

In this article we are going to discuss World Intellectual Property Organisation (WIPO) What is WIPO?, Functions of WIPO, History of WIPO, How WIPO functions, Simple explanation with PDF of WIPO and its functions.

The World Intellectual Property Organization (WIPO) is one of the 16 specialized agencies of the United Nations. WIPO was created in 1967 "to encourage creative activity, to promote the protection of intellectual property throughout the world."

### **History of WIPO**

WIPO currently has 184 member states, administers 24 international treaties, and is headquartered in Geneva, Switzerland. The current Director-General of WIPO is Francis Gurry, who took office on October 1, 2008.

183 of the UN Members as well as the Holy See are Members of WIPO. Non-members are the states of Cook Islands, Kiribati, Marshall Islands, Federated States of Micronesia, Nauru, Niue, Palau, Solomon Islands, Timor-Leste, Tuvalu, Vanuatu and the states with limited recognition. Palestine has observer status.

Amongst the many roles that WIPO carries out to support the worldwide promotion of intellectual property rights, is its role in the administration of specific treaties and conventions. The international protection for trademarks, industrial designs and appellations of origin is carried out through three registration systems: The Madrid System for trademarks, the Hague System for industrial designs, and the Lisbon Agreement for the protection of appellations of origin



1. a) The Hague System covers the deposit of industrial designs, the Madrid System the registration of trademarks and the Lisbon Agreement concerns the registration of appellations of origin.
2. b) The two treaties in the Madrid System are the Madrid Agreement concerning the International Registration of Marks (1891) and the Madrid Protocol relating to the Madrid Agreement (1989).

### **Role of World Intellectual Property Organisation (WIPO)**

Strategic partnership through carefully formulated national IP strategy commensurate with the country's existing development policies and objectives

Providing technical expertise and advice Support and assistance in the implementation of national IP strategy.

### **Functions of WIPO -World Intellectual Property Organisation (WIPO)**

Enable a country to use its IP system in an effective and optimal manner while ensuring that it contributes to overall national development policies and goals

Provides a clear picture of where a country wants to go and how it will get there by using the IP system Helps ensure the development of a balanced national IP system that fits with the specific needs and expectations of a

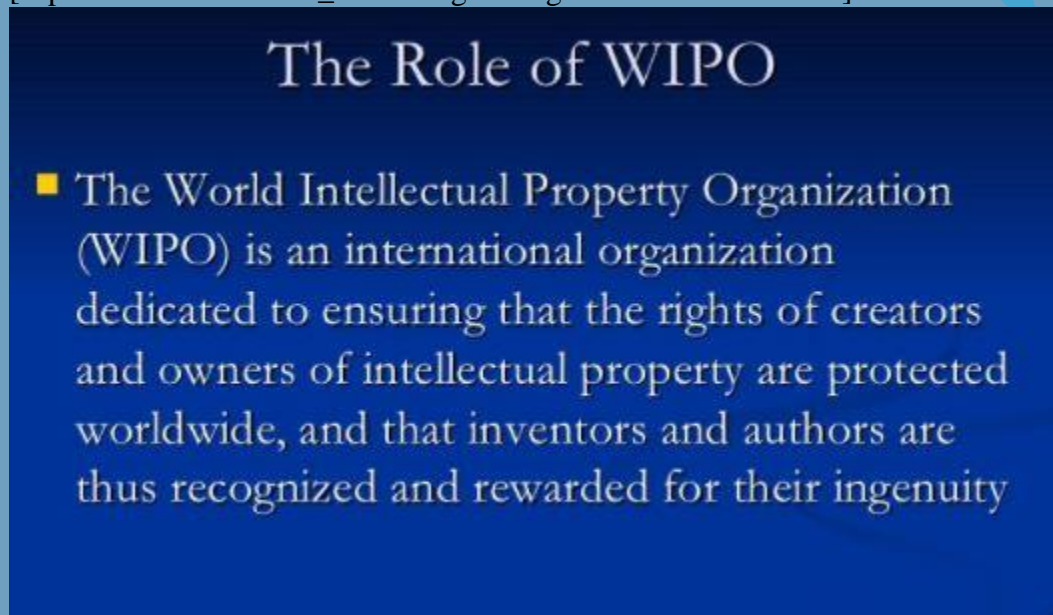
country

Provides an effective framework of cooperation between the country concerned and WIPO (and other agencies providing technical assistance in the areas related IP)

Other advantages

More tangible/concrete results Better coordination and cohesion among all parties concerned (increasing synergies) Optimal use of available resources

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Functions

of WIPO[/caption]

## What does WIPO do?

**The activities of WIPO are basically of three kinds:**

- assistance to developing countries,
- setting international norms and standards for the protection of intellectual property
- registration activities.

All these activities serve the overall aim of WIPO, namely, to maintain and increase respect for intellectual property throughout the world, in order to promote industrial and cultural development by stimulating creative

activities and facilitating the transfer of technology as well as the dissemination of literary and artistic works.

1. Assistance to developing countries constitutes the first pillar of WIPO's activities, and takes the form of training (groups and individuals, in general or specialized courses, seminars to provide for an exchange of information and experience), promotion of creative activities and of technology transfer, the provision of technological information contained in patent documents, the provision of advice on laws and regulations as well as the management of industrial property offices and copyright collective administration societies, as well as the provision of equipment.

2. The second pillar relates to activities in the setting of international standards and norms for the protection and administration of intellectual property. They are concerned with revision of existing treaties or creation of new ones, simplifying procedures at the national, regional or international levels for the granting of intellectual property rights, the effective enforcement and protection of such rights, the efficient management of collections of industrial property documents used for search and reference, and devising means for making access to the information they contain easier; the maintenance and updating of international classification systems, the compilation of statistics; collection of laws on industrial property and copyright law administration.

Under this heading could be included the work of the WIPO Arbitration and Mediation Center. Promotion of the acceptance--or wider acceptance--of treaties, by countries is also an important activity of WIPO.

3. The registration activities are the third pillar of WIPO and involve direct services to applicants for, or owners of, industrial property rights. These activities concern the receiving and processing of international applications for the protection of inventions, or for the international registration of marks or deposit of industrial designs.

Such activities are financed normally from the fees paid by the applicants, which account for about 85% of the annual total income of WIPO for the 1996/97 budget. The rest of the budget is covered mainly by contributions

from member States under various treaties administered by the Organization, as well as by the sale of publications and miscellaneous income.

## **Strategic Goals**

WIPO's revised and expanded strategic goals are part of a comprehensive process of strategic realignment taking place within the Organization. These new goals will enable WIPO to fulfill its mandate more effectively in response to a rapidly evolving external environment, and to the urgent challenges for intellectual property in the 21st Century.

The nine strategic goals were adopted by Member States in the Revised Program and Budget for the 2008/09 Biennium [PDF]. They are:

- Balanced Evolution of the International Normative Framework for IP
- Provision of Premier Global IP Services
- Facilitating the Use of IP for Development
- Coordination and Development of Global IP Infrastructure
- World Reference Source for IP Information and Analysis
- International Cooperation on Building Respect for IP
- Addressing IP in Relation to Global Policy Issues
- A Responsive Communications Interface between WIPO, its Member States and All Stakeholders
- An Efficient Administrative and Financial Support Structure to Enable WIPO to Deliver its Programs

## **Objectives of WIPO World Intellectual Property Organization (WIPO)**

The objectives of WIPO are, firstly, to promote the protection of and the respect for intellectual property throughout the world through cooperation among States; and, where appropriate, in collaboration with other international organizations; secondly, to ensure administrative cooperation among the intellectual property Unions established by the treaties that are administered by WIPO

- To make IP speaks the language of the economic circumstances and social context that it serves.

- To create better functional linkages between the national economic objectives, development priorities and resources, and the IP system of the country concerned.

## **Treaties and Unions of World Intellectual Property Organization (WIPO)**

- The constitution, the “basic instrument,” of WIPO is the Convention, mentioned above, signed at Stockholm in 1967.

### **The treaties administered by WIPO fall into three groups.**

The first group consists of treaties which establish international protection, that is to say, they are treaties which are the source of legal protection agreed between countries at the international level. Four treaties on industrial property fall into this group.

They are the Paris Convention for the Protection of Industrial Property, the Madrid Agreement for the Repression of False and Deceptive Indications of Source on Goods, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, and the Nairobi Treaty on the Protection of the Olympic Symbol.

Two treaties in the field of copyright and neighboring rights fall into this group, namely the Berne Convention for the Protection of Literary and Artistic Works and the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations.

- The second group consists of treaties which facilitate international protection. Seven treaties on industrial property fall into this group. They are the Patent Cooperation Treaty which provides for the filing of international applications for patents, the Madrid Agreement Concerning the International Registration of Marks, the Protocol Relating to the Madrid Agreement just mentioned (both of them provide for the filing of international applications for marks),

the Lisbon Agreement which has already been mentioned because it belongs to both the first and the second groups, the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, the Hague Agreement Concerning the International Deposit of Industrial Designs and the Trademark Law Treaty which entered into force on August 1, 1996.

- Two treaties in the field of neighboring rights may also be considered as falling into this group, namely the Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms and the Brussels Convention relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite.
- The third group consists of treaties which establish classification systems and procedures for improving them and keeping them up to date.
- The following four treaties, all dealing with industrial property, fall into this group: the Strasbourg Agreement concerning International Patent Classification (IPC), the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks and the Locarno Agreement Establishing an International Classification for Industrial Designs.

Revising these treaties and establishing new ones are tasks which require a constant effort of intergovernmental cooperation and negotiation, supported by a specialized secretariat. WIPO provides the framework and the services for this work. Recent examples of such work include the above-mentioned Madrid Protocol and Trademark Law Treaty, which entered into force on December 1, 1995, and August 1, 1996, respectively. Currently, at least four possible treaties are being negotiated under the aegis of WIPO: The proposed Patent Law Treaty, a possible Protocol to the Berne Convention, a possible Treaty on Neighboring Rights and a proposed Treaty on the Settlement of Disputes between States in the Field of Intellectual Property.

**Why is an intergovernmental intellectual property organization needed?**

Intellectual property rights are limited territorially; they exist and can be exercised only within the jurisdiction of the country or countries under whose laws they are granted. But works of the mind, including inventive ideas, cross frontiers with ease and, in a world of interdependent nations, should be encouraged to do so. Therefore, governments have negotiated and adopted multilateral treaties in the various fields of intellectual property, each of which establishes a “Union” of countries which agree to grant to nationals of other countries of the Union the same protection as they grant to their own nationals.

### **What are the Unions?**

The Unions administered by WIPO are founded on the treaties. A Union consists of all the States that are party to a particular treaty. The name of the Union is, in most cases, taken from the place where the text of the treaty was first adopted (thus the Paris Union, the Berne Union, etc.).

### **WIPO’s Unions are**

the Paris Union, the Berne Union, the Madrid Union, the Hague Union, the Nice Union, the Lisbon Union, the Locarno Union, the PCT Union, the IPC Union, the Vienna Union and the Budapest Union.