

## Governance of IP

National IP systems are inherently complex as they cover a diverse range of legal, economic and strategic functions. For that reason, their management is shared among various institutions. Cooperation between these institutions is critical for IP systems to effectively contribute to innovation because different institutions in charge might be at cross purposes with one another.

### What is meant by governance?

Governance is about the institutional set-up regarding decision-taking, implementation, consultation and accountability. It is also about processes by which they are selected, defined, and linked together and with the society generally (link to relevant node in 271.Institutional governance).

### What are the issues regarding governance of IP?

National IP systems are inherently complex: IP standards are, as described above, defined by international, regional and bilateral agreements. Also required are procedures for granting different IP types and implementing IP policies as part of innovation policy. Finally international policy covers negotiations of free trade agreements that often have IP components, and it likewise covers regional and other international negotiations on IP matters. As the IP system encompasses such a diverse range of legal, economic and strategic functions, its management is increasingly shared among various institutions. In the past it was often the case that IP offices had the leading role, which reflected a strong disconnect between IP and innovation policy.

Reflecting the comparative advantages of different institutions, shared institutional responsibilities are not in themselves problematic. However, in order to ensure IP policy is coherent in its support of innovation, horizontal cooperation is necessary across different institutions with an explicit focus on innovation. Cooperation is critical at the top because different institutions in charge might be at cross purposes with one another. As a result, decisions might be contradictory and consequently weaken the contributions of IP to innovation. This is particularly important in development contexts where complementary policies are critical for impact on innovation. Figure1 illustrates the wider set of relevant policies.

Countries have taken different types of approaches to solve the continued challenges that arise for operating such governance effectively. One challenge is to have wide consultations, including potential IP users, as the most powerful players usually have a stronger voice while others often lack a stronger political voice.

### Figure 1: IP policies for innovation in the wider policy context



Source: OECD (2014), National Intellectual Property Systems, Innovation and Economic Development: With perspectives on Colombia and Indonesia, OECD Publishing. <http://dx.doi.org:10.1787/9789264204485-en> [1].

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#### Links

[1] <http://dx.doi.org:10.1787/9789264204485-en>