



# World Intellectual Property Organisation (WIPO)

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## What is WIPO?

- WIPO is one of the oldest specialised agencies of United Nations.
- 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 26<sup>th</sup> April.**

### What is 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.

## What is the Status of WIPO Membership?

- WIPO currently has 193 member states.
- All member states of the UN are entitled, though not obliged, to become members of the specialized agencies like WIPO.
- 190 of UN member states as well as Cook Islands, Holy See and Niue are members of WIPO.
- Palestine has permanent observer status.
- Besides 281 non-governmental organizations (NGOs) and 47 intergovernmental organizations (IGOs) 17 UN system of organizations and 10 IP organizations have official observer status at WIPO meetings.
- India joined WIPO in 1975.

## What is the History of WIPO?

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| <b>1883 — Paris Convention for the Protection of Industrial property</b> | First step taken to protect intellectual work in other countries.<br><br>It covers: <ul style="list-style-type: none"><li>▪ Inventions(patents),</li><li>▪ Trademarks,</li><li>▪ Industrial Designs.</li></ul> |
| <b>1886 — Berne Convention</b>   | For the Protection of Literary and Artistic Works.<br><br>It covers: <ul style="list-style-type: none"><li>▪ Novels, short stories, poems, plays;</li><li>▪ Songs, opera, musicals;</li></ul>                  |

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|--|--|
|  | <ul style="list-style-type: none"> <li>▪ Drawings, paintings, sculptures, architectural</li> </ul>   |
| <b>1891 – Madrid Agreement</b>                                   | The first international IP filing service is launched.   |
| <b>1893 – BIRPI established</b>                                  | Two secretariats set up to administer the Paris and Berne Conventions form the United International Bureaux for the Protection of Intellectual Property (BIRPI). |
| <b>1970 – BIRPI becomes WIPO</b>                                 | WIPO becomes a member state-led intergovernmental organization.  |
| <b>1974 – WIPO joins the United Nations</b>                      | WIPO become one of the agencies of UN.   |
| <b>1978 – Patent Cooperation Treaty (PCT) system launched</b>    | By filing one international patent application under the PCT, applicants can simultaneously seek protection for an invention in a vast number of countries.      |
| <b>1994 – Arbitration and Mediation Centre (AMC) established</b> | The Centre offers alternative dispute resolution services for international commercial disputes between private parties.   |

## What are Its 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.

## What are WIPO's 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>WIPO Performance and Phonograms Treaty</b>  | Deals with the rights of two kinds of beneficiaries, <ul style="list-style-type: none"> <li>▪ performers (actors, singers, musicians, etc.); and</li> <li>▪ producers of phonograms (persons or legal entities who bear the responsibility for the fixation of sounds).</li> </ul> | partic  |
| <b>Budapest Treaty</b>   | International Recognition of the Deposit of Microorganisms and the Depositary Procedure.   | organis |
| <b>Madrid Protocol for the International Registration of Marks</b>   | Provides for the international registration of trade marks which can cover more than one country.  | mark    |
| <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 production of books and other copyrighted works for visually impaired persons.  | impai   |
| <b>WIPO Copyright Treaty</b>   | A special agreement under the Berne Convention which updates copyright law and the rights of their authors in the digital environment.   | men     |

## What other WIPO-administered International Treaties and Conventions are there to which India is a Member?

- Paris Convention for the Protection of Industrial Property
- Convention Establishing the World Intellectual Property Organization
- Berne Convention for the Protection of Literary and Artistic Works
- Patent Cooperation Treaty
- Washington Treaty on Intellectual Property in respect of Integrated Circuits
- Nairobi Treaty on the Protection of the Olympic Symbol

## What are Its 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.

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