



DEVELOPMENT, INNOVATION AND INTELLECTUAL PROPERTY PROGRAMME (DIIP)

Monthly Update

August 2016

HIGHLIGHTS

- *Training Workshop for New Patent Examiners of the Four Indian Patent Offices* organized in collaboration with the Rajiv Gandhi National Institute of Intellectual Property Management. Held in Nagpur, India. Prof. Carlos Correa and Dr. German Velasquez gave the courses.

The purpose of the workshop was to provide a public health policy perspective for the assessment of some of the common types of pharmaceutical patent claims, to the 120 newly recruited patent examiners of the 4 patent offices in India.

The policy perspectives discussed at the workshops aimed to increase the capacity of patent offices to evaluate and take the necessary actions, as appropriate under the Indian national law, to protect public health in cases where patent applications or grants cover subject matter that does not deserve the reward of a patent monopoly.



First, the workshops introduced the issue of IPRs & Access to Medicines: update on new developments on the Global Strategy on Public Health, Innovation & IPRs and the report of WHO Consultative Expert Working Group on R&D Financing, and SG HLP.

The first part of the workshop also discussed the justification of the patent system, the concept of inventive step, the policies regarding patentability that are best suited to developing countries, and the role of patent examiners in preventing the proliferation of patents and protecting the public domain. The scope allowed to WTO Member countries

by the TRIPS Agreement to determine the standards under which the novelty and inventive step are assessed was noted.

Second, some examples were mentioned of different categories of patent claims for pharmaceutical products, indicating the practice of some patent offices. Elements were suggested for the development of public health-sensitive evaluation and review of pharmaceuticals patents.

Finally, the workshop addressed the issue of Patents on Life Forms – Implementation of TRIPS Article 27.3 (b) in India and the mechanisms that may be adopted to incorporate public health perspectives into procedures for the granting patents for biological products.

The participants were requested to offer feedback on the quality of the workshop. Feedback was received from more than half of the participants. All the respondents indicated that they felt very well prepared after the workshop regarding the topics of the workshop and generally have a clear idea about the topics. All respondents stated that the facilitators' presentations were very clear and helped them generally gain new skills and knowledge to apply to their work. They also regarded the workshop's methodology overall outcome to be excellent and they would recommend to others.

POLICY ADVICE

- The South Centre provided policy advice to assist the Ethiopian Institute of Agricultural Research (EIAR) to formulate the EIAR Guidelines on Intellectual Property Management and Technology Transfer. The South Centre provided comments on issues relating to ownership of research assets, explanations of different types of IP and their applicability in specific contexts, and issues of policy coherence with biodiversity/ABS frameworks.

TRAINING AND CAPACITY BUILDING

- The programme provides training to one young professional from a developing country each semester. A Chinese national, Ms. Yujiao Cai, has joined the programme as intern on 1 August.

PUBLICATIONS

Research Papers

- Carlos M. Correa, **Innovation and the Global Expansion of Intellectual Property Rights: Unfulfilled Promises**, *Research Paper 70*, South Centre, August 2016. Available from <https://www.southcentre.int/research-paper-70-august-2016/>.

Background Notes

- Background Note on the 25th session of the WIPO Program and Budget Committee, August 2016.

South Bulletin Articles

- Mirza Alas and K.M. Gopakumar, **WHO Member States Concerned over Unaffordable Prices of Medicines**. *South Bulletin*, Issue 92, 4 August 2016. Available from <https://www.southcentre.int/south-bulletin-92-4-august-2016/>.
- Mirza Alas, **Countries Reaffirm Need for High-Level Commitment on Antimicrobial Resistance**. *South Bulletin*, Issue 92, 4 August 2016.
- Adriano José Timossi and Viviana Muñoz Tellez, **Human Rights Council Adopts Historic Resolutions on Access to Medicines**. *South Bulletin*, Issue 92, 4 August 2016. Translated into French and Spanish.
- Viviana Muñoz Tellez, **Patents and Public Health: Exploring Options for Future Work in the WIPO**. *South Bulletin*, Issue 92, 4 August 2016. Translated Into French and Spanish.

EVENTS/MEETINGS

- 26 August, Working Lunch Meeting in preparation for the *WIPO Program and Budget Committee* to be held from 29 August to 2 September 2016.

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