

Lecture 9. International organizations and agreements in the field of intellectual property

- ▶ International organizations in the field of intellectual property
- ▶ Treaties \ agreements
- ▶ World intellectual property organization

International organizations in the field of intellectual property

1. World Intellectual Property Organization (WIPO)
2. The World Trade Organization (WTO) → The Agreement on Trade-Related Aspects of Intellectual Property Rights (“TRIPS”)
3. Organisation for Economic Co-operation and Development (OECD)
4. Eurasian Patent Organization

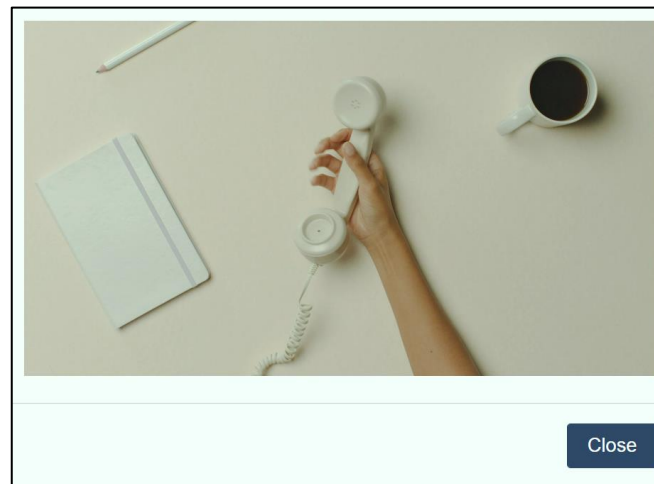
1. World Intellectual Property Organization (WIPO)

- ▶ WIPO is an international organization designed to promote the worldwide protection of both industrial property (inventions, trademarks, and designs) and copyrighted materials (literary, musical, photographic, and other artistic works). The organization, established by a convention signed in Stockholm in 1967, began operations in 1970 and became a specialized agency of the United Nations in December 1974. It is headquartered in Geneva.



- ▶ The origins of WIPO can be traced to 1883, when 14 countries signed the **Paris Convention for the Protection of Industrial Property**, which created intellectual-property protections for inventions, trademarks, and industrial designs. The convention helped inventors gain protection for their works outside their native countries.
- ▶ In 1886 the **Berne Convention** required member countries to provide automatic protection for works that were produced in other member countries.
- ▶ The two organizations, which had established separate secretariats to enforce their respective treaties, merged in 1893 to become the **United International Bureau for the Protection of Intellectual Property (BIRPI)**, which was based in Bern, Switzerland.

<https://www.wipo.int/about-wipo/en/>



<https://www.wipo.int/members/en/>

Member States

WIPO's member states determine the direction, **budget** and activities of the Organization through the **decision-making bodies**. We currently have 193 member states.

To become a member, a state must deposit an instrument of ratification or accession with the **Director General**. The **WIPO Convention** provides that membership is open to any state that is:

- a **member of the Paris Union** for the Protection of Industrial Property, or **member of the Berne Union** for the Protection of Literary and Artistic Works; or
- a member of the **United Nations**, or of any of the United Nations' **Specialized Agencies**, or of the **International Atomic Energy Agency**, or that is a party to the Statute of the **International Court of Justice**; or
- invited by the **WIPO General Assembly** to become a member state of the Organization.



2. The World Trade Organization (WTO)

- ▶ The World Trade Organization (WTO) is the only global international organization dealing with the rules of trade between nations. At its heart are the WTO agreements, negotiated and signed by the bulk of the world's trading nations and ratified in their parliaments. The goal is to ensure that trade flows as smoothly, predictably and freely as possible.
- ▶ The WTO is run by its member governments. All major decisions are made by the membership as a whole, either by ministers (who usually meet at least once every two years) or by their ambassadors or delegates (who meet regularly in Geneva).



WORLD TRADE
ORGANIZATION



<https://www.wto.org/>

https://www.wto.org/english/thewto_e/whatis_e/who_we_are_e.htm

The map below shows all WTO members and observers, as listed [here](#).



Membership:

164 members representing 98 per cent of world trade

TRIPS – Trade-Related Aspects of Intellectual Property Rights

- ▶ The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) is **the most comprehensive multilateral agreement on intellectual property (IP)**. It plays a central role in facilitating trade in knowledge and creativity, in resolving trade disputes over IP, and in assuring WTO members the latitude to achieve their domestic policy objectives. It frames the IP system in terms of innovation, technology transfer and public welfare. The Agreement is a legal recognition of the significance of links between IP and trade and the need for a balanced IP system.

[https://www.wto.org/english/tratop_e/trips_e/trips_e.htm#:~:text=TRIPS%20E2%80%94%20Trade%2DRelated%20Aspects%20of,on%20intellectual%20property%20\(IP\).](https://www.wto.org/english/tratop_e/trips_e/trips_e.htm#:~:text=TRIPS%20E2%80%94%20Trade%2DRelated%20Aspects%20of,on%20intellectual%20property%20(IP).)

The WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), negotiated during the 1986-94 Uruguay Round, introduced intellectual property rules into the multilateral trading system for the first time.

- ▶ The TRIPS Agreement covers five broad areas:
- ▶ how general provisions and basic principles of the multilateral trading system apply to international intellectual property
- ▶ what the minimum standards of protection are for intellectual property rights that members should provide
- ▶ which procedures members should provide for the enforcement of those rights in their own territories
- ▶ how to settle disputes on intellectual property between members of the WTO
- ▶ special transitional arrangements for the implementation of TRIPS provisions.

https://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm7_e.htm

3. Organisation for Economic Co-operation and Development (OECD)

- ▶ The Organisation for Economic Co-operation and Development (OECD) is an international organisation that works to build better policies for **better lives**. Our goal is to shape policies that foster prosperity, equality, opportunity and well-being for all. We draw on **60 years of experience** and insights to better prepare the world of tomorrow.
- ▶ Together with governments, policy makers and citizens, we work on establishing evidence-based international standards and finding solutions to a range of social, economic and environmental challenges. From improving economic performance and creating jobs to fostering strong education and fighting international tax evasion, we provide a unique forum and knowledge hub for data and analysis, exchange of experiences, best-practice sharing, and advice on public policies and **international standard-setting**

<https://www.oecd.org/about/>

— Our **global reach**

The OECD is at the heart of international co-operation. Our Member countries work with other countries, organisations and stakeholders worldwide to address the pressing policy challenges of our time.

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MEMBERS & PARTNERS



BY KEY INITIATIVES



4. Eurasian Patent Organization (EAPO)

- ▶ The main objective of the Eurasian Patent Organization is to provide legal protection for inventions and industrial designs in the Contracting States on the basis of the single Eurasian patent
- ▶ To perform administrative tasks relating to functioning of the Eurasian patent system and grant of Eurasian patents, the Eurasian Patent Convention (EAPC) established the Eurasian Patent Organization with the Eurasian Patent Office (EAPO) acting as its executive body.
- ▶ All Contracting States are members of the Organization.
- ▶ The Eurasian Patent Organization has two bodies, the Eurasian Patent Office and the Administrative Council.
- ▶ The Eurasian Office is headed by the President who is the highest official in the Organization and is its representative.
- ▶ EAPO is an intergovernmental organization and has the status of a legal entity. In each Contracting State the Organization possesses the legal capacity which is recognized for the legal entities in accordance with the national legislation of that state, may acquire and dispose of movable and immovable property, and defend its rights in courts. Location of the headquarters of the Organization is Moscow, the Russian Federation .
- ▶ The official language of the Organization is Russian.
- ▶ The Organization, the plenipotentiary representatives of the Contracting States, their deputies, Eurasian Patent Office employees and other persons performing tasks for the Organization, shall have, in the territory of each of those states, corresponding rights, privileges and immunities which are afforded by that country to any other international organization and its employees. Furthermore, in the territory of the Russian Federation the above rights, privileges and immunities are regulated by a special agreement concerning the headquarters of the Organization as concluded between the Organization and the Government of the Russian Federation.

<https://www.eapo.org/ru/>

<https://www.eapo.org/en/members.html>



ЕВРАЗИЙСКАЯ ПАТЕНТНАЯ ОРГАНИЗАЦИЯ (ЕАПО)
EURASIAN PATENT ORGANIZATION (EAPO)

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EAPO ▾ DOCUMENTS ▾ APPLICATIONS & PATENTS ▾ INFORMATION RESOURCES ▾ INTERNATIONAL COOPERATION ▾ CONTACTS **COVID-19**

States Party to the Convention

-  Eurasian Patent Office
-  Turkmenistan
-  Republic of Belarus
-  Republic of Tajikistan
-  Russian Federation
-  Republic of Kazakhstan
-  Azerbaijan Republic
-  Kyrgyz Republic
-  Republic of Armenia

The Eurasian Patent Convention was signed on September 9, 1994 in Moscow by the Heads of the Governments of [Republic of Azerbaijan](#), [Republic of Armenia](#), [Republic of Belarus](#), Republic of Georgia, [Republic of Kazakhstan](#), [Kyrgyz Republic](#), [Republic of Moldova](#), [Russian Federation](#), [Republic of Tajikistan](#), Ukraine and came into force on August 12, 1995 after [Turkmenistan](#), Belarus and Tajikistan deposited their instruments of accession to the Convention to the WIPO Director General, on March 1, 1995, May 8, 1995 and May 12, 1995 respectively.

▶ **International treaties** have helped to harmonize patent, trademark, and copyright laws around the world. Most countries now have patent, trademark, and copyright laws of some form, and in some instances protection can be applied for in multiple countries simultaneously.

- The Paris Convention for the Protection of Industrial Property
- The Berne Convention for the Protection of Literary and Artistic Works
- The WIPO Copyright Treaty (WCT)
- The Patent Cooperation Treaty (PCT)
- Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure
- The Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to the Madrid Agreement
- The Hague Agreement Concerning the International Deposit of Industrial Designs
- The Trademark Law Treaty (TLT)
- The Patent Law Treaty (PLT)
- The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (“the Rome Convention”)
- The WIPO Performances and Phonograms Treaty (WPPT)
- The International Convention for the Protection of New Varieties of Plants
- The Agreement on Trade-Related Aspects of Intellectual Property Rights (“TRIPS”) and WIPO-WTO Cooperation

► **Literature:**

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Thank you for your attention!