

Committee on Development and Intellectual Property (CDIP)

Twenty-Sixth Session
Geneva, July 26 to 30, 2021

**PROJECT PROPOSAL BY BRAZIL ON EMPOWERING SMALL BUSINESSES THROUGH IP:
DEVELOPING STRATEGIES FOR SUPPORTING GEOGRAPHICAL INDICATIONS OR
COLLECTIVE MARKS IN THE POST-REGISTRY PERIOD**

prepared by the Secretariat

1. In a Note Verbale dated May 31, 2021, to the Secretariat, the Permanent Mission of Brazil to the World Trade Organization (WTO) and other Economic Organizations in Geneva submitted a project proposal on “Empowering small businesses through IP: developing strategies for supporting geographical indications or collective marks in the post-registry period”, for consideration at the Twenty-Sixth Session of the CDIP.
2. The Note Verbale and project proposal are contained in the Annex hereto.
3. *The CDIP is invited to consider the information contained in the Annex to this document.*

[Annexes follow]



*Permanent Mission of Brazil to the World Trade Organization
and other Economic Organizations in Geneva*

Nº. 28/2021

The Permanent Mission of Brazil to the WTO and other Economic Organizations in Geneva presents its compliments to the International Bureau of the World Intellectual Property Organization, Development Agenda Coordination Division, and has the honor to submit the draft project entitled "Empowering small businesses through IP: developing strategies for supporting geographical indications or collective marks in the post-registry period", to be submitted to the Committee on Development and Intellectual Property (CDIP). The Permanent Mission of Brazil would kindly request the WIPO Secretariat to circulate the aforementioned project to Member States and to include it the agenda of the Twenty-Sixth Session of the CDIP. A copy of the draft project is attached to this communication and will be sent in electronic format to the Development Agenda Coordination Division.

The Permanent Mission of Brazil avails itself of this opportunity to renew to the International Bureau of the World Intellectual Property Organization the assurances of its highest consideration.



Geneva, May 31, 2021

To
the International Bureau of the World Intellectual Property Organization
c/c to the WIPO Development Agenda Coordination Division
Geneva

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| 1. SUMMARY | |
| <u>Project Code</u> | [to be filled by WIPO] |
| <u>Title</u> | <i>Empowering small businesses through IP: developing strategies for supporting geographical indications or collective marks in the post-registry period</i> |
| <u>Development Agenda Recommendations</u> | 1, 4, 10, and 11 (to be complemented/confirmed) |
| <u>Brief Description of Project</u> | <p>Small businesses and producers in developing countries are increasingly relying on intellectual property rights, such as geographical indications and collective marks, to protect and promote the unique characteristics of certain local products. The place of origin of a product may be linked to quality attributes and unique characteristics that can be harnessed to improve market access for local communities, enhancing revenues for producers and promoting the development of rural areas. IP protection may also encourage producers to define and safeguard common quality standards, as well as traditional methods of production, thus protecting and promoting local culture and history.</p> <p>The GI or collective mark registration is only the first step in the successful development of a GI or collective mark. Most of the challenges faced by producers in developing countries lie in the post-registry period. In order to obtain success with their GI or collective mark, it is important that producers are organized, committed and equipped to benefit from their IP rights. Moreover, in many developing countries, institutional mechanisms, such as regulations, standardized traceability systems and enforcement mechanisms, may not be in place to support producers in their business goals. Therefore, strategies to support a GI or collective mark in these settings should take into account the institutional environment and its constraints.</p> <p>The objective of this project is to develop strategies for supporting GIs or collective marks from developing countries in the post-registry period. While focusing on specific GIs or collective marks in developing countries, the project aims at producing solutions that could be replicated by other GIs or collective marks and mainstreamed in a national or regional context.</p> |

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| <u>Implementing Program</u> | [to be filled by WIPO] |
| <u>Links to other related Program(s)/ DA Project(s)</u> | [to be filled by WIPO] |
| <u>Links to Expected Results in the Program and Budget</u> | [to be filled by WIPO] |
| <u>Project Duration</u> | 2 years |
| <u>Project Budget</u> | [to be filled by WIPO] |
| 2. PROJECT DESCRIPTION | |
| 2.1. <u>Introduction to the issue</u> | |
| <p>Small businesses and producers in developing countries are increasingly relying on intellectual property rights, such as geographical indications and collective marks, to protect and promote the unique characteristics of certain local products. The place of origin of a product may be linked to quality attributes and unique characteristics that can be harnessed to improve market access for local communities, enhancing revenues for producers and promoting the development of rural areas. IP protection may also encourage producers to define and safeguard common quality standards, as well as traditional methods of production, thus protecting and promoting local culture and history.</p> <p>The GI or collective mark registration is only the first step in the successful development of a GI or collective mark. Most of the challenges faced by producers in developing countries lie in the post-registry period. In order to obtain success with their GI or collective mark, it is important that producers are organized, committed and equipped to benefit from their IP rights. Moreover, in many developing countries, institutional mechanisms, such as regulations, standardized traceability systems and enforcement mechanisms, may not be in place to support producers in their business goals. Therefore, strategies to support a GI or collective mark in these settings should take into account the institutional environment and its constraints.</p> | |

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2.2. Objectives

Overall objective:

Develop strategies for supporting GIs or collective marks from developing countries in the post-registry period.

Specific objectives:

1. Empower small local businesses to make the best use of their IP rights, through training, awareness raising and capacity building.
2. Help producers assess business opportunities and develop business strategies for their niche products.
3. Support producers in developing tools to guarantee quality and origin of their products.
4. Strengthen the internal governance of small businesses and associations with regard to their IP rights.

2.3. Delivery Strategy

Delivery strategy:

The project will be implemented in Brazil and other **two** beneficiary countries.

The project implementation will consist of three phases:

Phase 1: Identification in each of the beneficiary countries of registered GIs or collective marks that could benefit from the project and selection of a final GI or collective mark

Phase 2: Analysis of the specific challenges faced by the chosen GI or collective mark and the development of strategies to tackle these challenges.

Challenges may involve:

- The absence of control and traceability systems;
- Lack of knowledge of the operation and potential benefits of the respective IPR;
- Issues related to internal governance and collective management of IPRs;
- Need to improve or adjust the code of practice;

- Enforcement issues: producers may suffer from unfair competition and usurpation of the geographical name.

Phase 3: Implementation of the GI or collective mark development plan, based on the assessment made on Phase 2.

Actions may include:

- Elaborating and executing a Branding Project
- Supporting the development of traceability systems and the digital transformation of GIs or collective marks
- Organizing workshops, training or awareness-raising initiatives with regard to the collective management of IPRs
- Supporting the further improvement of productive methods and quality controls
- Offering export training for producers
- Supporting the organization of business rounds
- Developing promotional material and supporting the participation of producers in specialized events
- Exploring the link between the GI or collective mark and local tourism
- Raising awareness of producers and the community about the importance of the GI or collective mark for local development and culture

2.4. Potential risks and mitigating measures

[to be filled by the DACD]

3. REVIEW AND EVALUATION

3.1. Project Review Schedule

A yearly progress report will be presented for the consideration of the CDIP.

A final self-evaluation will be carried out upon project completion and will be submitted to the CDIP.

A final independent evaluation report will be prepared by an external consultant upon project completion and will be submitted to the CDIP.

3.2. Project Self-Evaluation

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| <p><i>Project Outputs</i></p> <p><i>[To be filled in when the project outputs will be finalized]</i></p> | <p><i>Indicators of Successful Completion (Output Indicators)</i></p> |
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| <p>Project Objectives</p> | <p><i>Indicators of Successful Completion (Outcome Indicators)</i></p> |
| <p>Empower small local businesses to make the best use of their IP rights, through training, awareness raising and capacity building.</p> | |
| <p>Help producers assess business opportunities and develop business strategies for their niche products.</p> | |
| <p>Support producers in developing tools to guarantee quality and origin of their products.</p> | |
| <p>Strengthen the internal governance of small businesses and associations with regard to their IP rights.</p> | |

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