International bodies on IP

Several organizations with international and/or regional membership and mandates deal with issues of intellectual property rights. This includes WIPO, the WTO, and the EPO and OHIM, among others.

Which are the main international IP bodies and what are their main functions?

World Intellectual Property Organization

The World Intellectual Property Organization (WIPO) is a United Nations specialized agency and the leading intergovernmental organization dedicated to the promotion and use of intellectual property as a means of stimulating innovation and creativity. WIPO's mission is to **develop a balanced and effective international IP system that rewards creativity, stimulates innovation, and contributes to the economic, social and cultural development of all countries, while safeguarding the public interest.**

WIPO was **established in 1970**, following the entry into force of the 1967 WIPO Convention, which sets out the terms governing WIPO's mandate, functions, finances and procedures. Articles three and four of the Convention establish the objectives and functions of the organization.

In sum, the main function of WIPO is to promote the development and use of the international IP system through:

- Services: WIPO runs systems that facilitate the process for obtaining international protection for patents, trademarks, designs and appellations of origin. It also resolves IP disputes.

- Legal rules: WIPO contributes to the development of an international legal IP framework in line with society's evolving needs.

- Infrastructure: by building collaborative networks and technical platforms to share knowledge and simplify IP transactions, including free databases and tools for exchanging information.

- Development: by building capacity in the use of IP to support economic development.

- Respect for IP: by working with WIPO's member states and stakeholders to improve understanding and respect for IP worldwide.

- Creating partnerships to provide IP solutions to global challenges.

WIPO has **185 member states** (over 90% of the world's countries) as of July 2013. Some 69 intergovernmental organizations (IGOs) and 295 non-governmental organizations (NGOs) are accredited as observers at WIPO meetings (WIPO, 2012).

World Trade Organization

Open to all members of the WTO, the **WTO Council for TRIPS** is the for **administering and monitoring the operation of the TRIPS Agreement** (TRIPS, Article 68). The TRIPS Council also meets in "special sessions" for negotiations on a multilateral system for notifying and registering geographical indications for wines and spirits, under the Doha Development Agenda (WTO, Work of the TRIPS Council).

In addition, the WTO has a **dispute settlement mechanism** for disputes arising when a member government believes another member government is violating a WTO agreement (including the TRIPS Agreement). If a Member State believes that another Member is violating the TRIPS Agreement, it can submit a "request for consultations" to the WTO (WTO, Disputes by Agreement).

The European Patent Office and the Office for Harmonization in the Internal Market

The European Patent Office (EPO) was created to grant European patents based on a**centralised examination procedure established by the EPC**. By filing a single European patent application in one of the three official languages (English, French and German), it is possible to obtain patent rights in all EPC countries. Patents granted by the EPO have the same legal rights and are subject to the same conditions as national patents (granted by the national patent office) in each EPC country for which the patents have been granted.

Once granted by the EPO, a European patent becomes a **"bundle" of national patents**, which must be validated at the national patent office of the designated states for it to be effective in EPC member countries. Within three months of the grant of a European patent, the applicant has to complete various formalities. For example, the national patent office of a designated state might require the applicant to provide a translation in one of its official languages and pay for the publication fees of the patent (OECD, 2009).

Established within the EU framework, the OHIM is the**European Union agency responsible for registering trademarks and designs (under the CTMR) that are valid in all 28 countries of the EU.**

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