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**ASSOCIATION INTERNATIONALE
POUR LA PROTECTION DE LA PROPRIETE INTELLECTUELLE**

**INTERNATIONAL ASSOCIATION
FOR THE PROTECTION OF INTELLECTUAL PROPERTY**

**INTERNATIONALE VEREINIGUNG
FÜR DEN SCHUTZ DES GEISTIGEN EIGENTUMS**

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Report

Special Committee Q166

**Intellectual Property and Genetic Resources, Traditional
Knowledge and Folklore**

**La Propriété Intellectuelle relative aux ressources
génétiques, aux savoirs traditionnels et au folklore**

**Geistiges Eigentum und genetische Ressourcen,
traditionelles Wissen und Folklore**

Report Q166

Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore

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Special Committee Q166 has the task of following developments concerning Genetic Resources, Traditional Knowledge and Folklore (GRTKF) in relation to Intellectual Property. Sources of information are primarily WIPO, in particular Intergovernmental Conferences on GRTKF and documents prepared by the WIPO secretariat for these conferences, but also the PCT and Patent Law Treaty with respect to requirements in patent disclosures of source, prior informed consent and benefit sharing concerning GRTKF, and developments in TRIPs and the Conference of the Parties of the Convention on Biological Diversity concerning the same topic.

Meetings and discussions in 2004/2005 did not lead to any development or decision in international fora which was thought to be important enough to prepare a statement or Resolution of AIPPI. Although GRTKF questions play an important or sometimes even dominant role in any discussion about Intellectual Property in WIPO and TRIPs, the present situation is characterized by political manoeuvring of the US and other OECD countries on one side and developing countries led by Brazil, Argentina and India on the other side, which actually blocks any consensus finding on the basic questions in international patent harmonization.

AIPPI was represented at the 7th session of the IGC on GRTKF on November 1 to 5, 2004, by Marlies Allan (a Member of Q166), who reported on the conference in AIPPI Newsletter 15/1–05. No representative was present at the 8th session in June 2005, but a Report may be found in AIPPI Newsletter 17/3–05. These sessions confirmed the impression that discussions on GRTKF in WIPO are more or less stalled due to substantial differences in opinion, although the Intergovernmental Conference proposes to the WIPO General Assembly to have the mandate extended by a further two years.

The Special Committee Q166 plans to continue monitoring the developments in its present composition.