journal databases. In 2012, 32 training workshops were carried out in developing countries where the TISC project is being implemented. Moreover, an interactive e-tutorial on using and exploiting patent information was made available both online and on CD-ROM. While an eTISC knowledge management platform was developed and launched to encourage the exchange of information, experiences, and best practices among TISCs nationally and internationally. The eTISC provides advanced social media tools and integrates new services aimed at reinforcing WIPO's activities in supporting the development of TISCs worldwide, including specially targeted e-learning modules and webinars.

Moreover in 2012, several patent landscape reports (PLRs) were developed by WIPO<sup>6</sup>. The reports provide detailed instructions on how to search generic on-line patent databases for specific technologies and are important tools that build capacity in patent search expertise. In addition, a compilation of the reports was published online and includes links to PLRs prepared by other institutions.

In the context of WIPO's Development Agenda, a project on "Intellectual Property and the Public Domain"<sup>7</sup> was finalized. The project examined the availability of up-to-date information regarding the legal status of pending patent applications or granted patents through national online patent registers. This information is important e.g., for technology transfer and procurement activities in order to determine whether certain technologies are protected in a particular jurisdiction or whether they are in the public domain of that jurisdiction.

#### *Enhancing on-line access to information concerning IP laws, regulations and treaties:*

WIPO Lex<sup>8</sup>, the Organization's on-line database of intellectual property legislation and treaties, continues to provide free and universal access to global IP legal information.

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<sup>3</sup> For further information see <http://www.research4life.org>

<sup>4</sup> For further information see at <http://www.wipo.int/patentscope/en/programs/aspi>

<sup>5</sup> For further information see at <http://www.wipo.int/patentscope/en/programs/tisc>

<sup>6</sup> For further information see at [http://www.wipo.int/patentscope/en/programs/patent\\_landscapes/index.html](http://www.wipo.int/patentscope/en/programs/patent_landscapes/index.html)

<sup>7</sup> For further information see at [http://www.wipo.int/patentscope/en/programs/legal\\_status/index.html](http://www.wipo.int/patentscope/en/programs/legal_status/index.html)

<sup>8</sup> For further information see at <http://www.wipo.int/wipolex/en/>.

It offers the most comprehensive coverage of the main IP and IP-related laws and regulations of 195 countries (members of WIPO, WTO or UN). The database features English, French, Spanish, Chinese and Arabic public interfaces. In 2012 work has begun on the creation of the Russian public interface. Close collaboration with national authorities continues and to date, the national IP offices of some 175 countries have been invited to review their respective entries in the database. Feedback from the national IP offices ensures that the legal information in WIPO Lex is up-to-date and accurate. In November 2012, a new treaties component of WIPO Lex was launched featuring some 170 multilateral and 500 bilateral IP-related treaties, with 2000 additional treaties, which have been identified for the inclusion in the database.

2. Action Line C5 “Building confidence and security in the use of ICTs”

One of the main objectives of the WIPO Arbitration and Mediation Center is to promote a balanced legal framework for the protection of IP in the Internet Domain Name System (DNS). The WIPO Center strives to provide leadership in the development of dispute prevention and settlement, and options to address tensions arising from the unauthorized use of IP in the DNS. Building on its more than 12 years of daily experience with some 40,000 domain name-related disputes, the WIPO Center continues to liaise with DNS stakeholders, including trademark owners and representatives, the Internet Corporation for Assigned Names and Numbers (ICANN) and registration authorities, and has been providing input to and will, as appropriate, administer dispute resolution policies for such domains. This concerns in particular mechanisms for the protection of trademarks at top and second levels in the introduction and operation of further new generic top-level domains (gTLDs) foreseen for 2013. In 2012, the WIPO Center also continued to liaise with the administrators of country-code Top-Level Domains (ccTLDs) around the globe and created and implemented electronic, paperless dispute resolution policies for such domains including for Internationalized Domain Names (IDNs), thus expanding the basis for WIPO case administration in such domains.

3. Action Line C7 “ICT applications: benefits in all aspects of life” paragraph 15: E-Government”

*WIPO’s support regarding IP registration related issues and e-governmental available services:*

In order to enhance the efficiency of IP registration related activities and improve e-services provided by IP institutions (e.g. national IP offices) to their stakeholders, WIPO carried out technical assistance to IP Institutions to help them participate effectively in the global IP system. In 2012, WIPO provided technical assistance products and services to Industrial Property offices from 53 countries, across all regions, of which 12 were LDCs, 36 were developing countries and 5 were countries in economic transition. In addition, two regional IP institutions in Africa, namely the African Regional Industrial Property Organization (ARIPO) and African Intellectual Property Organization (OAPI) were assisted in their modernization projects. The Program’s work also included several regional workshops focusing on key automation topics, training and sharing of national experiences and best practices. The Program’s assistance covered a comprehensive set of services, including technical advice and guidance; needs assessment; mapping of business processes; provision of IP administration software packages customized to specific national requirements; establishment of national IP databases; training of IP institutions staff and knowledge transfer; and e-communication with WIPO Treaties.

#### 4. Action Line C8 “Cultural Diversity and identity, linguistic diversity and local content”

In June 2012, WIPO participated in the *International Technical Symposium on Ensuring Protection for Genetic Resources, Traditional Knowledge and Folklore through the Creation of a Database*, which took place in Bali, Indonesia. This technical meeting focused on the use of databases as a defensive mechanism in the protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs), and as a complement to the international normative work of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC).

In September 2012, WIPO organized the *Regional Symposium on Traditional Knowledge and Digitization of Intangible Cultural Heritage in Countries in Transition*, which took place in Budapest, Hungary. The symposium addressed the preparation of an IP guide for digitization projects in cultural heritage institutions in countries in transition. Also in September, WIPO took part in the UNESCO Conference “*The Memory of the World in the Digital Age: Digitization and Preservation*” which took place in Vancouver, Canada. The aim of the conference was to explore the main issues affecting the preservation of digital documentary heritage in order to develop strategies that would contribute to a greater protection of digital assets and help to define an implementation methodology that would be appropriate for developing countries. WIPO’s sessions aimed to raise awareness on the linkages between copyright and digital heritage, on the IP issues that may arise when documenting and digitizing TK and TCEs and to highlight the complexities underlining a variety of key issues, including orphan works, public domain, sustainability of cultural heritage online, licensing tools and practices.

WIPO launched a consultation draft of the WIPO Traditional Knowledge Documentation Toolkit in 2012, developed under the auspices of the WIPO IGC, which aims to assist TK holders in identifying and defending their IP-related interests when their TK is documented or recorded, including through the use of ICTs.

*ICTs as tools to support the IP management of intangible cultural heritage, traditional knowledge and traditional cultural expressions (TCEs):*

Finally in 2012, WIPO provided assistance in the development of a Traditional Knowledge License and Label Platform under a partnership with external academic institutions. The web platform is to allow indigenous and local communities to manage their IP rights and interests in the documentation and digitization of their TCEs. Additionally, it aims to provide collaboration opportunities between communities and cultural institutions, and facilitate the sharing of TCE collections, materials and information. It also aims to facilitate the commercial exploitation of TCEs, where and if so desired by their holders.

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