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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

**TECHNICAL COOPERATION ACTIVITIES:
INFORMATION FROM MEMBERS**

AUSTRALIA

The following communication, dated 26 September 2023, is being circulated at the request of the delegation of Australia.

1 INTRODUCTION

1. Australia is committed to sharing information with other WTO Members on its technical and financial cooperation activities in the area of intellectual property rights in fulfilment of Article 67 of the TRIPS Agreement. This is a full report on Australia's intellectual property-related technical cooperation activities with developing and least developed countries. It builds upon annual update reports provided in 2012 (document [IP/C/W/582/Add.2](#)), 2013 (document [IP/C/W/593/Add.7](#)), 2014 (document [IP/C/W/601](#)), 2015 (document [IP/C/W/610/Add.4](#)), 2016 (document [IP/C/W/617/Add.1](#)), 2017 (document [IP/C/W/632/Add.1](#)), 2018 (document [IP/C/W/647/Add.2](#)), 2019 (document [IP/C/W/655/Add.4](#)), 2020 (document [IP/C/R/TC/AUS/1](#)), 2021 (document [IP/C/R/TC/AUS/2](#)) and 2022 (document [IP/C/R/TC/AUS/3](#)).

2. Australia fulfils its Article 67 technical cooperation commitment through multilateral, regional and bilateral programs and activities. Many activities are focused on developing and least developed countries in the Indo-Pacific region. Australia works closely with the World Intellectual Property Organization (WIPO), the Association of Southeast Asian Nations (ASEAN) Secretariat and other partners to assist developing and least developed countries to build their intellectual property capacity and systems.

3. Many of the technical cooperation activities implemented under Article 67 of the TRIPS Agreement align with Australia's strategic focus on using aid as a catalyst to promote economic growth and poverty reduction. This is embedded in the UN Sustainable Development Goals and our future investments, including proposed ongoing support for the WIPO-Australia Funds in Trust program, which will be influenced by these goals.

4. Websites containing information on Australia's intellectual property regime, which may be considered a technical cooperation resource, include the IP Australia website covering patents, designs, trademarks and plant breeders' rights (www.ipaustralia.gov.au); the Attorney-General's Department ([Copyright | Attorney-General's Department \(ag.gov.au\)](http://Copyright | Attorney-General's Department (ag.gov.au))); and the Department of Foreign Affairs and Trade website on international IP developments ([Intellectual property | Australian Government Department of Foreign Affairs and Trade \(dfat.gov.au\)](http://Intellectual property | Australian Government Department of Foreign Affairs and Trade (dfat.gov.au))).

2 AUSTRALIAN ACTIVITIES WITH THE WORLD INTELLECTUAL PROPERTY ORGANISATION (WIPO)

2.1 Australia-WIPO Funds in Trust

5. Since 2012, the Australian Government has supported the Australia-WIPO Funds in Trust (FiT) program, with our support to date totalling AUD 5.8 million. The latest iteration of the program (FiT3) concluded in March 2022. The Australian Government is currently considering funding arrangements for a further phase of the FiT program. FiT promotes economic growth in partner countries by helping to develop and implement Intellectual Property (IP) systems, build capabilities in IP and facilitate technology transfer. It has helped to create an enabling environment for private sector innovation and domestic and foreign investment. Future programs are likely to build off the four current FiT themes: development of the intellectual property system; technology transfer (knowledge transfer and commercialisation); addressing neglected tropical diseases; and copyright and related rights to assist the blind, visually impaired and other persons with print disabilities.

6. FiT3 Activities to support the development of the intellectual property systems included developing a judicial toolkit on IP adjudication ('IP benchbook') for judges and judicial officers. These were produced for both the Philippines and Viet Nam. The IP benchbooks are an important judicial resource, serving as a core element of future judicial capacity-building programs for judges and judicial officers.

7. In 2023 Australia is considering a fourth iteration of a WIPO-Australia FiT (FiT4). As with previous FiT programs it will focus on IP capacity building activities, which enables the development of IP systems and supports Australia's economic diplomacy aims in the Indo-Pacific region. An application for FiT4 will consider continuation of activities previously supported and possible new opportunities for funding.

3 OTHER MULTILATERAL AND REGIONAL ACTIVITIES

3.1 Economic Cooperation Support Program and Regional Trade for Development Program under the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA)

8. The Regional Trade for Development (RT4D) Initiative, to which Australia has committed AUD 46 million out to 2028, provides technical assistance and capacity building to support eligible ASEAN countries realise the full benefits of an upgraded ASEAN-Australia-New Zealand FTA (AANZFTA) and the Regional Comprehensive Economic Partnership (RCEP) Agreement. In 2023 under AANZFTA RT4D committed to a range of IP capacity building activities for female-led businesses in Lao PDR.

9. From July 2022 to June 2023, IP Australia designed and delivered phase 3 of the AANZFTA project and RCEP scoping. The phase 3 program took a deeper dive into specific trade mark examination quality principles that ASEAN IP offices could incorporate in their quality management systems, notably: risk-based product sampling, continuous improvement and training, and customer centricity. The objective was to enhance quality management practices, and create greater predictability and consistency of examination outcomes across IP Offices in ASEAN. This in turn increases market confidence and encourages greater engagement by businesses who trade in our region.

10. On 22-24 November 2022, a regional workshop was held as a hybrid (in-person and online) event in Singapore. This workshop combined lessons learnt from earlier phases with practical steps for the implementation of trademark quality management systems. We achieved the workshop objectives to build on information sharing and capacity building in ASEAN for trade mark quality management systems.

11. From February – April 2023, IP Australia conducted virtual tailored mentoring sessions as part of AANZFTA phase 3. Participants gained a deeper insight into Australia's trade mark quality management practices, and how to address issues currently facing ASEAN IP Offices such as trade mark backlogs, and resourcing constraints. This supports the goal to strengthen and develop IP infrastructure in our region, for a more robust ASEAN IP system.

12. IP Australia conducted a scoping study and gap analysis of signatory countries to identify and understand IP issues under the RCEP Agreement. This assessment sought to determine where technical assistance and capacity building could be provided to eligible ASEAN countries to assist in implementing RCEP commitments.

13. The scoping study contains a preliminary analysis of IP issues facing RCEP countries. It:

- i. identifies specific areas for improvement or issues within the RCEP region through a gap analysis questionnaire;
- ii. analyses responses from the gap analysis questionnaire to develop a comprehensive understanding and possible solutions to the issues identified; and
- iii. completes an initial gap analysis report, presenting findings and solutions from the preliminary study. This report also canvasses further background on IP rights, the RCEP Agreement and an overview of each RCEP country in the form of country profiles.

ANNEX¹

Name of programme or project	International Fund for Cultural Diversity
Date and end date	1 January 2010
Beneficiary Member(s) or observer(s)	
Brief description	The International Fund for Cultural Diversity (IFCD) is a multi-donor fund established under Article 18 of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005 (2005 Convention) to which Australia is a signatory. The IFCD promotes sustainable development and poverty reduction by funding projects in developing countries that foster the emergence of dynamic cultural sectors, revitalisation of the local economy and create positive social change. The Office for the Arts (OFTA) in the Department of Infrastructure, Transport, Regional Development, Communications and the Arts is responsible for implementing programs and policies that meet Australia's obligations under the IFCD as a signatory to the 2005 Convention. UNESCO calls for member State contributions to IFCD annually. Australia makes voluntary contributions to the IFCD where feasible to support Australia's international obligations under the 2005 Convention and demonstrate practically its commitment to supporting UNESCO international cooperation and assistance for developing countries. Since the IFCD was established in 2010, the OFTA (on behalf of Australia) has made a total voluntary contribution of AUD 555,879. (AUD 103,653 in 2022; AUD 98,201 in 2020; AUD 105,333 in 2018; AUD 88,692 in 2016; AUD 80,000 in 2013; and AUD 80,000 in 2011). Beneficiary Members are all member States to the 2005 Convention.
Beneficiary institution or audience	
Technical cooperation provider(s)	UNESCO
Outputs or impact	Since 2010, the IFCD has provided more than USD 10 million in funding for 140 projects in 69 member States, covering a wide range of areas, from the development and implementation of cultural policies, to capacity building of cultural entrepreneurs, mapping of cultural industries and the creation of new cultural industry business models.
Website for further information	http://en.unesco.org/creativity/ifcd
Contact point for further information	convention2005.ifcd@unesco.org

¹ In English only.

Name of programme or project	Regional Trade for Development ("RT4D") Initiative
Date and end date	1 July 2023 - 30 June 2028
Beneficiary Member(s) or observer(s)	Brunei Darussalam; Cambodia; Indonesia; Lao People's Democratic Republic; Malaysia; Myanmar; Philippines; Singapore; Thailand; Viet Nam
Brief description	The Regional Trade for Development (RT4D) initiative, to which Australia has committed AUD 46 million out to 2028, provides technical assistance and capacity building to support eligible ASEAN countries realise the full benefits of an upgraded ASEAN-Australia-New Zealand FTA (AANZFTA) and Regional Comprehensive Economic Partnership (RCEP) Agreement.
Beneficiary institution or audience	ASEAN member States are the audience and official development assistance (ODA) eligible states receive support. Non-ODA eligible ASEAN countries fund their own engagement.
Technical cooperation provider(s)	A mix of Australian, New Zealand and ASEAN member States government agencies and private providers.
Outputs or impact	Technical assistance and capacity building.
Website for further information	
Contact point for further information	Bonita Ko (bonita.ko@ipaustalia.gov.au); mdb-international@ipaustalia.gov.au ; Jessica Hall (jessica.hall@dfat.gov.au)

Name of programme or project	AANZFTA Enhancement of Trade Mark Quality Management (Phase 3)
Date and end date	1 July 2022 - 30 June 2023
Beneficiary Member(s) or observer(s)	Cambodia; Indonesia; Lao People's Democratic Republic; Malaysia; Myanmar; Philippines; Thailand; Viet Nam
Brief description	The objective of the project is for beneficiary ASEAN member States (AMS) to gain an in-depth understanding of quality and an enhanced capacity to design and implement quality management practices, leading to an improvement in the efficiency of IP administration and registration systems in the ASEAN region. Developing the processes, tools and systems to support high quality trademark examination and predictable services is a common challenge to IP Offices. Some AMS IP Offices have a quality management system in place, some are in the process of developing quality management processes and practices, while others are in early stages of introducing quality principles into office practice. IP Australia, along with the IP offices of New Zealand and Singapore, is sharing experiences of quality management, with a view to assisting beneficiary ASEAN IP Offices to develop their own incremental approach to quality management. Phase 3 will enable AMS to explore specific quality-based concepts in more detail, including risk-based product sampling, continuous improvement and customer-focused service.
Beneficiary institution or audience	ASEAN member States (excluding Singapore and Brunei who are not Official Development Assistance (ODA) eligible but welcome to attend ODA funded workshops).
Technical cooperation provider(s)	IP Australia is delivering technical assistance, supported by the ASEAN Secretariat. Also contributions by the Intellectual Property Office of Singapore, the Intellectual Property Office of New Zealand, and the World Intellectual Property Organization.
Outputs or impact	Output 1: A regional workshop was held in November 2022 to provide ASEAN member States with a refresher from earlier phases; presentations on the effective implementation of quality management systems; and insights on specific quality-related subjects. Output 2: In early 2023, IP Australia worked closely with some AMS to conduct virtual tailored mentoring sessions for implementing trademark quality management practices. This customised approach recognised differences between IP offices and supported smaller offices with the strategy and implementation of quality concepts. The workshops focused on key issues currently facing ASEAN IP Offices such as trade mark examination backlogs, and resourcing constraints, to strengthen and develop IP infrastructure in our region, for a more robust ASEAN IP system. Output 3: A report of the Tailored Mentoring Sessions which was delivered to ASEAN Member States during February to April 2023. The report provides a preliminary analysis on IP issues facing RCEP countries and delivers on three outputs: (i) identifies specific areas for improvement or issues within the RCEP region through a gap analysis questionnaire; (ii) analyses responses from the gap analysis questionnaire to develop a comprehensive understanding and possible solutions to the issues identified; and (iii) completes an initial gap analysis report, presenting findings and solutions from the preliminary study. It also canvasses further background on IP rights, the RCEP Agreement and an overview of each RCEP country in the form of country profiles.
Website for further information	https://aanzfta.asean.org/
Contact point for further information	Bonita Ko (Bonita.ko@ipaustalia.gov.au); mdb-international@ipaustalia.gov.au