



**International Telecommunications Union
Workshop on Internet Governance**

Geneva, February 26-27, 2004

**The World Intellectual
Property Organization**

J. Christian Wichard
Deputy Director

WIPO Arbitration and Mediation Center





Overview

- WIPO and its Mission
- IP and the Internet: Policy challenges
- The Role of WIPO
 - Forum for international IP policy making
- Examples
 - Internet Domain Names
 - Copyright on the Internet





WIPO: Mission

- Mission:
 - Art. 3 WIPO Convention: “to promote the protection of intellectual property throughout the world through cooperation among states”
 - in order to encourage creativity and innovation
- IP: Patents, trademarks, designs, copyright and related rights
- IP system
 - effective in encouraging creativity and innovation worldwide
 - responsive to legitimate needs and expectations of users
 - sufficiently flexible to accommodate
 - national policy objectives
 - technological change





IP and the Internet

Policy Challenges

- IP is intangible - ideally suited to digitization
 - Vulnerable: infinite number of perfect copies
 - Easily distributed through digital networks worldwide
- IP is territorial
 - Internet is global
 - Need for international approaches
- IP is increasingly important
 - Business assets increasingly reflected in intangible property
 - Protection of Internet “content”
 - information, music, software, films, etc
 - Protection of “infrastructure”
 - software, business methods, databases, etc.





The Role of WIPO

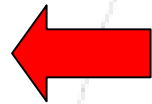
- Forum for international IP policy making
 - Development and administration of Treaties
 - 23 international treaties
 - Consensus-building processes
 - ex: WIPO Internet Domain Name Processes
 - WIPO Digital Agenda 1999
- Facilitate worldwide IP protection
 - Registration services (PCT, Madrid, Hague)
 - Dispute resolution services (WIPO Arbitration and Mediation Center)
- Enhance access to the IP system
 - IP as a tool for economic development
 - Developing Countries, SMEs



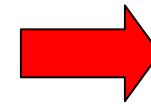
WIPO's Activities



IP Services



Norm-Setting



Economic
Development





WIPO Today

- World-wide coverage
 - 179 Member States
- Stakeholder input
 - More than 170 NGO's have observer status
- Institutional expertise
 - Some 1000 staff from more than 90 countries
- Largely self-financing
 - 85% of 640 Million Swiss Francs biannual budget





IP Issues on the Internet

Example 1: Domain Names (DN)

- Problem:
 - abusive registration of trademarks as domain names (“cybersquatting”)
- 1998-99 First WIPO Internet DN Process
 - Final Report April 30, 1999
 - ADR procedures for resolving domain name disputes
- Uniform Domain Name Dispute Resolution Policy
 - adopted by ICANN in December 1999
 - first provider: WIPO Arbitration and Mediation Center
 - almost 6000 cases, 11 languages, parties from 116 countries
- 2000-02 Second WIPO Internet DN Process
 - Identifiers other than trademarks





IP Issues on the Internet

Example 2: Copyright

- Problem:
 - How to allow creators to control the dissemination, integrity and use of their works in digital networks?
- “Internet Treaties” 1996, in force since 2002
 - World Copyright Treaty
 - WIPO Performances and Phonograms Treaty
 - adapting copyright to a digital environment
- Legal certainty and flexibility
 - environment in which creative works can safely be made available on the Internet
 - through innovative business models
 - “proprietary” or “open source”





IP Issues on the Internet

Other Examples

- Internet as an opportunity
 - WIPOnet - a global IP information network
 - facilitates digital exchange of IP information between 330 national IP offices
 - Internet connectivity and infrastructure for developing countries
 - Internet-based IP distance learning programs
 - Electronic filing and processing of international patent and trademark applications





Further Information

- Web Site:
 - www.wipo.int
- Digital Agenda:
 - http://www.wipo.int/copyright/en/digital_agenda.htm
- Domain Names
 - <http://arbiter.wipo.int/domains/index.html>
- Copyright
 - <http://www.wipo.int/copyright/en/index.html>
- “Intellectual Property on the Internet: A Survey of Issues” <http://ecommerce.wipo.int/survey/index.html>

