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## World Intellectual Property Organisation (WIPO)

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### What is WIPO?

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- WIPO is one of the oldest specialised agencies of United Nations.

#### **Intellectual Property**

- Intellectual property (IP) is a category of property that includes intangible creations of the human intellect, and primarily encompasses **copyrights, patents** and **trademarks**.
- It also includes other types of rights, such as **trade secrets, publicity rights, moral rights**, and rights against **unfair** competition.
- WIPO was created in 1967 "to encourage creative activity, to promote the protection of intellectual property throughout the world".
- WIPO currently administers 26 international treaties.
- It is headquartered in Geneva, Switzerland.
- **Every year World Intellectual Property Day is being celebrated on 26th April.**

### Membership

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- WIPO currently has 191 member states.
- All member states of the UN are entitled, though not obliged, to become members of the specialized agencies like WIPO.
- 188 of UN member states as well as Cook Islands, Holy See and Niue are members of WIPO.
- Palestine has permanent observer status.
- Some 250 non-governmental organizations (NGOs) and intergovernmental organizations (IGOs) have official observer status at WIPO meetings.
- India joined WIPO in 1975.

## History of WIPO

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### **1883 — Paris Convention for the Protection of Industrial property**

First step taken to protect intellectual work in other countries.

It covers:

- Inventions(patents),
- Trademarks,
- Industrial Designs.

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### **1886 — Berne Convention**

For the Protection of Literary and Artistic Works.

It covers:

- Novels, short stories, poems, plays;
- Songs, opera, musicals;
- Drawings, paintings, sculptures, architectural works.

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### **1891 — Madrid Agreement**

The first international IP filing service is launched.

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### **1893 — BIRPI established**

Two secretariats set up to administer the Paris and Berne Conventions combine to form the United International Bureaux for the Protection of Intellectual Property (BIRPI).

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### **1970 — BIRPI becomes WIPO**

WIPO becomes a member state-led intergovernmental organization.

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### **1974 — WIPO joins the United Nations**

WIPO become one of the agencies of UN.

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### **1978 — Patent Cooperation Treaty (PCT) system launched**

By filing one international patent application under the PCT, applicants can simultaneously seek protection for an invention in a very large number of countries.

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**1994 — Arbitration and Mediation Centre (AMC) established**

The Centre offers alternative dispute resolution services to help solve international commercial disputes between private parties.

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## Functions

- Policy forum to shape balanced international IP rules for a changing world.
- Global services to protect IP across borders and to resolve disputes.
- Technical infrastructure to connect IP systems and share knowledge.
- Cooperation and capacity-building programs to enable all countries to use IP for economic, social and cultural development.
- A world reference source for IP information.

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## Limitations and Exceptions

- In order to maintain an appropriate balance between the interests of rightholders and users of protected works, copyright laws allow certain limitations on economic rights.
- These are cases in which protected works may be used without the authorization of the rightholder and with or without payment of compensation.
- Limitations and exceptions is an issue considered in the agenda of the WIPO.
- The debate has been focused mainly on three groups of beneficiaries or activities in relation to exceptions and limitations – on educational activities, on libraries and archives and on disabled persons, particularly visually impaired persons.

<b>Name</b>	<b>Purpose</b>	<b>Has India Acceded/Ratified?</b>
<b>WIPO Performance and Phonograms Treaty</b>	Deals with the rights of two kinds of beneficiaries, particularly in the digital environment: <ul style="list-style-type: none"><li>• performers (actors, singers, musicians, etc.); and</li><li>• producers of phonograms (persons or legal entities that take the initiative and have the responsibility for the fixation of sounds).</li></ul>	India has acceded to this agreement.

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<b>Budapest Treaty</b>	International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.	India has acceded to the treaty.
<b>Madrid Protocol for the International Registration of Marks</b>	Provides for the international registration of trade marks by way of one application that can cover more than one country.	India has acceded to the protocol.
<b>Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities</b>	The treaty allows for copyright exceptions to facilitate the creation of accessible versions of books and other copyrighted works for visually impaired persons.	India has ratified the treaty.
<b>WIPO Copyright Treaty</b>	A special agreement under the Berne Convention which deals with the protection of works and the rights of their authors in the digital environment.	India has acceded to the treaty.

## Publications

- **Global Innovation Index** - an annual ranking of countries by their capacity for, and success in, innovation.
- It is published in association with Cornell University and INSEAD.