



## **WIPO's Graduation Support Package for Least Developed Countries (LDCs)**

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### Introduction

As the number of Least Developed Countries (LDCs) approaching graduation<sup>1</sup> has increased in recent years, the LDC Members have expressed the need for additional IP-related support measures to assist LDCs in preparing for graduation from the LDC category and for the implementation of smooth transition strategies.

The newly adopted Doha Program of Action for the Least Developed Countries for 2022-2031 calls for enhanced international support measures to graduating and graduated least developed countries to make graduation sustainable and irreversible, and among others for “technical assistance to build and strengthen intellectual property rights systems of least developed countries to enable them to comply with obligations related to intellectual property after graduation”<sup>2</sup>.

The present document contains the proposal on “WIPO's Graduation Support Package for LDCs” developed by WIPO in response to the requests expressed by LDC Member States. It aims to provide targeted, substantive and impactful technical assistance to the LDCs that are scheduled for graduation.

The deliverables of the support package focus on assisting graduating LDCs in developing and upgrading their national IP systems to meet IP-related obligations after graduation and, at the same time, on enabling them to harness IP and innovation for attaining graduation goals relating to structural transformation, enhancing productive capacity, competitiveness and economic diversification.

“WIPO's Graduation Support Package for LDCs” provides an overall framework with a list of possible support measures, from which a country-specific support programme tailored to the needs can be developed on request from, and in consultation with, the graduating LDCs.

In addition to the background study, important policy documents were taken into consideration in developing the proposal. These include (i) the new Doha Programme of Action for the LDCs for 2022-2031<sup>3</sup>; (ii) the newly adopted WIPO Deliverables for the Least Developed Countries for 2022-2031<sup>3</sup>; (iii) Ministerial Declarations of the LDCs, as well as (iv) the views<sup>4</sup> expressed by the graduating LDCs.

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<sup>1</sup> LDCs on the path to graduation:

- Bhutan – 2023 (Graduation)
- Angola, São Tomé and Príncipe, Solomon Islands – 2024 (Graduation)
- Bangladesh, Lao PDR, Nepal – 2026 (Graduation)
- Kiribati, Tuvalu (to be reconsidered for graduation by CDP in 2024)
- Myanmar, Timor-Leste (Deferred to 2024 by CDP)
- Cambodia, Comoros, Djibouti, Senegal, Zambia (met criteria for first time 2021)

<sup>2</sup> Doha Programme of Action for the Least Developed Countries for 2022-2031. Available at <https://digitallibrary.un.org/record/3959499?ln=en>

<sup>3</sup> WIPO Deliverables for the Least Developed Countries for 2022-2031. Available at [https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=563348](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=563348)

<sup>4</sup> Country statements made by graduating LDCs at CDP Review Meetings on their views and preparation for graduation and smooth transition. Available at <https://www.un.org/development/desa/dpad/least-developed-country-category/preparing-for-ldc-graduation-and-smooth-transition.html>

The WIPO's Graduation Support Package for LDCs is comprised of the following focus areas and deliverables:

## **I. Technical assistance for graduating LDCs in developing and upgrading their national IP systems to meet IP-related obligations after graduation**

The Doha Programme of Action for the LDCs for 2022-2031, as well as the recent Ministerial Declarations of the LDCs Group, call for enhanced support to countries before and after graduation through appropriate predictable and additional incentives and support measures, including "Technical assistance to build and strengthen their intellectual property rights systems to enable them to comply with obligations related to intellectual property after graduation"<sup>5</sup>. The LDCs Group has also urged WIPO to consider designing and planning the delivery of required programs for graduating LDCs in order to help them address the challenges both before and after graduation<sup>6</sup>. As a UN specialized agency, which leads the development of a balanced, inclusive and effective global intellectual property (IP) ecosystem to promote innovation and creativity, WIPO can provide a range of technical assistance and support measures that can be instrumental for graduating LDCs in this aspect.

### **1.1 Advisory support, capacity building and technical assistance for developing, implementing and updating national IP policies and strategies, as well as IP laws.**

- (a) Provision of technical assistance projects, advice and expertise to help with the formulation, development, revision and implementation of national IP strategies and policies;
- (b) Provision of advice and assistance on the preparation of new laws and regulations, as well as on reviewing and updating the existing laws on patents, copyright, trademarks, industrial designs, geographical indications and others;
- (c) Advisory support on the implementation of commitments and flexibilities under the TRIPS Agreement, in alignment with national development goals, particularly in relation to graduation from the special and differential treatment accorded to LDCs;
- (d) Provision of legal, strategic and technical assistance on IP enforcement, in line with Part III of the TRIPS Agreement;
- (e) Support for enhancing knowledge, practical skills and competences on IP issues of officials of relevant ministries, judiciary, law enforcement and customs authorities, private sector actors, IP users and other stakeholders through dedicated trainings, including WIPO Academy Distance Learning Programs.

### **1.2 Strengthening the capacity of national IP institutions in preparation for graduation**

- (a) Enhanced support for the modernization and efficiency of national IP offices to help deliver better services to IP stakeholders through efficient automated and standardized business processes for IP administration; online services including search, registry and filing systems, and integration into regional and international systems;

<sup>5</sup> 2019, 2020 and 2021 Ministerial Declaration of the Least Developed Countries; Doha Programme of Action for the LDCs for 2022-2031

<sup>6</sup> General statements by the LDCs Group at 59<sup>th</sup> and 60<sup>th</sup> Series of WIPO Assemblies of the Member States

- (b) Provision of technical assistance and tools for the resource and management diagnostic of IP offices to assist identifying areas that require improvements to strengthen their ability to meet the growing demands for their services.
- (c) Specialized trainings, distance learning and capacity building programs for IP institutions on IP office management, formal and substantive examination of patent, trademark, and design applications, as well as on copyright and geographical indications; and providing support for developing, accessing or using sustainable training infrastructures, including learning management of staff.

## II. Technical assistance on structural transformation, enhancing productive capacity, competitiveness and economic diversification in graduating LDCs

Despite the progress made towards graduation from the least developed country category, significant challenges remain in meeting the graduation criteria and in ensuring sustainable and irreversible graduation. As underlined in the Doha Programme of Action, the majority of graduating LDCs face multiple challenges, including inadequate structural transformation and productive capacity, and vulnerability to economic and climate shocks. For instance, graduating LDCs would need to diversify their export products and markets, move away from reliance on export of unprocessed raw materials, and develop their capacity to join the higher value-added segment of value chains. This would necessitate overcoming significant supply-side constraints and building productive capacity, for which innovation, transfer of technology and technological capacity building can contribute in a substantial way. Therefore, given the role of IP as a tool for growth and sustainable development, enhanced support on innovation and the use of IP for facilitating the structural transformation, productive capacity and economic diversification would be needed for graduating LDCs in their preparation for graduation and during the transition period.

### 2.1 Enhanced technical assistance on using IP for value addition, business competitiveness and economic diversification

- (a) Implementation of specific projects on skills transfer and capacity development for women entrepreneurs, SMEs, local producers, indigenous and local communities and other stakeholders in using IP rights, trademarks, geographical indications and industrial designs, for product development, branding, design and commercialization of their products on the local and international markets;
- (b) Specific projects on skills transfer and capacity development for IP users and stakeholders on using IP rights, including patents, utility models and industrial designs, for research and development, as well as for the commercialization of their products;
- (c) Implementation of *Projects on Capacity Building in the Use of IP in the Promotion of Tourism in LDCs* to support the development of tourism, hospitality and the services sectors of graduating LDCs;
- (d) Support the business competitiveness of private sector actors, in particular SMEs, through specialized trainings, mentoring and skills building on IP management and commercialization.
- (e) Providing assistance to holders of traditional knowledge, traditional cultural expressions and genetic resources on the use of IP for the protection, preservation and for the use of their tradition-based innovation and creativity for wealth creation and sustainable development.

## **2.2 Promoting innovation and technological capacity building through empowering key institutions and stakeholders of innovation eco-system and facilitating the access to knowledge and effective use of patent information, scientific and technical resources**

- (a) Provision of advisory support on developing legal and policy frameworks that encourage the development of technologies, involving both public and private entities, and the facilitation of access to such technologies;
- (b) Implementation of *Projects on Facilitating Transfer of Appropriate Technologies* to facilitate and build the national capacity to use technical and scientific information contained in patent information, assist the identification of appropriate technologies and facilitate their development, adaptation and deployment to communities;
- (c) Assist universities and research institutes in developing an institutional policy framework, structures and support services for technology transfer and IP commercialization, and facilitate their access to online patent and scientific and technical resources, as well as skills-building on the search and retrieval of technology information, and the analysis of patent documents;
- (d) Support the innovative potentials of universities, research institutes and innovators through reinforced trainings on *Access to Research for Development and Innovation (ARDI)* and patent information services *Access to Specialized Patent Information (ASPI)* programs and *WIPO Inspire Platforms*;
- (e) Implementation of targeted country projects on *IP for Youth Innovation in LDCs* to provide training and mentoring support for young innovators and startups to equip them with the knowledge base and technical skills to use IP tools effectively for their research and in the development of innovative products and services.

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