

## National Statement

### Assemblies of the Member States of WIPO: Fifty-First Series of Meetings activities report for Canada, Geneva, September 23 to October 2, 2013

Mr. Chairperson, Ministers, Director General, distinguished delegates and observers:

On behalf of the Government of Canada, allow me to begin by welcoming and thanking you and your vice-chairs for the important work you have done over the last year. I would like to assure you of the Canadian delegation's full support in making this session a success.

It is always with great pleasure that Canada participates in the annual Assemblies of the Member States of WIPO meetings and we look forward to making further progress on all the issues before us.

Over the last year, Canada continued to actively participate in WIPO meetings, particularly the expert and technical working groups and committees, including the Committee on Development and Intellectual Property, the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, the Standing Committee on Copyright and Related Rights, the Standing Committee on the Law of Trademarks, Industrial Design and Geographical Indications, the Standing Committee on the Law of Patents, and in the Patent Cooperation Treaty (PCT) meetings.

Canada is pleased to note the collaborative spirit between all Member States led to last June's signing of the *Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or otherwise Print Disabled*. This treaty will go a long way in enhancing access to copyrighted works to over 300 million visually impaired persons. In the same spirit, the Government of Canada is looking forward to participating in talks that would lead all Member States to a diplomatic conference on *The Hague Agreement Concerning the International Registration of Industrial Designs*.

Mr. Chairperson, the Government of Canada is very committed to continuing the modernization of Canada's intellectual property regime to support innovation, competitiveness and economic growth and has introduced a variety of measures in this regard. The first measure was the coming into force of the *Copyright Modernization Act* in March 2012, which was soon followed by the tabling of the *Combating Counterfeit Products Act* in March 2013. This bill includes provisions to reduce trade in counterfeit and pirated goods by providing new tools to strengthen the existing enforcement regime, criminally, at the border, and with respect to civil actions.

The recent study titled, *Intellectual Property Regime in Canada*, by the Parliamentary Standing Committee on Industry, Science and Technology (the Committee) reviewed Canada's intellectual property laws and recommended a number of areas where

additional progress could be made. The study lasted ten months and involved the testimony of 50 expert witnesses. In response to the Committee's study, the Government of Canada has committed to consulting stakeholders on a range of issues to assist in modernizing Canada's intellectual property system and its administration. For example, to examine how Canada can better align its intellectual property framework with that of our key international partners, the Government of Canada has committed to consulting on changes to Canada's trademarks and patent regimes that may be required to position Canada to be consistent with the Madrid Protocol, Singapore Treaty and Patent Law Treaty and the Hague Agreement on Industrial Designs.

A number of the Committee's recommendations focussed on the work that the Canadian Intellectual Property Office (CIPO) is already undertaking to support an innovative economy, as outlined in its five-year business strategy released in June 2012, which includes the providing of high-quality and timely intellectual property rights, providing innovators with the information they need to succeed, and administering an intellectual property framework that supports innovation, increases certainty and reduces red tape. In addition, CIPO has made great strides in addressing the Committee's recommendations, including on reducing pendency and cost, while maintaining quality.

More than ever, CIPO is convinced that intellectual property offices (IPOs) have a key role to play in supporting growth and enhancing economic competitiveness; the leadership and expertise in intellectual property support creativity, enhance innovation and contribute to economic success. What we do and, more importantly, how we do it, supports innovators directly. The speed, quality, efficiency and effectiveness of the administration of any intellectual property system can affect whether or not ideas are successfully commercialized and brought to market. To this effect, CIPO organized a number of roundtables to meet with innovators—our customers—across Canada to understand their needs, their expectations and the barriers they face in effectively using and leveraging intellectual property to support their business goals. These insights on the requirements of innovators and the innovation cycle in which they operate are now driving our office priorities and performance goals. We have also engaged other key players in the innovation cycle—universities, colleges, incubators and accelerators—to better understand their particular needs and what role CIPO can play in supporting the commercialization of ideas and improving brand value.

Canada will continue to promote enhanced transparency and effectiveness in WIPO's governance and operations by actively participating in the Program and Budget and Coordination Committees. We wish to emphasize the importance of financial transparency, and encourage WIPO to seek enhanced efficiencies and cost savings for the organization.

Mr. Chairperson, Canada believes that cooperation is essential. In 2008, an initiative known as the Vancouver Group was launched to facilitate cooperation between the IPOs of Australia, Canada and the United Kingdom. Impressive work has been and will continue to be achieved under this initiative, such as the exchange information on best

practices to eliminate duplication of work, economic research, and business performance reporting.

The Vancouver Group also worked in collaboration with WIPO to develop a digital library of search and examination reports known as the WIPO Centralized Access to Search and Examination System (WIPO CASE).

Canada is a longstanding contributor to WIPO technical cooperation activities. Since June 1997, CIPO has, in partnership with WIPO, organized and delivered annual specialized training courses for officials from developing countries. This year again, CIPO welcomed 12 senior officials from IPOs to participate in the intensive Workshop on the Application of Management Techniques in the Delivery of Intellectual Property Services. Participants were provided with insight into the Canadian intellectual property system and the management techniques used at CIPO with a view of improving the capacity of IPOs in developing countries and to provide a forum for the exchange of ideas. CIPO and WIPO also provide training on the PCT. So far, the Sub-Regional Seminar has been provided to the Caribbean region in Kingstown, St. Vincent and the Grenadines, and additional seminars will be provided to the Office of Trinidad and Tobago.

Canada is a firm believer in the importance of the Patent Prosecution Highway (PPH) process. We believe this process promotes effective work-sharing mechanisms that enable IPOs to significantly accelerate the examination of eligible patent applications. In this context, Canada is pleased to announce a new PPH pilot project between the CIPO and the State Intellectual Property Office of the People's Republic of China (SIPO) that began on September 1, 2013.

In conclusion, Mr. Chairperson, I would like to reaffirm Canada's support for the excellent work of the Director General and the Secretariat, as well as to WIPO and its Member States, and stress that Canada is committed to building an effective international intellectual property regime that fosters innovation and creativity. Entrepreneurs and populations from around the world benefit from a strong international intellectual property system that contributes to economic and cultural prosperity, most notably by providing certainty for businesses and inventors.

Mr. Chairperson, Canada will do its part to engage constructively in discussions over the next week in order to find solutions that are acceptable to all WIPO Member States and build on the progress achieved in the past year.