



**Asia-Pacific
Economic Cooperation**

2022/SOM3/CTI/026

Agenda Item: XIV

Intellectual Property Rights Experts Group Convenor's Report

Purpose: Information

Submitted by: IPEG Convenor



**Third Committee on Trade and Investment
Meeting
Chiang Mai, Thailand
26-27 August 2022**

INTELLECTUAL PROPERTY RIGHTS EXPERTS' GROUP (IPEG)

CONVENOR'S REPORT

Was quorum reached at the most recent plenary meeting? Please advise how many economies participated in the most recent plenary meeting.

- **Quorum was reached with 17 members present**
Economies in attendance included: AUS, CDA, CHL, HKC, INA, JPN, ROK, MAS, MEX, NZ, PE, PH, RUS, CT, THA, USA, VN

Key outcomes from 55th IPEG Meeting

- The Meeting took note of briefing by CTI Chair on key issues being discussed at CTI. These include: (1) the outcome of MC12 which IPEG was encouraged to consider how IPEG can support the outcome of MC12; (2) CTI's plan to discuss the draft Work Plan of FTAAP which, once agreed, IPEG can discuss how it can support the draft Work Plan; (3) Putrajaya Vision 2040 and the Aotearoa Plan of Action (APA) and how IPEG can contribute to related collective actions in support of the Putrajaya Vision and the APA.

- On Putrajaya Vision and the APA, the Meeting discussed and identified key individual and collective actions which IPEG works can contribute to and are encouraged to keep in mind the collective and individual actions of the APA when implementing their policies, initiatives, projects, etc. Members are also welcome to report on their individual actions on a voluntary basis.

- The Meeting was updated on the latest status of 4 ongoing IPEG APEC-funded projects, as follows:

(1) *IPEG 01 2021 Recovering from COVID-19: Successful Practices among APEC Economies on the Use of IP As a Collective Tool to Foster and Promote Economic Development and Recovery of Vulnerable Populations and MSMEs*, by Peru. The Project aims to develop a compendium that includes guidelines, recommendations and successful stories within APEC economies on the design and implementation of policies on the use of IP collective tools in disaster situations, contributing to economic reactivation and recovery of vulnerable populations and MSMEs. Information is sought from members through surveys and interviews. IPEG Members' support is sought for the success of this project.

(2) *IPEG 02 2021 – Women and patents in the APEC Region: Current situation, performance and challenges*, by Peru. Research, interviews and surveys have been conducted and found women's participation in IP and patent system to have been steadily increasing. The Project has also identified barriers and challenges women face in trying to access the IP and patent system. As next steps, the project overseer will hold a virtual workshop which IPEG members are encouraged to attend.

(3) *IPEG 03 2021T - A Study on the Harmonisation of IP Financial System*, by ROK. The project overseer underscored the increasing importance of IP Finance and gave a brief overview of the issue. The project will tackle cover legal and regulatory framework of IP Finance in APEC economies, IP finance models and practices, challenges and solutions of IP finance implementation and key success factors and best practices. The project Workshop

will be held on 25-26 August 2022 in Chiang Mai and APEC members are encouraged to participate actively.

(4) IPEG 04 2021T - A Study on the Patent Linkage System for IPR and Public Health Harmonisation by ROK. The project seeks to provide opportunities for member economies to compare their patent linkage systems, increase member economies' understanding on the issue and to lay foundation for the harmonization of the region's patent linkage system. The project workshop will be held on 25-27 August 2022 in Chiang Mai, and active participation by APEC economies is encouraged.

- In order for IPEG to continue to support APEC's role in the multilateral trading system, IPEG Chair has invited the Director of Intellectual Property, Government Procurement and Competition Division of the World Trade Organization to brief the meeting on key outcomes of MC12 related to intellectual properties, in particular on the Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics in the provisions relating to IP, and the Ministerial Decision on TRIPS Agreement.

- Member economies shared information and exchanged experiences and best practices on their domestic IPR laws, policies, initiatives, and other relevant updates that contribute to the development of a robust IP System within the region. These include:

- Presentation by Chile on legal framework for protection of GIs in Chile;
- Presentation by the US on protection of Geographical Indications in the US, the US Copyrights Claim Board development, USPTO interim procedures for discretionary denials in post-grant proceedings, USPTO-WIPO cooperation, certification marks in the US, and trademarks and the metaverse;
- Presentation by Mexico on knowledge and use of IP by MSMEs in Mexico;
- Presentation by Thailand on enhanced network to promote IP commercialization, the Destruction Ceremony of IPR Infringing Goods, and Thailand's Accession to the WCT;
- Presentation by Australia on Plant Breeder's Rights Reform - IP and the agricultural economy and COVID-19 impact on IPR from Australia's perspectives;
- Presentation by Chinese Taipei on the 2022 Chinese Taipei Copyright Act Amendment on Exceptions and Limitations;
- Presentation by Japan on the latest updates on JPO's Initiatives;
- Presentation by Korea on the update on Korean Patent Act and Korean Trademark Act, Design Act and Unfair Competition Prevention Act, and on building respect for copyrights;
- Presentation by Russia on the latest developments in the legislation of the Russian Federation;
- Presentation by Malaysia on IP Development in Malaysia.

- The Meeting took note that the terms of the current IPEG Chair and Vice-Chair will finish at the end of 2022 and tasked the APEC Secretariat to commence the process of IPEG Chair and Vice-Chair selection in accordance with the IPEG TOR intersessionally.

Decision points needed from CTI

- **Seek CTI's endorsement of the IPEG Report.**