

**WIPO Assemblies**  
**65th Series of Meetings, 9 July to 17 July 2024**

- General Statement of the German Delegation to be included in the Report -

Thank you Madam Chair,

1. On behalf of the German government, we would like to thank you for your leadership in this Assembly meeting. We affirm our support for your work and share your commitment to the important activities of WIPO.
2. At this stage, we would like to extend our gratitude to Mr. DG Daren Tang for his leadership. We wish to assure Mr. DG Daren Tang again of our continued support in addressing WIPO's mission to develop a balanced, resilient and effective global IP ecosystem in order to foster innovation and creativity for societal and cultural advancement and prosperity. We also thank the International Bureau as a whole for its relentless work and the professional preparation of this session.
3. We remain committed to the importance of a robust, dynamic and inclusive IP ecosystem; IP continues to be a pivotal instrument for tackling the global challenges of our time, including digital transformation, climate change, global health and sustainable development. WIPO has a key mission: to encourage a positive culture of IP, provide expert input in international negotiations, and to assist countries, companies and individuals in using IP productively and effectively for the common good. It is our collective responsibility as Member States to ensure that WIPO can continue to deliver on its crucial mandate.
4. WIPO has – once more – shown its relevance as a multilateral forum for international normsetting in IP with the successful conclusion of the diplomatic conference in May that successfully concluded the WIPO Treaty on IP, genetic resources and associated traditional knowledge. We would like to thank WIPO for hosting the Diplomatic Conference and all delegations for their constructive spirit that led to a consensual outcome. We hope that this spirit can be carried on to the Diplomatic Conference on the DLT. Let us not forget that international cooperation works through consensus. We look forward to fruitful discussions in Riyadh and hopefully to the conclusion of another WIPO Treaty.
5. We also look forward to the Secretariat's report on the Assistance and Support for Ukraine's Innovation and Creativity Sector and Intellectual Property System. As stated in the report, the Russian Federation's continuing unprovoked and unjustified war of aggression against Ukraine has significantly impacted the innovation and creativity ecosystem in Ukraine, disrupting the creative spirit of innovators and creators. We urge WIPO, as the technical international organisation competent in intellectual property, to continue and expand its technical cooperation with and support to Ukraine in order to ensure that the nation's intellectual property is protected. It is imperative that we stand united in our support for Ukraine, assisting its innovators and creators in rebuilding and thriving.

6. The German Government considers intellectual property rights to be an integral part of the legal, economic and cultural framework within which enterprises and society as a whole function. Intellectual property rights remain a complex issue that is passionately debated around the world. WIPO as the central institution for shaping the global IP policy and managing the worldwide IP infrastructure must engage actively in this debate and demonstrate the positive function of intellectual property as an instrument for meeting the global challenges of our time, including climate change, digitalisation, economic crises, global health, and sustainable development. We encourage WIPO to continue to contribute actively, within its mandate, to the implementation of the Agenda 2030 for sustainable development, to identify areas for its own possible input in this process, and to do this in close cooperation with other Geneva-based institutions.

Germany attaches great importance to the Standing Committee on Copyright and Related Rights (SCCR) and its long-standing work on international harmonization and exchange of legal concepts in this field. In particular, the issue of artificial intelligence is of great importance. The increasing use of AI technology offers great potential, but also raises concerns for the global creative and cultural sectors. Germany believes that WIPO is a well-suited forum to address the global implications of AI and to discuss the issues and conflicts raised among a broad range of stakeholders and IP experts from all over the world without aiming for binding instruments at this stage. We welcome the work of WIPO in the context of the program on IP and Frontier Technologies as well as the fruitful AI information session at SCCR/45; we look forward to the follow-up session in 2025.

7. Germany remains committed to improving the protection of broadcasting organizations by reaching a consensus on an international treaty. In order for the treaty to be worthwhile and future-proof in the long term, its scope of application should reflect the technical developments that have taken place in the meantime. Germany believes that the Revised Draft Text for the WIPO Broadcasting Organizations Treaty (document SCCR/45/3) provides a good basis. Germany will continue to actively support the efforts of the SCCR to address remaining technical questions for the text-based work. At the same time, Germany believes that the progress of the negotiations would allow for convening a diplomatic conference.

Germany is interested in sharing national experiences regarding exceptions and limitations. Although Germany believes that there is no need for a legally binding international instrument in this area, we would like to learn more about other Member States' legal concepts and look forward to continued exchange on the basis of the Draft Work Program on exceptions and limitations.

We are also interested in continuing the exchange of views on further issues such as the resale right.

8. Ever since the beginning of international IP cooperation and the founding of WIPO as an international agency for IP, patent law has been of key importance. Users of the patent system around the world are calling for the further development, harmonization and improvement of the patent system – a call that must be heeded by WIPO and its responsible standing body, the Standing Committee on the Law of Patents (SCP). Germany recognizes the SCP's ongoing work on important issues in this area.

We welcome the decision of the Standing Committee on the Law of Patents to continue addressing a variety of issues in the AI-field. AI Technology raises numerous legal questions regarding patent protection of AI-related inventions, which are of fundamental importance for all Member States. In addition, AI Technology provides numerous opportunities and challenges to the administration of the patent system. We therefore believe that the sharing of experiences and information on these topics in the SCP is highly beneficial for all Member States. We call on WIPO to provide an effective forum for structured substantive discussions on the numerous technical and legal questions regarding the interface between AI and intellectual property more generally, building on its work on IP and Frontier Technologies.

We are eager to continue work on issues of patent quality, including opposition systems, and the confidentiality of communications between clients and their patent advisors. Further work in this area is beneficial to all countries, irrespective of their level of development, since it would enhance the credibility, reliability and stability of the international IP system.

The German delegation has also been closely involved in the area of patents and health, and will continue to engage on these issues moving forward. We take into account the efforts and activities undertaken in this context by WIPO in the SCP and beyond and encourage WIPO to continue and strengthen its engagement with other relevant international organizations.

9. The latest figures on the development of application numbers under the Patent Cooperation Treaty (PCT) show that the success of the PCT system has been generally ongoing, even if there has been a decline of 1.8% in PCT applications compared to the preceding year, about 272,600 PCT applications were filed in 2023.

As a patent-intensive country, both at the national and international level, Germany is pleased that the PCT system works well. In 2023 the German Patent and Trade Mark Office processed 7,443 international applications in the national phase, which is an increase of ca. 6% compared to the previous year, out of which 6,706 were filed by applicants from outside Germany.

We appreciate the numerous improvements in the PCT system achieved by changes to the technical and legal framework over the past years and we hope to see the constructive atmosphere that prevails in the PCT working group continued in the next sessions.

For these reasons, Germany, as always, stands committed to all necessary further developments in the PCT system to guide the system into a successful future. We encourage all WIPO Member States to take full advantage of the PCT system.

10. Regarding the DLT we look forward to engaging constructively in the diplomatic conference in November. We hope that long time controversial issues can be solved through constructive commitment of all member states and successful outcomes will be reached.

11. With regard to the Geneva Act of the Lisbon system, the accession of the European Union in 2019 was a milestone. Since then, the European Commission has sent a total of 245 EU geographical indications in three packages. We welcome the fact that the European regulation on protection of geographical indications for craft and industrial products has entered into force and will apply from 1 December 2025. In this way, the European Union will be in a position to offer protection for members of the Geneva Act for these geographical indications and thus further increase the attractiveness of this international protection system.
12. Germany notes the broad consensus amongst Member States to continue work in the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). The mandate for the IGC for 2024-2025 allows us, after the completion of the diplomatic conference on IP, Genetic Resources and associated Traditional Knowledge, to continue the discussions with a focus on Traditional Knowledge and Traditional Cultural Expressions. Germany recognises the importance of the work carried out by this Committee. There is still a long way to go in order to achieve the aim of reaching consensus on an instrument that takes account of the interests of holders of traditional knowledge and traditional cultural expressions, and, at the same time, does not harm the functioning of the international IP system. We are willing to continue our constructive participation in this process.
13. Germany remains fully committed to further progress in the field of development, particularly in light of the United Nations 2030 Agenda for Sustainable Development. We support the continued implementation of the Development Agenda in a balanced and consensus-driven manner and are pleased about the positive developments regarding the implementation of Development Agenda Projects. We are certain that the spirit and readiness to engage in constructive and forward-looking efforts will continue in order to rise to the challenges we face together in this important committee.
14. Germany also welcomes the Geographical Diversity Action Plan and its goal to strive towards geographical diversity across WIPO. While we highly value the goal of a diverse staff body – in particular in management and selection boards –, WIPOs final hiring decision should always be merit-based, in order to maintain the highest possible talent and expertise.
15. The German Patent and Trade Mark Office (DPMA) has continued its successful cooperation with WIPO, other IP-related organisations and national IP offices.

Experts of the DPMA participated in the working meetings of the

- Standing Committee on the Law of Patents
- Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications
- Committee on WIPO Standards
- Advisory Committee on Enforcement
- PCT Working Group
- Working Group on the Legal Development of the Madrid System
- Working Group on the Legal Development of the Hague System

- WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) and in the Diplomatic Conference to Conclude an International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources.

Furthermore, in close cooperation with WIPO, the DPMA is carrying out a Quantitative and Qualitative Study on "IPR Intensive SMEs Utilization and Perception of IP". The aim of the study is to gain a better understanding of how innovative SMEs perceive intellectual property, what strategies they pursue and what obstacles exist. The German study will focus on the intellectual property right patents. The results should help the DPMA to improve existing support and information services for SMEs and, if necessary, to identify new ones.

Another joint project is the implementation of WIPO DAS - the system for electronic exchange of priority documents. The DPMA participates initially as depositing office for patents and utility models. WIPO and the DPMA have been actively working on the implementation of a modern web service interface for providing and accessing WIPO DAS services. Using this modern web service interface is - as far as I can see - a pioneering project between WIPO and the DPMA. I would like to thank WIPO for their commitment, hard work and close cooperation on this important project

16. Distinguished Chair! Germany looks forward to engaging in a constructive and fruitful dialogue; you can count on our active support. Together, we can build a robust and forward-looking IP landscape that drives us towards a future of cultural and societal enrichment and sustainable development. We fully support the statements made by Group B and the European Union, especially with regard to condemning the Russian Federation`s unprovoked and unjustified war of aggression against Ukraine.