Advanced DRAFT











First International Conference

on

Intellectual Property and Technology Transfer in Life Sciences A north-south dialogue

12th - 14th June, 2006, Trieste

Goal

The goal is to provide an intimate setting among the attendees from both developed and developing countries to learn from one another concerning the challenges faced by the access to and commercialization of life science and biotechnology. The conference aims to expose the core issues at the crossroads of intellectual property, technology transfer, and life science through open debate, where future collaborative efforts can be aimed at assisting developing countries in strengthening their scientific and technological capabilities.

Introduction:

Capacity building for the development of new biotechnology products and processes has been one of the main objectives pursued, in the last two decades, by the International Centre for Genetic Engineering and Biotechnology (ICGEB), an intergovernmental organization established in 1983 by UNIDO with the aim of providing developing countries with a centre of excellence for research and training in genetic engineering and biotechnology. Currently, developing economies are facing new challenges, which transcend the mere lack of technologies or the difficulties for their acquisition, but refer to the inherent difficulties related to the adoption of Intellectual Property Right (IPR) regimes, as foreseen by the WTO and its Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement. These challenges have also been acknowledged by the government representatives that participated in the Global Biotechnology Forum, jointly organized by the Government of Chile and UNIDO, with the collaboration of ICGEB, in Concepción, Chile, in March of 2004, which identified among the main follow-ups to be entrusted in UNIDO and ICGEB the set-up of adequate mechanisms to facilitate access to intellectual property, in order to promote the exploitation and dissemination of biotechnology in developing countries.

Background

1. One of the basic objectives of the ICGEB is "to promote international cooperation in developing and applying peaceful uses of genetic engineering and biotechnology in particular for developing countries", "to develop and promote the application of genetic engineering and biotechnology for solving problems of development, particularly in developing countries", and "to assist developing countries in strengthening their scientific and technological capabilities in the field of genetic engineering and biotechnology" (Article 2(a), (d), (c) of the Statutes).

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- 2. Towards the fulfillment of its objectives, the ICGEB shall in particular "carry out research and development including pilot-plant activities in the field of genetic engineering and biotechnology", "carry out a programme of bio-informatics to support in particular research and development and application for the benefit of developing countries", and "maintain close contacts with industry" (Article 3(a), (h), (j) of the Statutes).
- 3. From the onset, it was clear that the fulfillment of the articles of the ICGEB Statutes described above required the identification of an adequate balance between dissemination of research results and protection of the same, under IPR regimes, in order to ensure "close contacts with the industry". This led to the preparation and eventual adoption, by the ICGEB Board of Governors, of the document entitled "Policy Guidelines on Patents, Licensing, copyrights and other Rights to Intellectual Property of the International Centre for Genetic Engineering and Biotechnology (ICGEB)", through which any IPR derived from the Centre's activity is regulated.
- 4. Intellectual property rights in general and patents in particular have played and continue to play an important role in the rise, the development and the application of the modern biotechnology. More recently it has also been generally accepted that the patent system is well suited to be utilized as the primary mechanism for transferring inventions from publicly funded institutions to the private sector. Licensing of patents held on publicly funded research thus enhances wide application of the protected technology in industry and commerce and at the same time secures additional financial means for the technology-generating institutions.
- 5. The changes in science and the extent of international trade have led to substantial revisions of IPR regimes, partly driven by a) the rapid development of biotechnology and the trend towards a global market allowing for the world-wide exploitation of products deriving from genetic engineering, and b) by the different attitudes towards IPR across the world. The adoption and entry into force of the Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement has produced, and still produces, extensive debate as to the final goals of IPR regimes. During the discussions lading up to the adoption of the TRIPS, there was considerable debate as to the ownership of living material, demarcating essential differences between developing and industrialized countries, and in particular whether TRIPS should allow the products of biotechnology to be protected under the patent system and if so then the extent to which such protection should be modified in order to allow the developing countries relative unrestricted access to protected genetic material.
- 6. In the last years, the perception of IPR regimes in general has started to change, especially give the provision of TRIPS that all WTO countries adopt their own regimes and introduce rights to intellectual property in their own legislation. This shift of paradigm, which acquires even more importance in the field of biotechnology and genetic engineering, makes it necessary for decision makers, scientists, lawyers and judicial alike to consider the needs and the requirements of developing countries in the verge of the full implementation of TRIPS.

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Monday, 12 June 2006

Setting the Scene: IPRs, Accessibility and Transfer of Technology

Morning Session

- Welcome
- Introduction Intellectual Property and Sustainable Value Creation: A Question of Access, Utilisation, and Commercialisation
- Keynote Addresses
- Panel Discussion Intellectual Property Rights: Any New Perspective on their Impact on Life Science and on the North-South Relationship?

Afternoon Session

• Panel Discussion - Managing Intellectual Property in University-Industry Technology Transfer

Tuesday, 13 June 2006 Identifying the Joint Challenges and Opportunities

Morning Session

 Panel Discussion - Claiming Intellectual Property in Early-Stage Life Science Research

Afternoon Session

 Panel Discussion - Building an Intellectual Infrastructure to Promote Economic Growth

Wednesday, 14 June 2006 Bridging Life Science and Law and Establishing a North-South Dialogue

Morning Session

- Panel Discussion A View from Developing Countries and Transition Economies
- Panel Discussion Networking Judges and Regulators on TRIPS Implementation in the South

Afternoon Session

- Moot Court
- Conclusions of the Conference



First International Conference "Intellectual Property and Technology Transfer in Life Sciences: A North-South Dialogue" 12 - 14 June 2006 Trieste, Italy

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(CLOSING DATE FOR SUBMISSION: 22ND MAY 2006)

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