



WIPO's new strategies on global intellectual property infrastructure[☆]

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ABSTRACT

This article provides a broad view of the current position and anticipated development of intellectual property and patent information, in the wider context of innovation enhancement worldwide. It traces the continuing rise in the value of IP, as reflected in company intangible assets and in rising numbers of patent applications. In creating a better knowledge infrastructure to facilitate these developments, the author notes its great importance and the differing problems that need addressing in this area across the spectrum from least developed to fully developed countries. In these contexts, he outlines a number of strategic goals and recommendations of WIPO and their likely impact in solving the problems of creating effective, coordinated, and accessible databanks in IP, patent information and scientific non-patent literature. Specifically he points to, for example, the increasing value of the internet in these fields, both through databases and, increasingly, through social networks.

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1. Introduction

In the midst of the worldwide economic downturn, world leaders have recently re-emphasized the importance of innovation, since we know that innovation could create new technologies, industry and jobs. We must remember that innovation is probably the most important activity for overcoming the current worldwide economic downturn, and also for meeting global challenges such as global climate change, poverty reduction, improvement in public health, and the enhancement of food production.

The World Intellectual Property Organization (WIPO) has its mission to promote innovation for economic growth through the effective use of the intellectual property system. WIPO has recently renewed its firm commitment to the mission and proposed new strategic goals under the new leadership of Dr. Francis Gurry who was appointed as Director General of WIPO in 2008. WIPO member States supported the new initiatives and WIPO has started strategic realignment of its programs since January 2009. Among the new initiatives, WIPO puts particular emphasis on programs which should narrow the knowledge gap by using intellectual property information (in particular patent information) to support innovation, technology transfer and capacity building in developing countries.

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2. Similarities between IP and money

Venice is known as the birth place of the modern patent system as well as for its pioneering trial of a modern way of lending money in the 15th century. It is curious that there are many similarities between intellectual property and money. Some experts say that an intellectual property asset has become a new currency in this century. I could indicate the following similarities:

- Both money and intellectual property are intangible assets which have economic value supported by the assurance of the governments within the regulatory frameworks for supporting their credibility.
- Both are in principle regulated by the national sovereign power (notable exception is the Euro) and are being challenged by needs for a global system providing coherent policies and international standards.
- In the absence of the supranational institutions, needs to adopt coherent policies are partly met by meetings organized by a group of like-minded countries, the Bank for International Settlements, IMF/World Bank/International Finance Corporation; the Trilateral IP Offices, IP 5, Regional IP Organizations (e.g., EPO), and WIPO.
- Data and information of IP and money are now publicly made available on the Internet but ordinary users find it very difficult to mine, locate, search and retrieve the most relevant, accurate and updated information.
- With a significant increase in the diversity of financial assets and IP assets over the last decades, tools and mechanisms for evaluating the value of the assets need to be developed with a view to

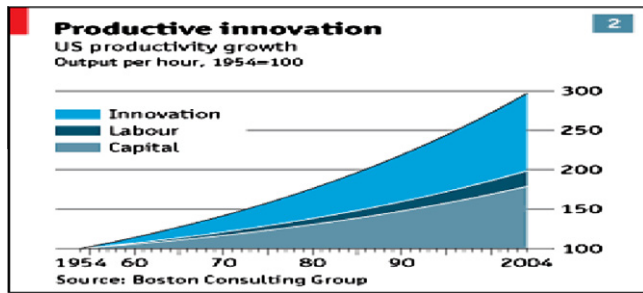


Fig. 1. Innovation and capital as key driving factors of the productivity. Source: A Special Report on Innovation, *The Economist* October 13th, 2007.

strengthening the present infrastructure for efficient and fair transactions of those assets.

There are also differences of great importance between the two assets. For instance, national and international financial markets are fairly well developed on the basis of solid information and human networks. On the other hand, we see lots of room for improvement in international standards and regulations, global tools and infrastructure, worldwide human networks and partnerships between public authorities and players in the private sector, all of which are essential to the protection and transaction of IP assets worldwide.

In a recently published book entitled “The Ascent of Money,” an English historian Niall Ferguson says “Financial history is essentially the result of institutional mutation and natural selection.” and “evolution in financial services occurs within a regulatory framework where [...] ‘intelligent design’ plays a part.” [1] You may notice that Mr. Ferguson makes an interesting reference to the evolution theory of Darwin (born 200 years ago). The financial system largely depends on human behavior. So does the IP system. Human behavior needs an appropriate regulatory framework and a robust infrastructure in support of the framework.

3. Innovation and patents

We have no doubt about the significant contribution made by innovation in the last century. Along with financial capital, innovation has recently emerged as one of the three fundamental factors driving the economic growth. According to the data of the United States of America, innovation’s contribution to productivity gain became more important than that of labor and capital (Fig. 1)

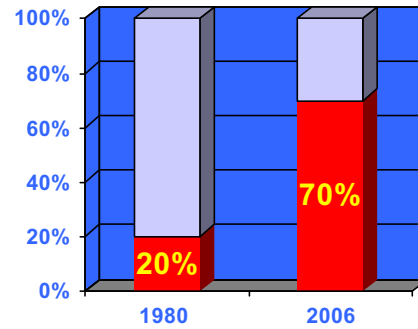


Fig. 3. Share of intangible assets in US firms increased from 20% to 70% during the last three decades. Source: “The battle for brainpower,” *The Economist*, October 7th, 2006.

[2]. Recent stimulus packages proposed by certain governments consider merits of investment in innovation and in knowledge infrastructure not only for the creation of more new jobs in the short-term but also for the long-lasting positive impact on the socio-economic system (for instance, see Canada’s Economic Action Plan and its Knowledge Infrastructure Program [3]).

The role played by high technologies in global trade also became important. It means that countries need to enhance the level of technological skills in producing products in order to increase the exportation and competitiveness in the global market (see Fig. 2). The national capacity to generate wealth, however modest it may be, needs to be a first step to establish a value chain to move up the development ladder step by step, which will gradually contribute to the reduction of poverty and improvement of public health.

As technologies increasingly determine the competitiveness in the international trade, the corporate asset reflects this shift. Statistics often cited in this context demonstrate an increasing share of an intangible asset within a corporate asset portfolio. It has significantly increased over the last three decades and intangible assets now account for two-thirds of the total corporate assets (see Fig. 3). It goes without saying that the majority of intangible assets are protected by intellectual property.

The fact that corporations have more intellectual property is evident in developed countries, if we look at patent filing statistics (see Fig. 4). What is strikingly clear is a sudden surge of patent filings in the Republic of Korea and China. Other emerging economies also follow China but their growth in patent activities is more modest. It is interesting to see the increase in patent filing coinciding

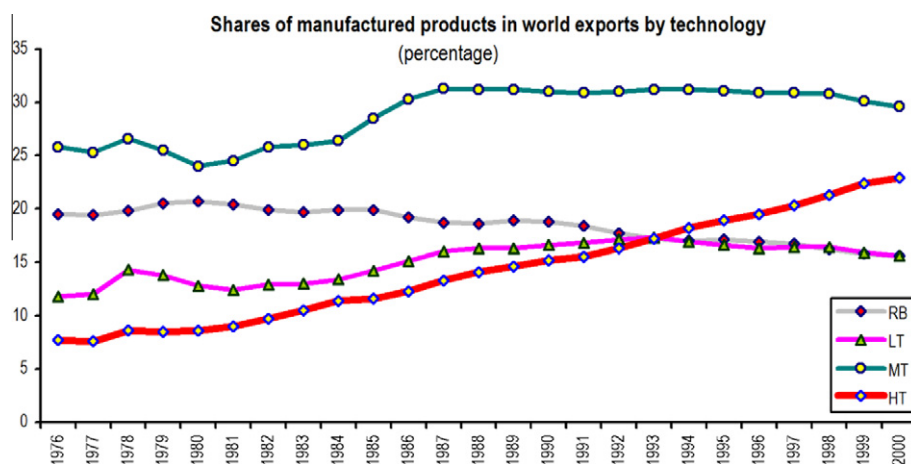


Fig. 2. Shares of manufactured products in world exports by technology Legend: RB (resource-based products), LT (low technologies), MT (middle technologies), and HT (high technologies). Source: UNCTAD World Investment Report [4].

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