



Recent developments in the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)

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WIPO Intergovernmental Committee on IP and Genetic Resources, Traditional Knowledge and Folklore (IGC)





IGC mandate 2016-2017: “. . . reaching an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property which will ensure the balanced and effective protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs). . .”

IGC 29
GRs

Sem.
GRs

IGC 30
GRs

IGC 31
TK

Sem.
TK

IGC 32
TK

IGC 33
TCEs

Sem.
TCEs

IGC 34
TCEs



Views from Speakers at Seminar on IP and Genetic Resources (May 26 and 27, 2016)

June 6, 2016

The WIPO Seminar on Intellectual Property and Genetic Resources took place at WIPO Headquarters on May 26 and 27, 2016.

The seminar saw discussion of one of the most challenging topics in the intellectual property field: the relationship between intellectual property and genetic resources.

Interviews with selected speakers



VIDEO: Views on intellectual property and genetic resources from speakers at a WIPO seminar (on YouTube).

Evolutions of the IGC: 2001 to 2016

From “non-normative” (2001 to 2009) to “normative” (from 2010), including “binding” and “non-binding” issue

Tri-angulating “objectives and principles”,
“substance/content” and “process”

Balancing “separate but equal” treatment and “cross-cutting issues”

Significance

- For indigenous peoples, local communities and other beneficiaries:

New collective rights

- For international IP policy development:

A profound re-imagining of the IP system

First developing country-led normative process of this breadth and complexity

...in line with Development Agenda

Challenges

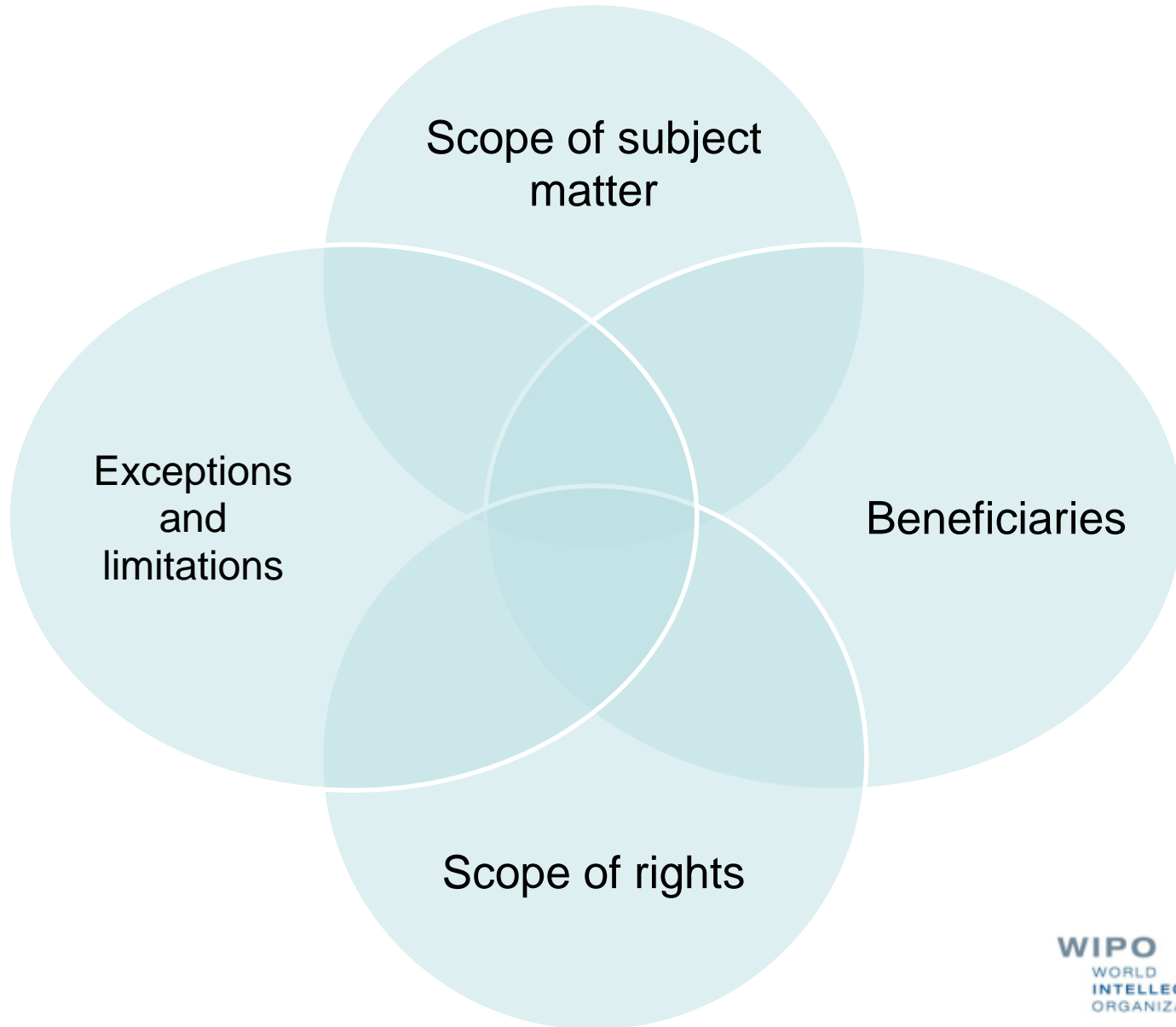
■ Substance

- Complex menu of issues
- Little experience at national/regional level (except for GRs)
- Interface with other instruments and processes

■ Process

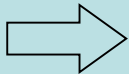
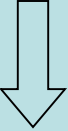
- Diverse demandeurs, diverse objectives
- Over-negotiated mandates - unstable platform
- Trust deficit – role of plenary
- Methodology: “all or nothing”/consensus”/“negotiation”

Current texts on TK and TCEs





**How, if at all, to
protect “publicly
available”
traditional
knowledge**

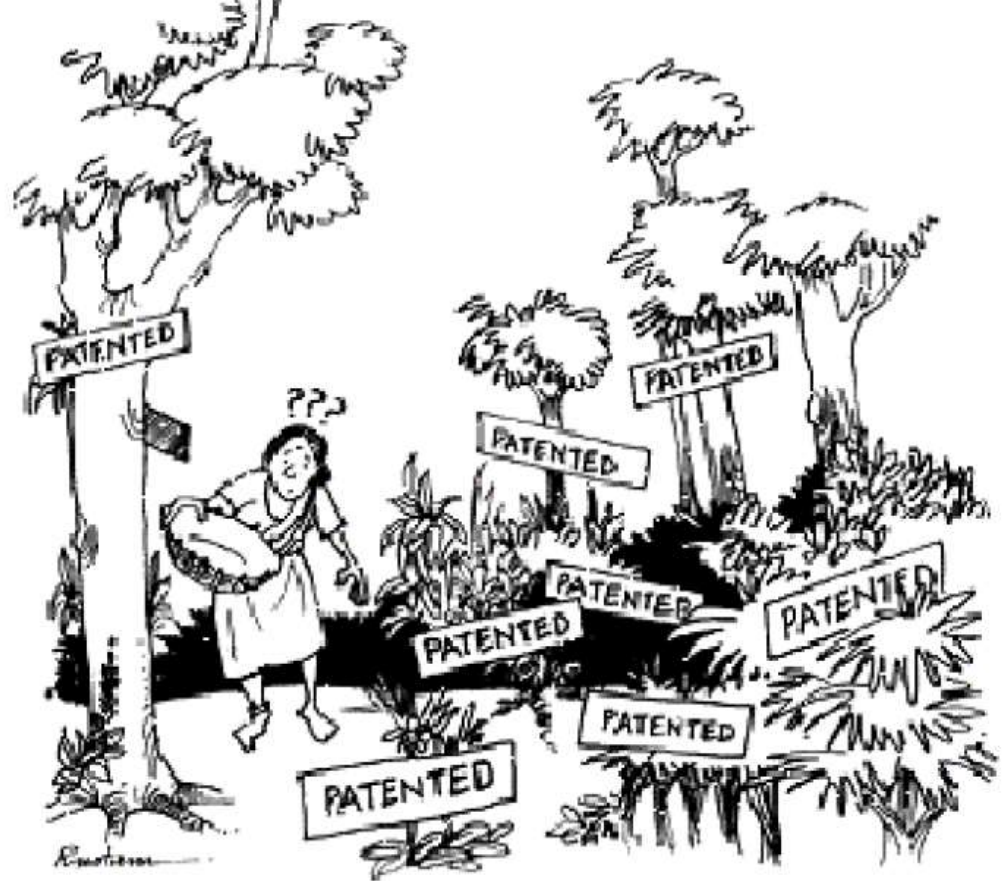
Nature of TK  Nature of rights 	Secret	Closely held	Publicly available	Widely diffused
Exclusive property rights				
Moral rights				
Unfair competition				
Compensation/ Benefit-sharing				

Consolidated Document on IP and GRs

- Second Revision of the Consolidated Document Relating to Intellectual Property and Genetic Resources

(as at the close of IGC 30 on June 3, 2016)

http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=340736



Questions and
comments?

Source: AAAS TEK-PAD

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