



South-South Cooperation to promote the Strategic Use of IP as a Tool for Development

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Old perceptions on IPRs and their relation to development: IP rights were created and operated to maintain an unfair division of labour

- Patents seen as obstacles to the diffusion of knowledge, as they oppose to a free circulation of knowledge.
- They made new technologies unachievable by the companies in the developing world
- They were designed to concentrate decision power in the hands of the main IP-owners, who did not have incentives to share knowledge with actual or potential competitors;
- Other IP rights offered similar benefits to traditional players, which in general opposed to the interests of new-comers from the developing countries.

Old perceptions explained

- Local innovation in developing countries was not in the mind set, neither of policy makers nor of the companies operating in Developing Countries
- Imitation was as a legitimate and efficient learning strategy (provided all law-based rights were carefully observed, as they effectively were in most cases).
- Late-comers was thought to have no option but to immitate first-comers, as no innovative capabilities were believed to exist outside the big business labs.
- Developing countries companies did not participate in the global markets for diferentiated products, but only in commodities markets, which do no need to rely on IP rights.

New perspectives

- Open innovation: best innovation is faster innovation
- Fast innovation is produced with many hands

Development Agenda on IP Rights: IPRs are not ends in themselves

- They help organize transactions involving intangible assets, such as knowledge, reputation and easy access to markets
- They must be designed and operated as to facilitate R&D collaboration, for promoting technology transfer and for helping build commercial partnerships

New perspectives explained

Innovation is at stake in Brazil, in South-America and in most developing countries: it is thought to be the main strategy to fight poverty and to confront general developmental challenges

Companies in DC must be supported in order to develop strong IPR portfolios and to become partners in open innovation arrangements

Multinational companies are welcome to partner with local companies in innovative activities

Open innovation arrangements may also be built among companies and research institutions of the developing world.

Brazilian IP Strategy

(1) regulatory component

- IP policy is part of the innovation-oriented industrial development policy
- Strengthening and modernizing the National IP Authority - INPI: fighting backlogs and offering new services
- Reviewing laws and regulations regarding IPR: improving legal certainty and easing rights registration and licensing
- Engaging into improving regional innovation and IP legal and operational environments: helping create PROSUR, promote the discussion in South-America on the convenience of the existing IP-related treaties and building joint initiatives to promote the use of IP in the region
- Engaging into strong south-south collaboration initiatives on IP, favouring regional and other kinds of plurilateral collaborative systems
- Engaging into improving the Global IP System and contributing to strengthening its compromise to development: actively discuss the role of Wipo and WTO, the PCT reforms and the conception of new treaties, favouring multilateralism.

PROSUR

- Nine South-American National IP offices association to foster collaboration, offer integrated services and prepare to grant regional IPRs
- Collaboration in patent and trademark examination
- Integrated webportal with access to services in the nine countries
- Future: institutionalizing PROSUR as a regional IP institution and possibly offer regional IPRs and other services

Brazilian/Prosur IP Strategy

(2) Promotion component

- Helping SMEs and universities identify, protect and share their IP: professional TTOs to help build strong IP portfolios and adequate licensing strategies
- Promoting the perception of Brazil as a safe place to do R&D and build IP: attracting and fostering R&D activities
- Promoting R&D collaboration and the construction and coordination of open innovation networks
- Enhancing IP-based business alliances and helping build high value added operations aiming at the global markets

Thank you !