

Putting intellectual property at the service of development

A nation's well-being increasingly hinges on its ability to convert knowledge and information into tangible economic assets. So a good intellectual property system is a powerful tool for economic, social and cultural development. Here Khamis Suedi, Assistant Director General of the World Intellectual Property Organization (WIPO), looks at the importance of using intellectual property to fully realize the economic potential of a country's intellectual assets to foster economic growth, improved living standards and cultural enrichment.

Knowledge and information are fast replacing material production as the engines of economic growth. The intellectual property (IP) system has a key role to play in the process of converting knowledge into earnings, so it is a prerequisite for creating wealth and improving the lives of people throughout

the world. Economic trends show that a nation's ability to generate wealth and protect its cultural heritage depends on its access to and use of the intellectual property system. The World Intellectual Property Organization (WIPO) is at the forefront of efforts to ensure that the rights of creators and owners of intellectual property are protected worldwide and that these are recognised and rewarded for their ingenuity.

The incentives built into the IP system encourage inventors and artists to realise their talents and push forward the frontiers of technology and creativity. The tools of that system (for example patents, trademarks and copyright) allow them to transform the fruits of their intellectual efforts into assets that can benefit themselves and their countries. The vision guiding WIPO's mission is to ensure that all countries are able to capitalise on the opportunities presented by the knowledge economy and to tap into the limitless creative resources of their people in order to generate sustainable social and economic development.

WIPO believes it is necessary to build a greater awareness in all sectors of society – policy-makers, government officials, the business community and the general public – of the relevance and role of intellectual property in enriching every aspect of life. WIPO is committed to empowering member states to develop, protect, enforce, manage and commercially exploit IP. To this end WIPO offers a range of services to help countries reach their IP goals and development objectives.

Support services for developing countries

These services include the provision of legal support in response to requests for advice on IP laws and systems, especially on how developing countries and LDCs can use and benefit from the IP system to promote their development objectives. They include support for commercially exploiting inventive and creative works and ensuring the proper distribution of revenues derived from the sale of such works; advisory and technical services in the area of information technologies and the automation of administrative and business processes in IP offices. Training people who are actively involved in setting up the IP infrastructure and making it work is a key component of WIPO's strategy.

The organisation is committed to the use of information technologies and digital networks to deliver and administer its programmes. WIPO is capitalising on new technologies to improve the flow of IP information. The development of WIPONET is an example. It is a global network that will integrate the IP resources and services of the international intellectual property community together with those of the WIPO secretariat. WIPONET will enable broader involvement by developing and least developed countries in IP debates and



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will enhance access, participation and opportunities associated with IP, knowledge-based services and electronic commerce.

The Distance Learning Program (DLP) offered by the WIPO Worldwide Academy (WWA) enables the organisation to reach out and train a wider audience. It has great promise, particularly for developing countries where distance is often a barrier. In the past five years the DLP has enabled some 20,000 students from 179 countries to learn about IP.

At national and regional levels WIPO responds to the specific needs of member states for legislative advice and practical assistance through "nationally focused action plans" (NFAPs). An NFAP is tailored to the needs and requirements of a particular country. It is designed to generate practical strategies to support national efforts to develop and use all forms of IP as an economic asset.

International cooperation

Establishing a modern legislative framework, however, is just the beginning. Implementing and enforcing it are major undertakings for developing countries. Efficient enforcement of intellectual property rights, particularly against counterfeiting and digital piracy, requires international cooperation. WIPO is actively engaged in fostering such cooperation.

The development of international IP law is a crucial element in creating a flexible and responsive international system. In September 2001 WIPO launched its Patent Agenda in order to address the many logistical and policy-related challenges facing the international patent system. This initiative coordinates discussions on the future development of the international patent system. Its aim is to make the system more user-friendly, affordable and accessible, and to ensure that it provides an appropriate balance between the rights of inventors and the interests of the general public, taking into account at the same time the implications for the developing world.

The advent of digital technologies and the explosive growth in internet use have also generated a host of challenges for IP policy-makers. The global, anonymous character of the internet and its technical sophistication have underlined the inadequacy of conventional approaches in protecting the rights of IP owners in cyberspace. Increasingly the intangible products that are fuelling the knowledge economy lend themselves to transmission in digital form at the click of a mouse to anywhere from anywhere without any loss of quality.

The WIPO Digital Agenda aims to address these issues by outlining a series of practical steps to broaden participation in the new economies of the 21st century, and to expand the benefits that the internet and e-commerce create. The first item on the agenda is to broaden the participation of developing countries through the use of WIPONET, as described above.

The rise of the knowledge economy has put a premium on information and knowledge of all types and has prompted the organisation and its member states to study, review and initiate activities in new and emerging global intellectual property issues. Traditional knowledge has long been an area where communities, groups and countries have asked for help.

WIPO is now actively involved in the search for answers. Under the aegis of the Intergovernmental Committee (IGC) on Genetic Resources, Traditional Knowledge (TK) and Folklore, created in April 2001, it has been possible to foster better understanding of the approaches available for legal protection of traditional knowledge and cultural expressions and IP aspects of genetic resources.

WIPO is also working to enhance its global protection systems (GPS) for patents, trademarks and industrial designs. These systems are one of the most practical ways in which WIPO supports users of the IP system worldwide. Securing protection of IP rights where registration is required as a formality can be lengthy, complex and costly. WIPO is trying to make the GPS a more user-friendly, cost-effective and attractive option, particularly for developing and least developed countries, by simplifying and improving procedures and reducing costs.

Also, WIPO's Arbitration and Mediation Center Service serves as a global forum for resolving disputes relating to domain names. Since its launch in December 1999 the centre has dealt with over 20,000 domain-name-related cases. These services offer a cost-effective and rapid way of resolving disputes about the abusive registration of trademarks as domain names.

Progress and innovation

WIPO's approach is based on a growing recognition that nations and enterprises can develop and promote the use of IP as an economic asset. WIPO's cooperation with developing countries will continue to focus on demystifying IP and building capacity in the form of essential IP infrastructure. Initiatives in these areas will help to ensure that countries are better placed to capitalise on their creative resources and to reap their potential social, economic and cultural benefits.

WIPO's current and future activities are underpinned by a deep-rooted belief in the relevance of intellectual property to development. The correlation between the progress of the human race and its ability to invent and innovate is indisputable. Intellectual property is at the heart of the endeavour. ■

