



TRIPS Implementation as a Guide for Public Policy: Intellectual Property Issues in Trade Policy Reviews

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Trade Policy Review Mechanism

“Early harvest” of the Uruguay Round:

- Provisionally established at the Montreal Mid-Term Review of the Round in December 1988.
- First TPRs: Australia, Morocco and the United States

1994 - Annex 3 of the Agreement Establishing the WTO

Trade Policy Review Mechanism



Objective of the TPRM:

- Facilitate smooth functioning of the multilateral trading system by enhancing transparency.
- Process of multilateral peer review of domestic trade policies covering goods, services and intellectual property.



Trade Policy Review Mechanism

...since 1995:

- 157 Members have been reviewed
- +500 Trade Policy Reports by the Secretariat
- +6800 paragraphs on TRIPS-related issues

Trade Policy Review Mechanism



Review Periods:

- Four Members with the largest shares of world trade are reviewed every three years: European Union, the United States, Japan and China;
- The next 16 Members are reviewed every five years;
- Others are reviewed every seven years;
- A longer review period may be envisaged for least-developed country Members.

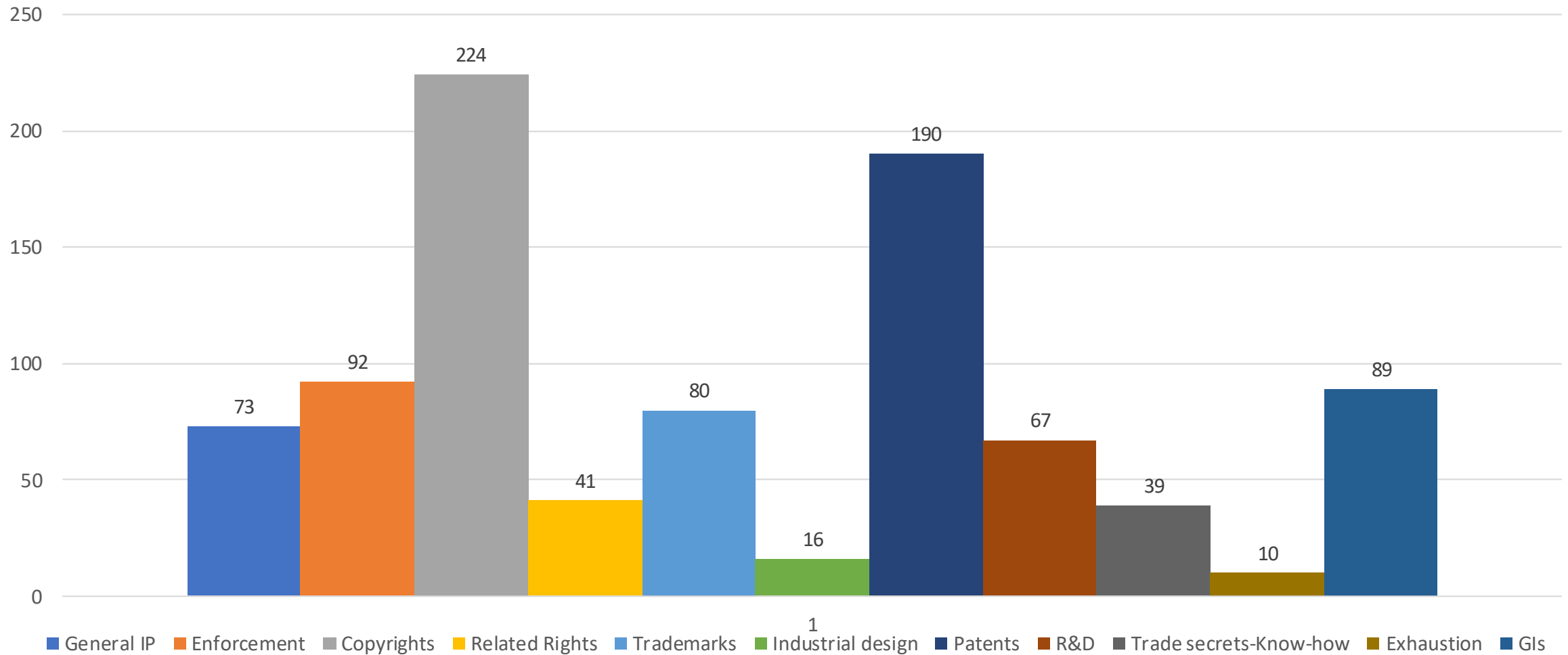
Intellectual Property in TPRs



Evolution with the implementation of the TRIPS Agreement and their relation to national development policies on:

- Fostering research and innovation;
- Promoting exports;
- Attracting foreign direct investment;
- Participating in global value chains; and
- Overall improvement of competitiveness.

TRIPS in the TPR Q&R Process (2018-2019)



Q&R Process



Questions on enacted laws or reforms to modernize the intellectual property regime, so that it can:

- Respond to technological evolution and new ways of doing business;
- Coherently implement obligations under the TRIPS Agreement, WIPO Instruments and Free Trade Agreements;
- Modernize institutions and procedures for the administration of intellectual property rights.

Q&R Process



Contemporary issues raised by Members:

- Copyrights and related rights in the digital environment;
- Registration of holograms, colour marks, sound marks and position marks;
- Geographical indications for non-agricultural products;
- Patent quality;
- Protection of trade Secrets;
- Protection of the collective knowledge of indigenous peoples related to biodiversity;
- TRIPS and Competition Policy;
- Enforcement, online and at the border; and
- Valuation and composition of assets related to intellectual property.

Q&R Process



Intellectual Property as a component of national policies to support, for example:

- Micro, small and medium enterprises;
- Disadvantaged or remote regions;
- Environmentally friendly innovation; and
- Women entrepreneurs.

Looking at the Future



Trade Policy Review: Zimbabwe

30 SEPTEMBER 2020

The third review of the trade policies and practices of Zimbabwe takes place on 30 September and 2 October 2020. The basis for the review is a report by the WTO Secretariat and a report by the Government of Zimbabwe.

- ▣ [TPR documents](#)
- ▣ [Chairperson's concluding remarks](#)



Trade Policy Review: Japan

6 JULY 2020

The fourteenth review of the trade policies and practices of Japan takes place on 6 and 8 July 2020. The basis for the review is a report by the WTO Secretariat and a report by the Government of Japan.

- ▣ [TPR documents](#)
- ▣ [Chairperson's concluding remarks](#)

- Tracking the implementation of the TRIPS Agreement
- Mainstreaming IP into economic and trade policies
- Insights into policy choices and experience
- Real-life examples
- Develop “best practices”



Thank you!

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