

**3rd Session of the Committee on Development and Intellectual Property, CDIP/3
April 27 to May 1, 2009 at the WIPO headquarters in Geneva**

Report by Konrad Becker, Chairman Q166

The 3rd session of the Committee on Development and Intellectual Property (CDIP) was held from April 27 to May 1, 2009 at the WIPO headquarters in Geneva, 10 months after the 2nd session in July of last year. The newly elected Director General of WIPO, Francis Gurry, opened the session and indicated that the outcome of the discussions of this Committee will have a substantial impact on the ongoing work at WIPO as a whole. Matters related to CDIP are combined in a new directorate headed by Mr. Irfan Baloch directly reporting to him, the Director General. Decisions will have an impact on budget and personnel of WIPO, and the preparations of the WIPO secretariat on a particular project are also transparent in this respect.

The Committee re-elected Ambassador C. Trevor Clarke from Barbados as the chair, and elected Mr. Bdioui (Tunisia, replacing the former vice-chair from Kyrgyzstan) and Mr. Moreno Ramos (Spain) as vice-chairs.

The opening statements of the particular groups and leading countries were generally positive, appraising the substantial preparatory work performed by the secretariat, except for complaints about the late distribution of document translations in other languages than English or French. All speakers indicated that they are willing to discuss the substantial provisions and to move forward in the discussions.

The revised draft report of the 2nd session of the CDIP (CDIP/2/4 Prov. 2) was accepted subject to some minor modifications.

The start of the discussions concentrated on the progress made in respect of recommendations under implementation (documents CDIP/3/5, CDIP/3/2 and CDIP/3/INF/2), and most time was used for a review of recommendations 1, 3, 4, 6 and 7 (technical assistance, national strategies for SMEs and scientific research, roster of consultants, and IP related anti-competitive practices). Some time was also invested in dealing with

recommendations 2, 5 and 8 (funds from donors for supporting least developed countries, IP technical assistance database, and specialized databases access and support). The discussion of these recommendations revealed substantial differences of opinion among the delegations.

It had been agreed to combine further discussion on the recommendations with similar aspects as thematic projects (CDIP/3/4 and CDIP/3/3). Aspects of the public domain with special emphasis on misappropriation of subject matter in the public domain (recommendations 16 and 20) were looked upon separately with respect to copyright, trademarks, patents and traditional knowledge. Again the discussion was quite heated. It was decided to add a review of the impact of existing traditional knowledge databases to the project. The cluster dealing with questions of anti-competitive practices (recommendations 7, 23 and 32) was discussed next, and caused an outspoken statement of the delegation of the USA, pointing to the fact that there is overlap with work in other, more experienced international organisations dealing with this subject, and requesting that WIPO should not mingle into norm-setting and international contract work in this field. The third thematic project dealt with information and communication technologies (recommendations 19, 24 and 27). Opinions were again divided on this subject.

Under the next agenda item the Committee discussed ways of surveying, assessing and reporting on the implementation of recommendations. Because time was short, submissions were asked to be sent by end of June, and detailed discussion planned for the next, 4th session of the CDIP to be held from November 16 to November 20 of this year.

Documents of the 3rd session of the CDIP may be found under:
http://www.wipo.int/meetings/en/details.jsp?meeting_id=17382.

KB 6/09