

# Development Dimensions of Intellectual Property in LDCs - UNCTAD Experience and Practical Examples

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### Overview of presentation

- UNCTAD-ICTSD joint activities for LDCs
- Methodology for UNCTAD's work
- Country examples
- Lessons successes & challenges
- Conclusions



# UNCTAD-ICTSD joint activities for LDCs

- Identification of broad IP-related needs: ICTSD needs assessments
- Follow-up technical assistance in selected areas: UNCTAD Development Dimensions of IP Reports (DDIPs)
- Complementary activities; example: Uganda
  - Needs: updating IP Policy & Legal Framework
  - DDIP: IP and technology transfer, access to medicines & textbooks

## **Methodology for UNCTAD DDIPs**

- Need for structured guidelines for coherent technical assistance
- Flexible enough to accommodate national particularities
- Checklist of questions on IP and, e.g.:
  - Innovation
  - Technology transfer
  - Access to medicines
  - Access to knowledge
  - Competition
  - Enforcement & institutions
- Outcome: set of technical recommendations on amendments to domestic legislation & policy priorities



#### **DDIP** approach

- Cross cutting nature of IP beyond TRIPS compliance
- IP system is tool to promote development objectives
- Coherence between IP and other laws
  - E.g. national drug policy; national policy on ICTs
- Situation on the ground
  - Strengths/weaknesses of local industry
  - Promotion of competition
  - Public policy concerns
  - Appropriate level of IP and specific IP tools



#### **DDIP LDC examples**

- Uganda: technology transfer, access to medicines & textbooks
- Rwanda: IP Policy (IP tools for incremental innovation)
- Cambodia: national copyright system
- Nepal: genetic resources, access to medicines, technology transfer



#### Lessons (1)

- Successes:
  - Broad range of stakeholders to reflect cross cutting nature of IP
  - Domestic ownership to reflect true needs (bottom up approach)
  - Promote linkages between domestic stakeholders
  - Rapid national adoption in case of Rwanda
  - ICTSD needs assessments provide useful guidance



#### Lessons (2)

- Challenge: implementation of recommendations
  - Domestic partners lack technical know-how on IPRs and their interfaces with other policies
  - TA providers may lack resources to follow up on recommendations
  - Domestic partners often not well connected with each other
  - Domestic partners are overwhelmed with technical assistance from different providers
  - Legislative changes subject to lobbying pressure



#### Conclusions

- UNCTAD and ICTSD activities complement each other
- UNCTAD DDIPs and IP policies focus on pro-active use of IP as a development tool
  - Emphasis on holistic perspective: embed IP in broader development context; involve broad range of stakeholders
- Implementation of recommendations remains a challenge



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