

IPRIA International Developments in IP Update September 2005

Welcome to the IPRIA **International Developments in IP Bulletin for September 2005**. The following is a summary of some of the featured updates on the website. The page can be viewed in full at <http://www.ipria.org/intdev/index-new.html>.

The eleventh session of the Standing Committee on Patents

This meeting of the SCP, in June 2005, was devoted solely to the consideration of options for the future work of the Committee. Talks focused on whether discussions should be limited to six issues pursued in parallel processes (prior art, grace period, novelty, inventive step, sufficiency of disclosure and genetic resources), or whether the draft Substantive Patent Law Treaty should be discussed as a whole, with further issues, such as clauses on public interest flexibilities, transfer of technology and the disclosure, in patent applications, of the source of genetic resources. While delegations recognized the importance of the work of the SCP and emphasized that the work on patent law harmonization should progress taking into account the interests of all parties, they did not reach agreement as to the modalities and scope of the future work of the Committee.

http://www.ipria.org/developments_in_ip/intdev/wipo.html#SCP11

International Day of the World's Indigenous People

On August 9, 2005, the Director General of WIPO, Dr. Kamil Idris, welcomed the progressive steps being taken by the international community towards effective recognition and enjoyment of the rights of indigenous peoples, and greater respect for their distinct cultures, communities and values. Dr. Idris underlined the fundamental need for an approach which respected and recognized the concerns and aspirations of indigenous people as this helped to catalyse dialogue and offered pathways towards the development of practical and legal solutions. He also noted the importance of the participation of indigenous groups in this process, adding that important practical and procedural steps have been taken within WIPO to enhance the participation of indigenous communities in international debates in this area.

http://www.ipria.org/developments_in_ip/intdev/wipo.html#Genetics

Eighth session of the Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore

This meeting took place in Geneva from June 6-10, 2005. Items on the agenda included the proposed recommendation to the General Assembly for the establishment of a voluntary contribution fund; the participation of indigenous people in the decision-making process; some revised objectives and principles relating to expressions of folklore; the practical means of giving effect to the international dimension of the Committee's work; and the recognition of traditional knowledge within the patent system.

http://www.ipria.org/developments_in_ip/intdev/wipo.html#8th

Establishment of the Creative Industries Division

WIPO has recently established the Creative Industries Division. This has been done in response to the growing interest and needs of the Member States of WIPO to address the economic developmental impact that intellectual property policies and practices have on the creative industries. The objective of the Division is to provide a focal point for related policy and industry discourse.

http://www.ipria.org/developments_in_ip/intdev/wipo.html#SMEs

Worldwide Forum on Marks & Designs

Held in Vancouver, Canada, from September 8-9, 2005, this Forum was jointly organized by WIPO and the International Trademark Association (INTA). It was an intermediate/advanced-level conference on trademarks and industrial designs. This conference was designed to venture beyond the border of trademarks into industrial designs, taking an integrated look at these evolving intellectual property rights, including

concerns unique to each as well as overlapping issues. These were presented within the context of the underlying business reality that inextricably entwines these legal specialties, namely, bringing a product to market.

http://www.ipria.org/developments_in_ip/intdev/wipo.html#forum

OECD project on counterfeiting and piracy

In response to rising concerns in government and the business community, the OECD has launched a project that will assess the effects of counterfeiting and piracy on economies. The objective of the project is to improve factual understanding and awareness of the effects that infringements of intellectual property rights, as described and defined in the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) have on governments, business and consumers in member countries and non-member economies.

http://www.ipria.org/developments_in_ip/intdev/oecd.html#IPrights

Report on Digital Music: Opportunities and Challenges

Broadband access is now starting to lead to innovative creation and use of content and stimulating the rise of new technologies in PC and consumer electronics. These trends have led to the rapid creation of online music services. Unauthorised sharing of copyrighted works and new commercial digital delivery possibilities have thus far been a disruptive technology for the music industry. But the availability of online technologies opens up possibilities for content created by network users. Music is thus an area in which the transformative impact of digital distribution, file-sharing and new online business models is strong for both the supply side (artists and the music industry) and on the demand side (new music lifestyles, users as content creators).

This study is part of the OECD Project on Digital Broadband Content.

http://www.ipria.org/developments_in_ip/intdev/oecd.html#Publications