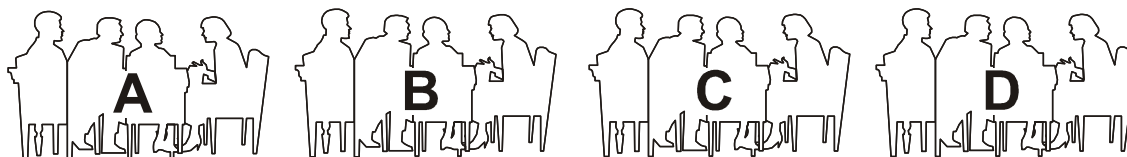


Exercise 7. IPRs II: How Intellectual Property Rights Can Affect Daily Management of PGRFA¹

(group work)

The aim of this exercise is to develop an understanding of the need for an institutional IP Policy Statement to address practical issues of IP and plant genetic resources.

1. Divide the participants into four groups. Each group elects a rapporteur. (5 minutes)



Phase 1. Group work (60 minutes)

2. Discuss handout 3.7.2 briefly.
3. Read the hypothetical case carefully and respond to the questions below:

You represent a national public-sector research institute in a country where a large percentage of the population is dependent on subsistence agriculture for their survival. Maize, cassava and potato are important food crops in your country.

Your institute is developing products that require the use of technology and processes that are patented in the US and Europe. You are also creating research products of interest outside your country, including those of interest to the private sector within and outside your country.

1. Outline the major issues you feel need to be considered for an effective IP policy for your institution.
2. Answer the following questions:
 - What information would you need to create a policy?
 - From whom would you get this information?
 - Whom would you need to consult?
 - How do these elements affect/relate to farmers?
 - How do these elements affect/relate to indigenous and local communities?
 - How do you see the elements fitting into the context of the IT? TRIPS? CBD?

¹ Based on material included in the 'Managing Institutional Intellectual Assets and Intellectual Property' training module developed by ILRI, ISNAR and CAS-IP.

4. The rapporteurs summarize the group discussion on a flipchart to present to the audience tomorrow.

Phase 2. Reporting and discussion (1 hour 10 minutes)

5. The rapporteurs present the groups' results to the audience. Each rapporteur has 10 minutes to present the results. (40 minutes)
6. The trainer distributes handout 3.7.5 (practical considerations), guides the discussion, provides examples of IP policy statements from public institutions, and feedback on the content, and closes the session. (30 minutes)

[illegible]

Practical Considerations for Exercise 7

(to be distributed after the exercise has been completed)

After doing this exercise, participants have an increased understanding of the need for an institutional IP policy statement to address practical issues of IP and plant genetic resources.

General approach:

Practical approach to assessing the needs of your institution regarding IP issues and drafting a policy statement that will reflect IP regulations and the needs that you have identified.

Specific observations:

You need to assess IP needs in the context of social, economic, technological and cultural considerations, as well as your national policies and laws in regards to IP. You may want to verify what your country's status is in regard to the TRIPS Agreement and flexibilities it offers.

Institutions often have an informal IP policy position. However, staff need to have a formal policy statement that will help them make decisions that are consistent with the mission of their institution. This requires a formal internal consultation and awareness-raising process among staff.