

Comments from World Intellectual Property Organization on the Zero Draft of the Doha Programme of Action for Least Developed Countries

We are thankful to the Co-Chairs of the Preparatory Committee for inviting the UN system entities, including the World Intellectual Property Organization (WIPO), to provide submissions on the zero draft of the outcome document.

WIPO is very pleased to have the opportunity to comment on this important document.

As a global organization leading the development of a balanced, inclusive and effective global intellectual property (IP) ecosystem to promote innovation and creativity, WIPO has been contributing continuously to the implementation of the relevant recommendations of the Istanbul Programme of Action for the LDCs. In that regard, it has been implementing the WIPO Deliverables for the LDCs for 2011-2020, a set of priority thematic areas for its cooperation with LDCs, as identified by LDC ministers at the Fourth United Nations Conference on the LDCs (the executive summary of the comprehensive report on the implementation of WIPO Deliverables for the LDCs for 2011-2020 is attached herewith for your reference).

WIPO's support and technical assistance to LDCs have been premised on building the technological capacity of the public and private sectors, providing access to scientific and technical information, the formulation and implementation of innovation and intellectual property (IP) policies and strategies, the establishment of technology and innovation support centers, the transfer of appropriate technology, branding, the strengthening of managerial and technical capacities and the provision of service infrastructure. In addition, the importance of gender equality was emphasized throughout the implementation of the various activities.

In the run-up to the Fifth United Nations Conference on the LDCs, WIPO, together with our beneficiary countries, will this year be reviewing the progress made and lessons learned during the implementation of the WIPO Deliverables for the LDCs over the last decade and is looking forward to developing a new set of WIPO deliverables to bring further benefits and impacts for the beneficiary LDCs in the coming decade. The overall objective of this endeavor is to contribute to the economic, social, cultural and technological development of LDCs by facilitating the use of IP and innovation as a tool for a sustained economic growth and development.

We would like to offer general comments and specific suggestions on the relevant parts of the zero draft document.

General comments

We welcome the zero draft, and are very pleased to see that reference to the importance of innovation and intellectual property for the economic growth and development of the LDCs was made in the document.

The Doha Programme of Action for Least Developed Countries, in particular in its the focus area of action on "Leveraging the power of science, technology, and innovation to fight against multidimensional vulnerabilities and to achieve the Sustainable Development Goals", may benefit from comprising a number of specific need areas of technical support for the

LDCs, which would facilitate the use of IP and innovation for economic growth and sustainable development. These may include the following:

- **Assist LDCs in developing inclusive, balanced and effective intellectual property ecosystems**

Integrating IP into national development policies and strategies would enable LDCs to generate IP assets and create conditions where all national stakeholders can work together to create, own and commercialize research, inventions, innovations, new technologies and creative works. This requires that we look at IP and innovation from an ecosystem perspective, going beyond just putting in place relevant IP legislation and regulations to bringing together various elements that are critical for the successful use of innovation to drive economic growth and development e.g. linking research with enterprises, building of skills and capabilities in tech transfer and licensing, strengthening MSMEs etc. WIPO has been assisting LDCs in developing and implementing national IP policies and innovation strategies; this is a set of measures formulated and implemented by a government to encourage and facilitate the creation, and protection of IP at the national level, and we will be stepping up our efforts to assist governments in the commercialization of IP.

- **Assist LDCs in using intellectual property effectively as a tool for growth and sustainable development**

The effective use of various IPs such as patents, trademarks, designs [we should move away from a notion of designs as only relevant in the industrial context], geographical indications, copyright, as well as traditional knowledge, genetic resources and folklore can significantly benefit the economic growth and development in many LDCs by promoting innovation and creativity.

The key to this is to broaden the knowledge, awareness and use of IP by a much larger set of stakeholders, especially youths and women, MSMEs, research institutes and communities.

For instance, to support local research institutions, we can increase their ability to have access to patent information and analytics.

- **Provide enhanced technical support and assistance to enable intellectual property stakeholders in the LDCs to leverage intellectual property successfully for growth, competitiveness and development**

Entrepreneurs, inventors, creators and researchers in LDCs often do not have access to support services, for instance, for the licensing and commercialization of IP rights, and therefore, in most cases, they are ineffective in using or dealing with IP in their business operations. Government agencies, business associations and other entities that engage with these innovators and creators can be given tools and other types of support to allow them, in turn, to support the use of IP by the innovators and creators in these countries to translate their ideas to the market.

- **Increasing Intellectual Property Knowledge and Skills in the LDCs**

The effective utilization of the IP system for economic, social, cultural and technological development in LDCs is hampered by the lack of awareness, knowledge, tools and skills in this field among the key IP users and stakeholders, including companies, chambers of commerce and industry, inventors' associations, performers and creators, as well as scientific and technological institutions.

The importance of IP has not been effectively established in the day-to-day lives of many people, and a culture of IP awareness is largely absent in many parts of society. These conditions still limit the contribution of the IP system to the economic growth and competitiveness of LDCs. LDCs will require the development of IP expertise amongst a smaller group, who can form the core of their local IP profession, whilst the development of IP and innovation related skills and capabilities, focusing less on expertise and more on practical skills, will be needed for innovators, creators, start-ups, SMEs, and other stakeholders in the broader innovation ecosystem.

Specific comments on the zero draft (underlined in the text)

93 We acknowledge the critical importance of science, technology, and innovation, including the effective, balanced, inclusive and enabling innovation eco-system, environmentally sound technologies and information and communications technologies, in the pursuit of achieving the SDGs. They can also play a key role in accelerating the pace of economic diversification and transformation, improving productivity and competitiveness, as well as enabling the full participation of LDCs in the global economy. We also acknowledge the potential of the Fourth Industrial Revolution to raise global income levels and improve the quality of life for populations around the world.

94 We express concern that despite advances in science, technology, and innovation, significant gaps remain in STI between LDCs and the rest of the world. We are also concerned that the current international technology transfer landscape has serious gaps, especially in reaching out to LDCs, where institutional and technology capabilities are limited. LDCs still face substantial structural challenges in building institutions and capacity in the field of innovation and creativity.

95 During the implementation of the Istanbul Programme of Action over the period 2011-2020, LDCs faced significant and persistent lags in major indicators related to science, technology, and innovation. According to the Global Innovation Index (GII) rankings of 2020, nine of the 21 LDC economies improved their rankings, while eleven of the LDCs covered in the GI went down the ranks. The ratio of research and development expenditure in LDCs as a share of gross domestic product was 0.6 per cent or less between 2011-2017, compared with around 2 per cent of developed countries' much larger gross domestic product. Citizens of LDCs filed only 1,536 patents in 2018. According to the data compiled by WIPO, from 2010 to 2018, the number of patent applications filed by LDCs residents has doubled, from 835 to 1,634. But, as a share of patents globally, the figure is almost zero. The LDCs published only 11 journal articles for every 1 million people in 2018.

97 Targets: Substantially increase investment in research and development, as well as human, and institutional capacity building

- Building adequate digital infrastructure including for e-learning, e-governance, and e-commerce

- Promote transfer of technology including digital and environmentally sound technologies to LDCs
- Promote the development of effective, balanced, inclusive and enabling eco-systems for innovation and creativity in LDCs
- Establish and strengthen national science institute in each LDCs
- Move away from low value-added natural resources and low-technology products to higher value-added manufactures, and higher-technology products

98 As a whole-of-government approach, we commit to formulating comprehensive national regulatory and normative frameworks, building physical infrastructure and digital ecosystems and formulating smarter effective policies on STI, including that of intellectual property, trade, investment, industry, and education to accelerate the implementation of SDGs, reduce inequalities and build resilience against shocks.

104 We commit to providing enhanced financial and technical support to LDCs to establish and strengthen national and regional science institutes to promote research and development in science, technology and innovations as well as adaptation and application of modern technologies for domestic uses. We will also promote local innovation capabilities of LDCs for inclusive and sustainable economic development, providing enhanced technical support and assistance to enable stakeholders in the LDCs to leverage intellectual property successfully for growth, competitiveness and development, bringing together local scientific, vocational and engineering knowledge. We will address gender disparities by enhancing participation of women and girls in science, technology and innovation activities.

110 We commit to increasing investment in education, including digital skills and e-education, and to improving education and training, including lifelong learning endeavors in LDCs, especially in science, technology, engineering, and mathematics to close the digital divide in rural and urban areas, as well as between women and men and increase human capacity and labor productivity. We will enhance collaboration in research, data and knowledge sharing to cope with the immediate impacts of the COVID-19 pandemic and strengthen resilience. We will provide enhanced support to the relevant stakeholders in LDCs in increasing their knowledge and understanding on intellectual property, know-how and technology transfer.

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