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The World Intellectual Property Organization

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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

Economic Development

Norm-Setting
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:

• Domain Names
  - http://arbiter.wipo.int/domains/index.html

• Copyright