06/03/2016 Events

From 26 to 27 May 2016, in Geneva, was held the International Seminar on Intellectual Property and Genetic Resources organized by the World Intellectual Property Organization (WIPO).

The event was attended by delegates of WIPO Member States, including the Republic of Moldova, and representatives of national and international organizations with observer status at the Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore (IGC Committee).

The seminar was opened by the Director General of WIPO, Francis Gurry, who welcomed the participants and highlighted the importance and timeliness of the topics to be discussed during the event.

Thus, the seminar was divided into four roundtables, which focused on discussing issues such as intellectual property and genetic resources: relationships with relevant international instruments; policy objectives relating to intellectual property and genetic resources; disclosure requirements relating to genetic resources and associated traditional knowledge; databases and other defensive measures relating to genetic resources and associated traditional knowledge.

Some rapporteurs stressed that the current intellectual property protection system should be rethought so that genetic resources (GR), traditional knowledge (TK) and traditional cultural expressions/folklore (TCE/F), objects of cultural heritage either of a nation or of a local indigenous community may be adequately protected through an international legal instrument, giving them the status of non-traditional intellectual property objects.

The rapporteur of China said that because of large biodiversity, the state pays great attention to its protection and considers that only the creation of a database may be insufficient to protect GR, the states being supposed to think of other defensive measures that could be taken, such as mandatory disclosure requirement.

The representative of the State Office for Inventions and Trademarks of Romania (OSIM) made a presentation titled “Disclosure requirements relating to Genetic Resources and Associated Traditional Knowledge”, noting that the Romanian patent legislation lacks the rule on disclosure, but there is the provision that if an invention relates to a biological material there must be indicated the source of origin.

As in Romania there are over 3,600 varieties of plants, having rich experience in phytology and in the field of medicinal plants, the Office received a number of requests for protection, the applicants shall indicate the source of origin. The disclosure requirement should be applied to patents only and must be voluntary and not mandatory, believes OSIM representative.



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