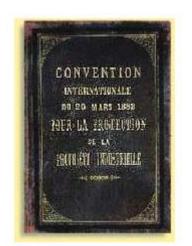


The World Intellectual Property Organization and Its Program for SMEs

Tamara Nanayakkara

Brief History of WIPO

- Paris Union 1883
- Berne Union 1886
- International Bureau combined 1893
- WIPO Convention 1967
- UN Specialized Agency 1974
- •184 Member States (as of end of October 2010)





Basic Facts about WIPO





WIPO's Mission:

To promote the protection of IP rights worldwide and extend the benefits of the international IP system to all member States

Status: An int'l intergovernmental organization

Member States: 184

Observers: 250 +

Staff: 950 from 101 countries

Treaties Administered: 24

Decisions by: GA, CC, WIPO Conference

WORLD INTELLECTUAL PROPERTY ORGANIZATION

WIPO

- Effort to demystify IPR and make it more accessible and relevant to a broader group of people
- IP no longer to be seen from solely a legal perspective but also its place in the society as a tool for economic growth
- A means to an end, and not an end in itself.



WIPO's Mandate

WIPO is dedicated to developing a balanced and accessible international intellectual property (IP) system, which rewards creativity, stimulates innovation and contributes to economic development while safeguarding the public interest.



Member States direct the work of WIPO

Governing Bodies

- The WIPO General Assembly members of WIPO and of Paris and/or Berne (impt function election of DG)
- The WIPO Conference members of WIPO
- The WIPO Coordination Committee members of Paris and Berne (propose DG and agree on D and higher appointments)
 - In addition, The Assemblies of the member states of each of the Unions, (e.g. the PCT Union Assembly; the Madrid Union Assembly etc.) were established by the respective WIPO-administered treaties.

Standing Committees established for a given purpose

- Standing Committee on the Law of Patents (SCP).
- Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT).
- Standing Committee on Copyright and Related Rights (SCCR).
- Standing Committee on Information Technologies (SCIT).
 - When a SC determines that sufficient progress has been made in order to move towards treaty adoption, the GA can decide to convene a **Diplomatic Conference**.

Permanent Committees

- Committees of Experts to revise and update the classification systems.
- Program and Budget Committee
- Committee on Development and Intellectual Property (CDIP)
- Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC).
- Advisory Committee on Enforcement (ACE).



Promotion of IP through:

- Norm setting Preparing for new treaties and developing and administering treaties that are in force
- Registration activities
- IP for development
- Other Services
 - Registration activities
 - Alternative dispute Resolution mechanisms
 - Arbitration and mediation



Treaties - 24

- IP Protection- internationally agreed basic standards of protection (Paris, Berne)
- Registration- one application to have effect in many (PCT, Madrid, Hague)
- Classification-organize information concerning inventions, trademarks and industrial designs into indexed, manageable structures for easy retrieval (Locarno, Nice)



Development Agenda for WIPO

- Adopted: September 2007 to emphasize use of IP for development
- Challenge: facilitate use by developing countries of IP for economic, social, cultural development
- 45 agreed proposals (6 clusters of activities)
 - Technical Assistance and Capacity Building;
 - Norm-setting, Flexibilities, Public Policy and Public Knowledge;
 - Technology Transfer, Information and Communication Technology (ICT) and Access to Knowledge;
 - Assessments, Evaluation and Impact Studies;
 - Institutional Matters including Mandate and Governance
- Committee on Development and Intellectual Property
 - monitor, assess, discuss and report on implementation of recommendations and discuss IP and development issues
- Development Agenda Coordination Division
 - Ensure agreed outcomes reflected in relevant programs



IP for Development

- Legal Framework
- IP administration
- Enforcement and IP education
- National IP strategies IP cross cutting
- Users creators, inventors and innovators, businesses, public research institutions identify, protect, exploit and manage their IP assets more effectively.



WIPO Worldwide Academy

http://www.wipo.int/academy/en/



- Int'l, interdisciplinary approach to IP education
- Face-to-face training/distance learning
- Aims to promote international cooperation to enhance human IP capital through global networking with stakeholders and partners
- PROGRAMS:
 - Professional Development (IPOs)
 - Partnership Program (Universities, etc.)
 - Distance Learning Program (expanding portfolio of courses)
 - Executive Program (launch 2011)
 - Summer Schools Program





Services

- Registration Treaties
 - PCT
 - Madrid
 - Hague
- Alternative dispute resolution
 - Arbitration and mediation Center

WIPO ... Provider of Premier Global IP Services

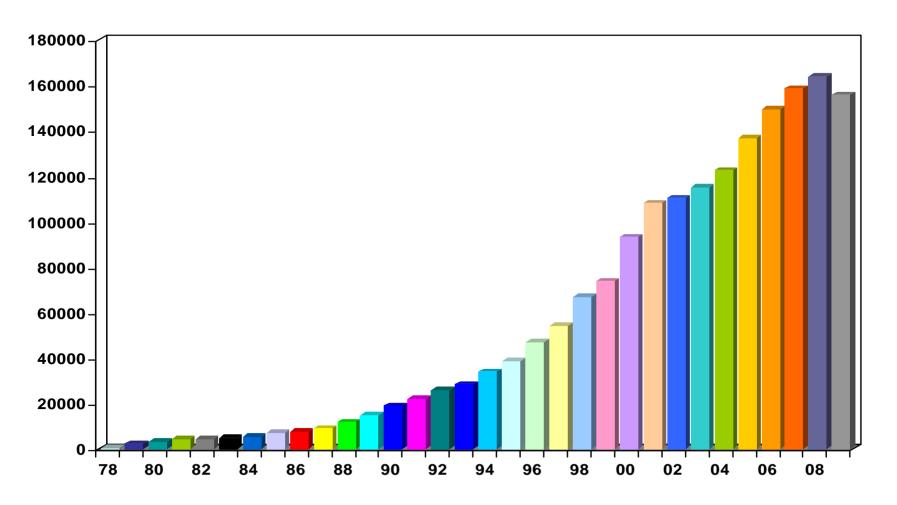
Core income generating business areas:

- ✓ Patent Cooperation Treaty (Patents)
- ✓ Madrid System (Trademarks)
- √ Hague System (Industrial Designs)
- ✓ Lisbon System (Geographical Indications)
- ✓ WIPO Arbitration and Mediation Center

Aim: to be the <u>first choice</u> for users by continuing to offer cost-effective value-added services



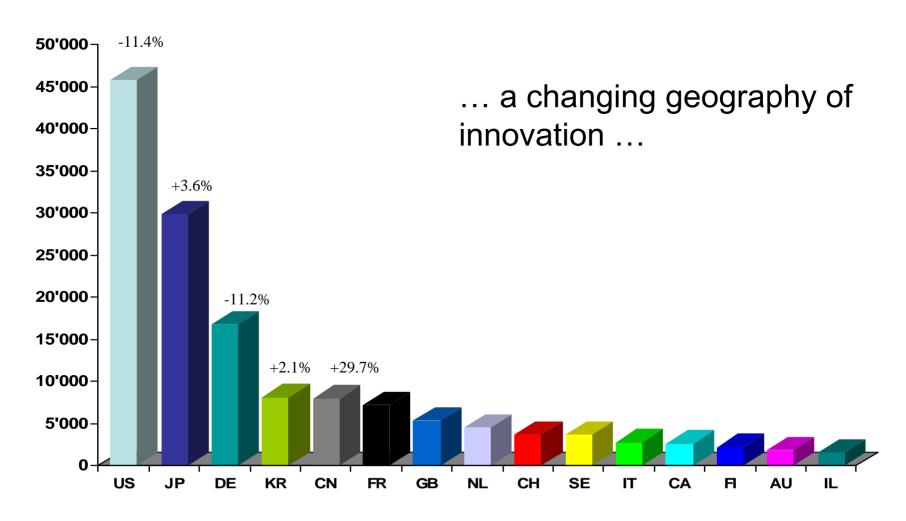
PCT Statistics



142 Contracting Parties

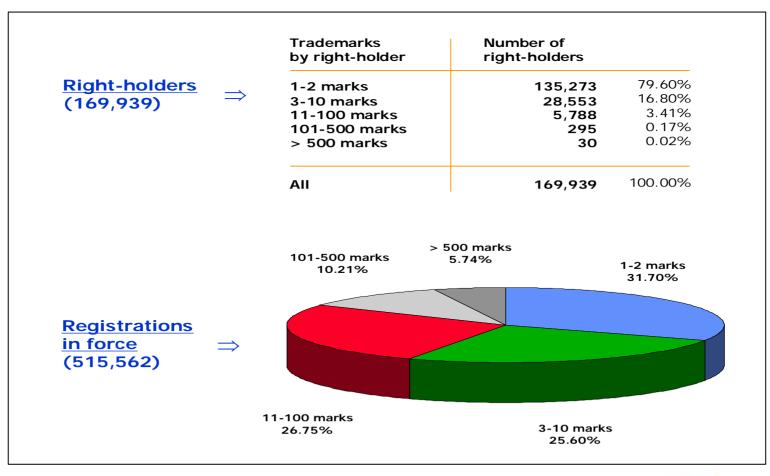


PCT: International Applications Received in 2009 (by country of origin)





International Trademark Registration: The Madrid System



WIPO Arbitration & Mediation Center

Alternative dispute resolution (ADR) (http://arbiter.wipo.int)

- I. Classical Arbitration & Mediation Services
- II. Tailor-made dispute resolution procedures:

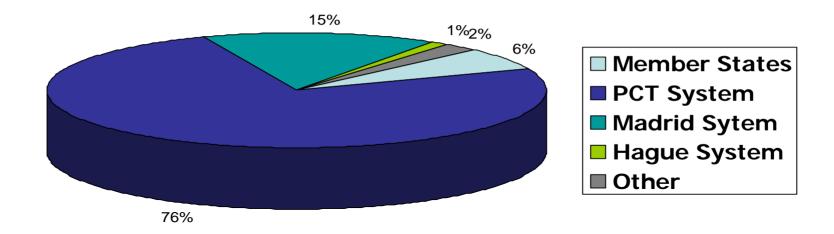
e.g.: UDRP - criteria:

- identical/confusingly similar
- legitimate interest
- bad faith

A cost-effective and expeditious procedure ...



WIPO's Main Sources of Revenue



Budget 2010-2011: CHF 618 million

(decrease of 1.6% (9.8m) on 08-09)



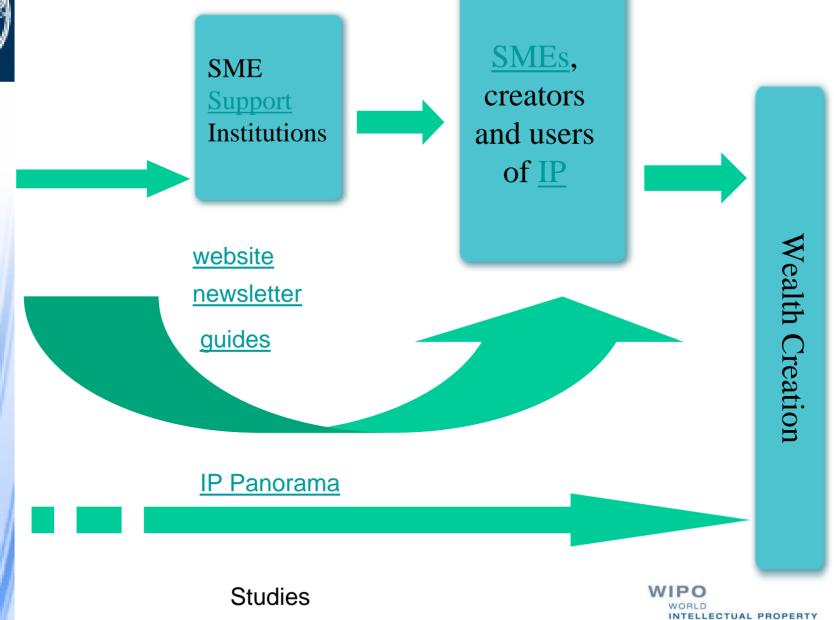


Small and Medium-sized Enterprises Division

World Intellectual Property Organization

Tamara Nanayakkara Counsellor





ORGANIZATION

SMEs

- 90% of enterprises of any economy. The back bone of economic development and growth
- Few SMEs (high tech and start up) are technology developers (patents, copyright)
- Some are technology users (patent info)
- Most are technology followers (TM, GI, Design etc)
 - IP system is relevant to all for their competitiveness. Exclusivity (IP rights) and beyond (licensing, financing, partners, branding, franchising)



Obstacles

- However, the IP system is an under-utilized tool
 - Limited awareness of the IP system and its relevance as a strategic tool
 - High costs (filing, translation, drafting, maintain)
 - Complexity of IP system
 - Delays in obtaining IP rights
 - Lack of expertise to make use of the IP system
 - Success rate in getting IP rights (patents) low
 - Inability to monitor and enforce



Support Institutions

- SME focal points in national governments;
- Ministries, departments and other government-owned/funded agencies responsible for institutions or projects such as science and technology parks, incubators, as well as ministries responsible for particular sectors such as biotechnology, ICT, agriculture, higher education;
- Chambers of commerce, and associations of industry and trade;
- Intellectual property offices;
- Banking and financing institutions;
- Science and technology universities, Government funded R&D centres
- Innovation, testing and demonstration centres,
- Technology transfer, licensing, commercialization and management institutions;
- Science and technology parks, incubators; ;
- Small business consulting firms,
- Universities or other institutions providing training in business, innovation management, technology management, entrepreneurship, new product development etc
- Associations of inventors, patent and/or trademark agents; Law firms;
- IP management and consultancy firms etc

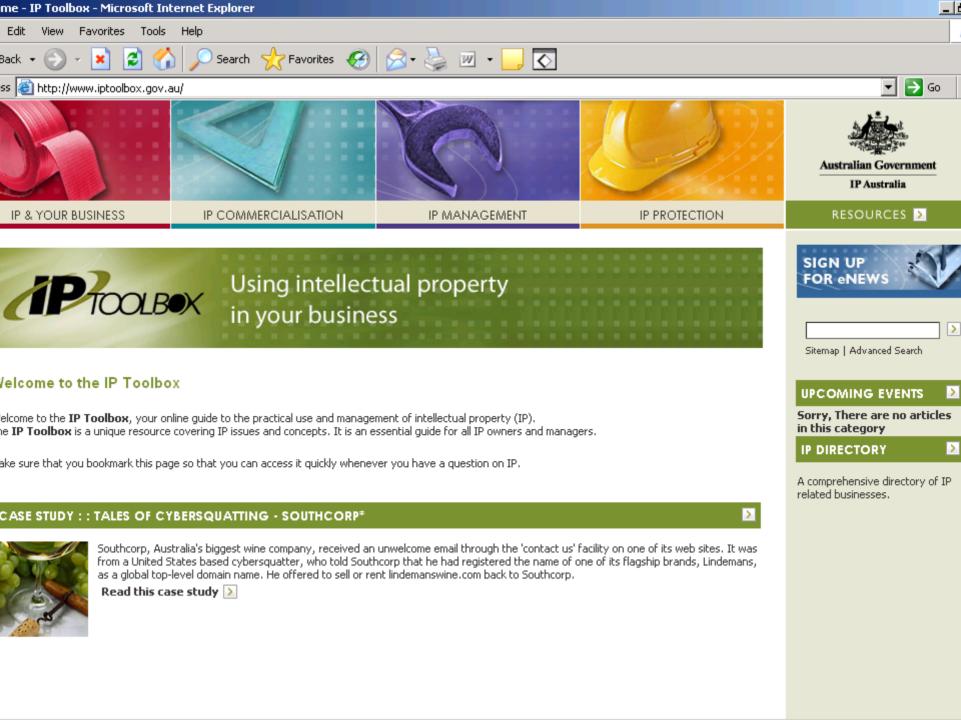


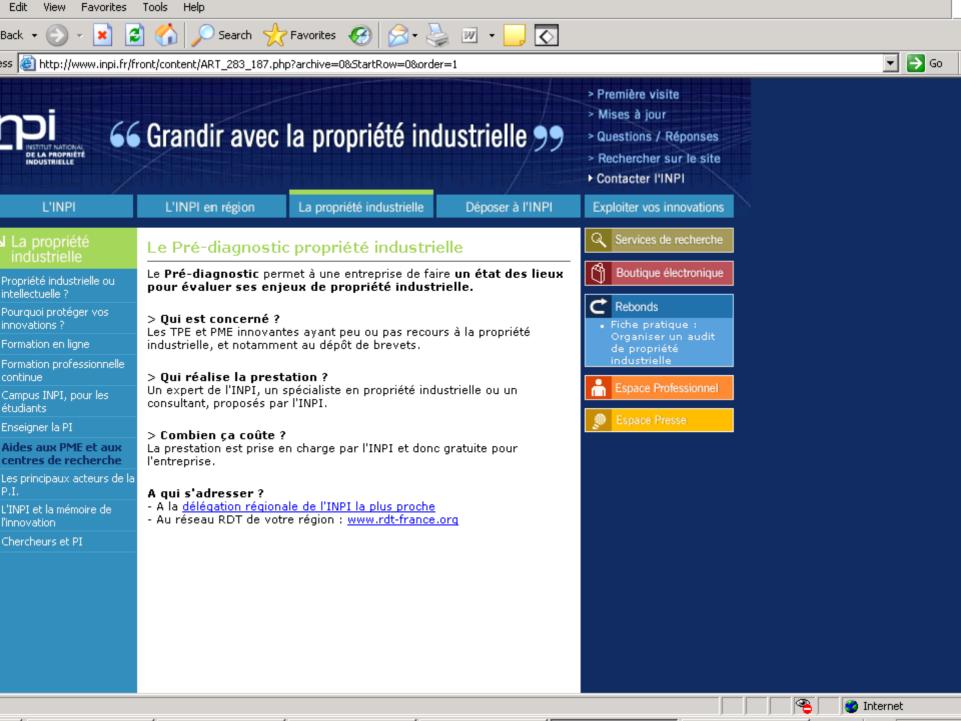
What Can Support Institutions do to Assist

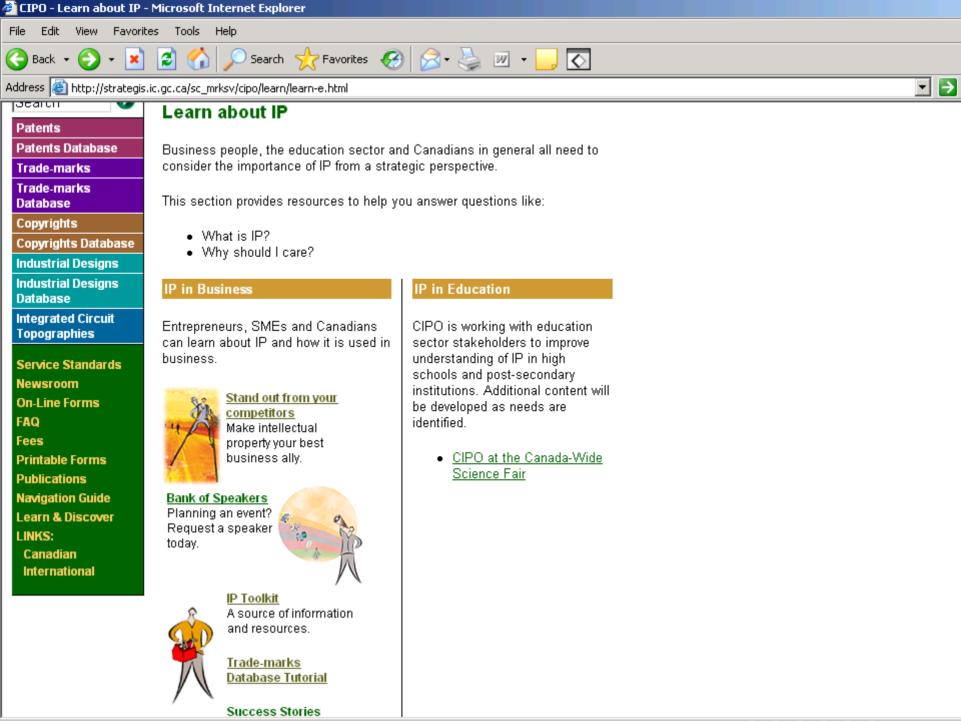
- Awareness raising and Training
- Technological Information Services
- Financial Assistance
- Customized advisory services
- Assistance on IP exploitation and commercialization
- Diagnosis of IP needs of enterprises











Korean IP Office

- Thirty one regional IP centers patent info services, consultations and presentations.
- 50% fee reduction for SMEs for patent filing;
- Patent management advisory service for universities and SMEs
- R&D patent center customized consultations on patent strategies;
- Consultations on branding strategies
- Facilitated funding for SMEs with promising inventions
- IP Mart Patent technology market for potential licensors and licensees to meet;



Cuban Industrial Property Office (OCPI)

SME specific services include:

Diagnosis of the IP needs of the enterprise (IP Audit)

State-of-the Art searches

Training and advice

Proposals on the selection of marks

Marks and distinctive signs searches



Around 70 case studies of SMEs that have successfully used the IP system to enhance their competitiveness

Case Studies: Marketing

- » Industrial Property Mistakes can be Expensive the Experience of Alba Confecciones (Cuba) (Mar 30, 2006)
- Commercialization of Invention Before the Grant of Patent The Case of a Matrix Heat Recovery Unit MHRU (India) (Jun 1, 2005)
- Bubbles, Brains and Bright Ideas- Descoriet S.A. (Argentina) (Mar 1, 2005)
- The Power of Brands I.L.A.R. (Italy) (Aug 4, 2004)
- Chirimoya Cumbe -The Value of a Name (Peru) (Mar 27, 2004)
- Dairy By-Products APDL Cajamarca (Perú) (Mar 27, 2004)
- Nice & Clean Saigon Cosmetics Corporation (SCC) (Vietnam) (Mar 27, 2004)
- Queensland Tourist & Travel Corporation Stands by their Trade Marks (Australia) (Mar 27, 2004)
- The First Italian Designer Apple Melinda Consortium (Italy) (Mar 27, 2004)

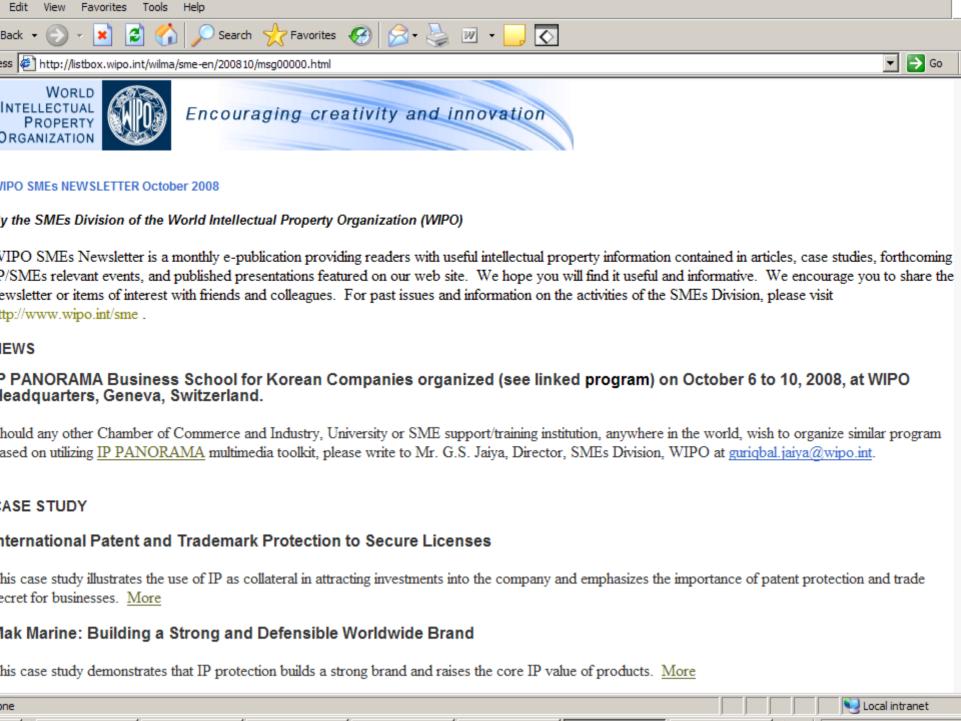
Case Studies: Franchising

- From Fast-Food Wagon to Successful Business Emprendimientos Fast S.A. (Paraguay) (Mar 1, 2005)
- <u>Uruquayan Enterprise IP strategy in the IT sector Memory Computación (Uruquay)</u> (Aug 9, 2004)
- An Impressive IP Strategy Model The Dome Group (Australia) (Mar 27, 2004)

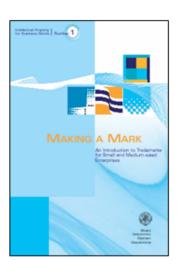
Case Studies: Trade Secrets

- SPL: International Patent and Trademark Protection to Secure Licenses (UK) (Nov 5, 2008)
- Management of Intellectual Property in Offshore Outsourcing: How Shinetech Software Inc. Sets Itself Apart From its Competitors (China) (Apr 27, 2005)
- Recognition of the Importance of Intellectual property by a Start-up Business Manager Enterprise S (Luxembourg) (Dec 22, 2004)
- Australian Invention Dazzles Hollywood Jim Frazier (Australia) (Mar 27, 2004)
- Innovation with Focus (Mar 27, 2004)
- Success of a Mauritanian initiative attributable to intellectual property management Abdallah Ally (Mauritania) (Mar 27, 2004)

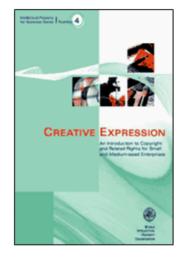




Easy to read, practical, business friendly guides



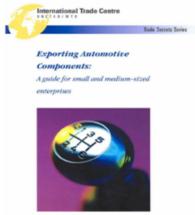














Translations and/or adaptation projects



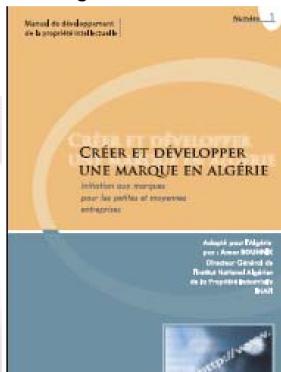
Countries are encouraged to translate and or adapt the guides to their local language (s) and their laws and procedures.

Over 20 countries have completed such translations and adaptations. Around 20 more have signed agreements and are in the process of completing.

Macedonia Algeria







IP PANORAMA 12 Modules

Basic Modules	Advanced Modules	
1. Importance of IP for SMEs	6. Patent Information	
2. Trademarks and Industrial	7. Technology Licensing in a	
Designs	Strategic Partnership	
3. Invention and Patent	8. IP in the Digital Economy	
4. Trade Secrets	9. IP and International Trade	
5. Copyright and Related Rights	10. IP Audit	
	11. Valuation of IP Assets	
	12. Trademark Licensing	

In Development

Franchising and IPRs



IP PANORAMA 01: Importance of IP for SMEs

- Why is IP relevant to your SME?
- » IP as a business asset
- » IP as an investment
- The value of IP assets
- Introduction of IP Audit

IP PANORAMA 02: Trademarks and Industrial Designs

- Trademarks and Industrial designs to Increase the Power of Marketing
- » Brand building
- > How to protect trademarks and industrial designs
- Trademark management

IP PANORAMA 03: Invention and Patent

- » Basics of invention and patent
- » Patent application
- » Patent infringement
- Patent management system

IP PANORAMA 04: Trade Secrets

- Basics of trade secret
- » Trade secret management program
- Misappropriation of trade secrets
- >> Violation of trade secrets
- » A trade secret audit

IP PANORAMA 05: Copyright and Related Rights











Free Access through Internet

Publicly available from the website of SMEs division



Small and Medium-Sized Enterprises (SMEs)

P RIGHTS	IP FOR BUSINESS	RESOURCES
» Patents	Introduction to IP for Business	» Multimedia
Distinctive Signs	Marketing	Publications
Copyright and Related Rights	Commercializing IP	SME Newsletter
Industrial Designs	Valuation of IP Assets	<u>Events</u>
Trade Secrets	IP and Financing	» Research
New Varieties of Plants	E-commerce	Case Studies
Research and Development	Research and Development	Best Practices
	IP Disputes Resolution	Partners
		Helpline

New on the SME Website

- Launching of IP PANORAMA: The Most Advanced E-learning Content on Intellectual Property for your Business (Sep 24, 2007)
- WIPO Forum on Intellectual Property and Small and Medium-sized Enterprises, Geneva, September 13 and 14, 2007 (Aug 31, 2007)
- Support for Belgian Industry by Patent Information Activities (Belgium) (May 1, 2007)
- The European IP Market Needs a Revolution (May 1, 2007).

World Wide Promotion and Use

- Translated into Thai, Hungarian and Arabic. Being translated into Russian, French and Polish.
- Referred and used by various institutions world wide

No cost or royalty payment for use by not for profit institutions



Overview For Businesses Intellectual Property Management (IPM) Intellectual Property Management (IPM) For IP Professionals > Intellectual Property Management (IPM) for SMEs Programme Outreach Capability development outreach Capability development outreach Capability development outreach

Email to Friend 🖶 Printer-friendly

About IP

> Definition

Registrable IP

- > Patents
- > Trade Marks
- > Designs
- > Plant Varieties Protection

Other IP

- > Copyright
- > Trade Secrets & Confidential Information
- > Geographical Indications

Home > Programmes > For Businesses > Resources for Businesses

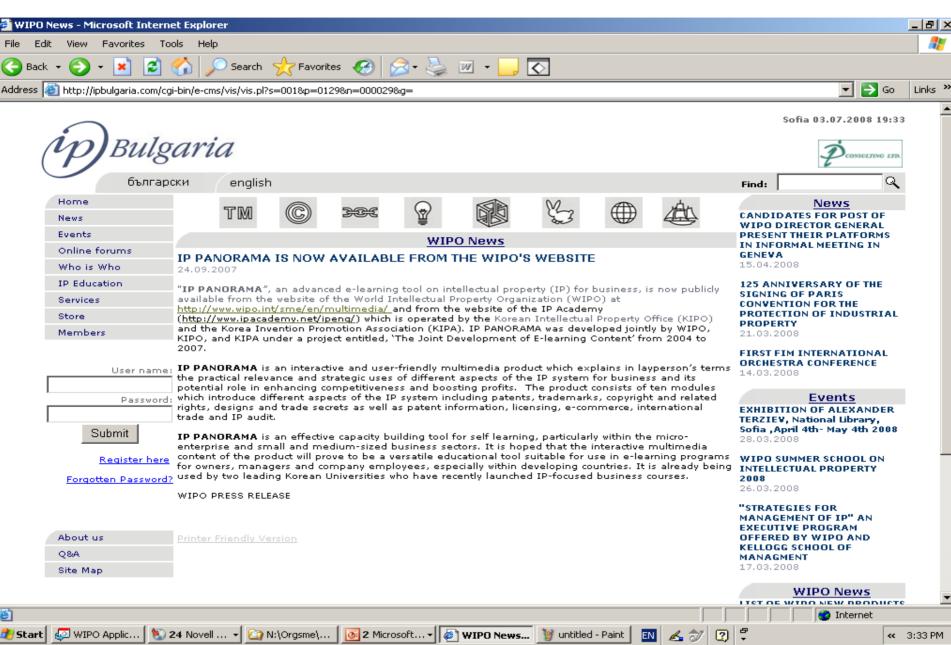
Resources for Businesses

We understand that Intellectual Property is the lifeblood of modern businesses. To help companies manage their IP portfolios more efficiently, we have developed some practical tools for their use.

The following are some examples:

- IP Starter
- Strategies for Creation Ownership, Protection and Exploitation of Intellectual Property or SCOPE IP™
- SurfIP
- Singapore Network of IP Service Providers or SNIPS
- IP Panorama







Project on IP for SMEs

- Identify barriers, issues, challenges and opportunities of SMEs.
- Develop materials based on "IP for Business" series and "IP PANORAMA",
- Undertake business-oriented IP education and training in teaching and training institutions that support SMEs
- Prioritize delivery of training knowledge-intensive, high tech, export-oriented sectors, especially those which are already part of global supply or value chains/networks, or with SMEs that are in geographic clusters, or those linked to research institutes, universities, or housed in incubators and science parks
- As far as possible in implementing activities explore and develop synergies and partnerships with similar projects, draw lessons from the experience of other countries and use case studies.

