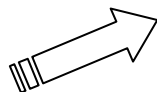


ANNEX

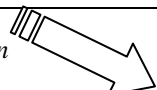
| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><u>Policy objectives & core principles on protection of TCEs/folklore</u> <i>Draft for IGC consideration: WIPO/GRTKF/IC/7/3 at IGC request (WIPO/GRTKF/IC/6/14 para 66)</i></p> | <p><u>Policy objectives & core principles on protection of TK</u> <i>Draft for IGC consideration: WIPO/GRTKF/IC/7/5 at IGC request (WIPO/GRTKF/IC/6/14 para 109)</i></p> |
| <p><i>Draw on existing principles, regional and national positions, statements to the IGC, WIPO/GRTKF/IC/6/3 & WIPO/GRTKF/IC/6/4, and complement proposed frameworks such as WIPO/GRTKF/IC/6/12 (African Group proposal). Two distinct sets of principles and objectives, but the holistic aspect of traditional communities' concerns & interests means some apply in parallel to both TK & TCEs. Respect existing international legal and policy framework for genetic resources (notably CBD and FAO International Treaty).</i></p> | |

At level of principle



Mechanisms for recognition of IP protection of TK/TCEs in foreign jurisdictions
based on core principles (WIPO/GRTKF/IC/6/6); included in substantive material on TK/TCEs (as agreed by IGC: WIPO/GRTKF/IC/6/14, para 231)

At level of practical implementation



Policy options & legal mechanisms for protection of TCEs/folklore
Draft for IGC consideration: WIPO/GRTKF/IC/7/4 at IGC request (WIPO/GRTKF/IC/6/14 para 66). Means of giving practical effect to objectives and principles at level of national/regional laws; draws on IGC surveys, reports, panel presentations, discussion and analysis (e.g. WIPO/GRTKF/IC/6/3), and based on existing Member State experience, including national and regional laws for protection of TCEs/folklore, as well as existing international instruments.

Policy options & legal mechanisms for TK protection
Draft for IGC consideration: WIPO/GRTKF/IC/7/6 at IGC request (WIPO/GRTKF/IC/6/14 para 109) Means of giving practical effect to objectives and principles at level of national/regional laws; draws on IGC surveys, reports, panel presentations, discussion and analysis (e.g. WIPO/GRTKF/IC/6/4), and based on existing Member State experience

Defensive measures for TK protection*

- Guidelines & recommendations on recognition of traditional knowledge in patent examination WIPO/GRTKF/IC/7/8, work approved by IGC VI.
- Further defensive measures under development WIPO/GRTKF/IC/7/7, WIPO/GRTKF/IC/6/8

*: See also related work on patent disclosure under genetic resources agenda item (also relevant to TK).

OVERVIEW OF MATERIALS FOR AN ACCELERATED IGC WORK PROGRAM 2004-2005

More detailed materials, consistent with general objectives and principles, but recognizing need for some diversity of actual approaches. Contribute to general coherence and compatibility of general IGC developments, and buttress the practical attainment of principles and objectives.

Measures on IP & genetic resources

- Practical guidelines on IP aspects of access & benefit-sharing arrangements* (WIPO/GRTKF/IC/7/9)
(based on principles agreed at earlier IGC sessions, draft considered at IGC VI - WIPO/GRTKF/IC/6/5)
- Disclosure mechanisms for genetic resources used in inventions*
Building on existing technical study
Proposals for guidelines & recommendations put to IGC V & VI; related CBD invitation pending decision.
**: both materials also deal with TK related to genetic resources*