

## INTELLECTUAL PROPERTY RIGHTS EXPERTS' GROUP (IPEG)

### *Report for the*

### CTI ANNUAL REPORT TO MINISTERS

#### For AMM's information

##### (a) Key outcomes and achievements in 2022

- 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:

- Presentations by Chile on (1) legal framework for protection of GIs in Chile and (2) amendments to the Chilean Industrial Property Act;
- Presentations by the U.S. on (1) protection of geographical indications in the U.S., (2) U.S. Copyright Claims Board developments, (3) USPTO interim procedures for discretionary denials in post-grant proceedings, (4) recent USPTO-WIPO collaborations, (5) protection of certification marks at the USPTO, and (6) trademarks and the metaverse;
- Presentation by Mexico on (1) results of the questionnaire on Geographical Indications and related figures in APEC Economies, (2) final report the Network of innovative women and industrial property, actions of the Mexican institute of Industrial Property to mitigate the effects of the pandemic and the 5<sup>th</sup> edition of the Annual Ranking of innovation in IP Offices, and (3) knowledge and use of IP by MSMEs in Mexico;
- Presentation by Thailand on (1) Smart DIP Initiatives, (2) awareness and IP commercialization in Thailand, (3) enhanced network to promote IP commercialization, (4) the Destruction Ceremony of IPR Infringing Goods, and (5) Thailand's Accession to the WCT;
- Presentation by Australia on (1) Plant Breeder's Rights Reform - IP and the agricultural economy and (2) 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 (1) publication of examination guidelines in Manga Form: AI/IoT Edition, (2) study on Grace Period for Universities, SMEs and Startups, and (3) the latest updates on JPO's Initiatives;
- Presentation by Korea on (1) education for invention, (2) Official Development Assistance using IP, (3) the update on Korean Patent Act and Korean Trademark Act, Design Act and Unfair Competition Prevention Act, and (4) 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.
- Presentation by Hong Kong, China on Hong Kong, China's development as a regional IP trading centre
- Presentation by Canada on latest developments at the Canadian Intellectual Property Office

(b) Work undertaken by fora in the implementation of the [Putrajaya Vision 2040](#), including through the [Aotearoa Plan of Action \(APA\)](#)

IPEG undertook work that advanced efforts to meet APEC’s Putrajaya Vision 2040 Objectives by furthering work in the achievement of, among others, the Aotearoa Plan of Action Collective Action: *“Promote adequate and effective protection and enforcement of intellectual property, including by providing capacity building, particularly to spur economic development and innovation”*.

- The **Final Report on 2021 APEC Workshop on the Potential for Use of Alternative Dispute Resolution (ADR) in the Field of IPR** has been published in March 2022. The report covers an introduction to ADR, mediation, arbitration, online dispute resolution, how to promote and the potential use of ADR in the field of intellectual property rights.
- A Workshop on **Study on the Harmonization of IP Financial System** was held on 25-26 August 2022, during which participants discussed the increasing importance of IP Finance and 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.
- A Workshop on **Study on the Patent Linkage System for IPR and Public Health Harmonization** took place on 25-27 August 2022, during which APEC member economies compared their patent linkage systems and engaged in discussions to increase member economies’ understanding on the issue and to lay foundation for the harmonization of the region’s patent linkage systems.
- A Workshop on **Women and patents in the APEC Region: Current situation, performance and challenges** is scheduled to be held in November 2022. Interviews and surveys have been conducted on the issue and found women’s participation in IP and patent system to have been steadily increasing. The Project also seeks to identify barriers and challenges women face in trying to access the IP and patent system.
- A research is being conducted on **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**. The Project aims to develop a compendium that includes guidelines, recommendations and success 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.

(c) Work Undertaken by the fora in response to Ministerial, SOM and CTI direction

- In order for IPEG to continue to support APEC’s role in the multilateral trading system and to support the work of the CTI, 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 property, in particular on the Ministerial Declaration on the WTO Response to the COVID-19 Pandemic and Preparedness for Future Pandemics, and the Ministerial Decision on the TRIPS Agreement.

(d) Key Issues Under Discussion by the Fora (if any); &

- IPEG Member Economies will continue discussions on a proposal on “Effective Enforcement Practices Addressing the Streaming of Protected Content and Illicit Streaming Devices and Applications” which contains non-binding, voluntary recommendations as to effective enforcement practices addressing illegal streaming of copyright content.

(e) Items to submit to Senior Officials or Ministers (if applicable)

- Nil.