



PIIPA

Public Interest Intellectual Property Advisors

1200 Pennsylvania Avenue N.W.

PO Box 548

Washington, D.C. 20044-0548

www.piipa.org

piipa@piipa.org

About PIIPA

PIIPA is an international non-profit organization that makes intellectual property counsel available for developing countries and public interest organizations who seek to promote health, agriculture, biodiversity, science, culture, and the environment. PIIPA was established as a 501(c)(3) corporation based in Washington, D.C. in 2002. Our multilingual website www.piipa.org describes the history and activities of the organization.

PIIPA has three main activities:

1. expanding a worldwide network of IP professional volunteers (the IP Corps);
2. operating a processing center where assistance seekers can apply to find individual volunteers or teams who can provide advice and representation as a public service (free or pro bono); and
3. building a resource center with information for professionals and those seeking assistance.

Volunteers, people needing assistance, and resource seekers can get in contact or obtain information by visiting www.piipa.org.

What can PIIPA Do To Help?

PIIPA builds networks linking people who need help with IP professionals who can represent them. PIIPA's IP Corps can take the following specific types of actions for developing country organizations:

- Negotiate agreements (bioprospecting access and benefit-sharing agreements, access to medicines)
- Resolve disputes (national and international IP matters)
- Analyze and draft legislation and treaties involving IP protection
- Protect, study, license, and challenge IP rights
 - Patents, including patent portfolios
 - Trademarks
 - Copyrights
 - Trade secrets
 - Traditional knowledge and emerging IP rights.

PIIPA is the only organization providing such unique services that promote the public interest in innovation and creativity in developing countries by providing access to intellectual property expertise.

PIIPA's web-driven and global approach can be scaled up as needed and ensures that IP professional resources are the right size, available at the right time, and in the right place.

FAIR ACCESS: JUST RESULTS

Why PIIPA is Needed

Globalization's promise of innovation and access to knowledge can only be met in developing countries if their agencies and organizations have access to practical expertise in intellectual property (IP) law. Otherwise their innovators are at risk of exploitation or mismanagement. Better understanding and use of IP laws can promote human development and lead to opportunities for international economic, cultural, and technology cooperation in a well-functioning international system of copyright, patent and trademark laws and agreements, benefiting all nations.

PIIPA's Mission

PIIPA serves the public interest in developing countries, empowering disenfranchised groups by matching assistance seekers with IP professionals who can help them, case by case. PIIPA's work extends from individual proceedings to legislation and treaties, promoting local innovation and access to medical, agricultural, environmental, and communication technology, along with preservation of traditional knowledge, culture, and biodiversity. PIIPA's outreach activities promote a worldwide 'public interest' mindset among practitioners and academics working with intellectual property rights. Ultimately, PIIPA helps developing countries realize their aspirations for human development through innovation, whether by working within or reforming the international IP system.

PIIPA was founded on the belief that fair access to intellectual property expertise leads to more equitable decision-making and outcomes in balancing public interest and private intellectual property rights. PIIPA believes that when it comes to IP expertise, **fair access promotes just results.**

What PIIPA Does

PIIPA is a global, non-profit resource for developing countries and public interest organizations seeking expertise in intellectual property matters. PIIPA provides a unique capacity-building clearinghouse service by helping organizations that serve the public interest in developing countries access IP law expertise on a *pro bono* basis through a global network of volunteer IP professionals termed the 'IP Corps'.

PIIPA's IP Corps helps protect native resources and innovations, and helps developing country organizations resolve intellectual property issues affecting access to innovations and technology.

What PIIPA Has Accomplished

PIIPA has created an **international network** of leading academics, policy-makers, legal practitioners, applied scientists, technology transfer experts and other IP specialists in more than **30 developed and developing countries**. PIIPA's network offers them guidance in complex matters, local contexts and impacts as well as a unique discussion forum.

PIIPA has coordinated responses to more than **100 requests for technical support** from organizations serving the public interest and social entrepreneurship in 30+ developing countries.

In-kind services worth more than US\$ 1 million have been donated by our IP Corps to PIIPA-supported projects. Select case studies are discussed on page 2.

PIIPA's 2006 **global IP needs survey** identified emerging trends and specific technical needs of 'public interest' organizations in developing countries. The United Kingdom's Department for International Development (DFID) funded the survey, which was distributed online to more than **7,000 recipients in organizations around the world**. It also served as an outreach tool to prospective volunteers. The online survey can be accessed at www.piipa.org

PIIPA Conferences offer a forum for IP experts and developing country stakeholders to discuss intellectual property issues in the public interest. The 2006 Symposium brought together members of the judiciary, academic and research institutions, developing country agencies, non-profit organizations, social entrepreneurs and the private sector. The 2009 PIIPA-PIJIP Conference examined the need for public interest representation in developing countries, and how to meet that need, using both personal networks and the internet.

How PIIPA is Funded

PIIPA has received funding and in-kind contributions from individuals and the following organizations: Rockefeller Foundation; UK Department for International Development; Sigrid Rausing Trust; Venable; Fogarty International Center of the US National Institutes of Health; Smithsonian National Museum of Natural History; Ford Foundation; World Intellectual Property Organization; and World Health Organization.

PIIPA seeks funding from additional philanthropies, national and multilateral funding agencies, and individuals to support its strategic plan.

WWW.PIIPA.ORG

Case Studies

African Agricultural Technology Foundation (AATF), Africa



Biotechnology members of PIIPA's IP Corps helped the Kenya-based African Agricultural Technology Foundation bring necessary technology to small, resource-poor farmers in sub-Saharan Africa. PIIPA aided negotiations between the International Maize and Wheat Improvement Centre (CIMMYT) and a private company for the development of herbicide-resistant maize varieties. Herbicide-coated varieties are effective against Striga, a witchweed that threatens harvests for more than 100 million people. Sustained use of the maize could help eradicate Striga in the long term.

COFTA, Kenya

The Kiswahili word "kikoi" has been used traditionally in Kenya to describe a distinctive colorful woven cloth and wraps made from it. A UK-based importer of Kenyan crafts filed an application to trademark the word "kikoy." If approved, the mark would have made it illegal for Kenyan craftspeople to sell their products under the proper name in the UK. Co-operation for Fair Trade in Africa (COFTA) contacted PIIPA, which secured the services of English pro bono counsel, and UK Fair Trade company Traidcraft leading to a successful opposition.

IAA, The Andes



Alpaca farming provides an income for some of the poorest communities in isolated areas of the Andes. The International Alpaca Association (IAA), a Peru-based non-profit trade group, represents independent breeders and fiber processors. An American farm applied to register the certification mark "Alpacamark" in the US. This could have prevented the IAA from using its certification mark in the US, making it more difficult to export members' products. PIIPA's IP Corps is helping the association oppose the US farm's application. In the long term, successful opposition will also help promote socially responsible business dealings with developing countries.

INDECOPI, Peru

Two US companies obtained US patents on extracts from maca plants, claiming to have discovered its medicinal properties—particularly its ability to boost libido. In fact, people in the Andes have been using the maca root in this way for centuries. The Peruvian Working Group (headed by the National Institute for the Defense of Competition and Intellectual Property, or INDECOPI (the Peruvian Patent Office) requested PIIPA's *pro bono* assistance in challenging the validity of the patents, so that Peruvian farmers would not be prevented from preparing maca extracts for import to the US. Patent attorney Jorge Goldstein helped

INDECOPI assemble evidence that the patents were invalid because of prior traditional knowledge "The maca case has been used to raise awareness...of the need to prevent misappropriation of biological resources and traditional knowledge through the grant of patents," says Begoña Venero of INDECOPI. **"Assistance from PIIPA has been priceless."**

Mycoguild, International



Mycotechnology holds huge promise for environmental restoration by using fungi and their ability to degrade pollutants. Mycoguild is an international non-profit corporation uniting the scientific community, patent holders, governments, corporations and the legal community to foster mycology research and implementation. PIIPA helped Mycoguild obtain legal advice on a patent pool it is developing to enable further commercial study and use of mycotechnologies. The patent pool will benefit projects in water conservation, agriculture, salmon habitats and any entity or community with a contamination or pest issue. **Mycoguild also says that PIIPA has been an indispensable resource in the project, and presents a catalyst for social and environmental change.**

Fogarty Center of the US National Institutes of Health, International

The Fogarty Center provides grants to international cooperative biodiversity groups (ICBGs), teams including developing country researchers. The Fogarty Center arranged for PIIPA to help the grantees by providing sample agreements, templates, FAQs, "do's and don't's", and links to other relevant sources, and by arranging representation in negotiations. PIIPA provided a training session and wrote and posted training materials--the Bioprospecting Resource Manual--on its website: <http://www.piipa.org/library.asp>. PIIPA also arranged counsel for negotiations in Madagascar and worked with other ICBGs.

World Intellectual Property Organization, World Health Organization



In 2007, WIPO and the WHO approached PIIPA for assistance in commissioning a report on patent issues related to avian flu viruses and their genes. PIIPA IP Corps team members completed an initial patent landscape analysis, which was the basis for expert review and discussion. The factual, neutral work of PIIPA's volunteers is helping to untangle an international controversy exemplified by Indonesia's refusal to provide avian flu specimens. PIIPA helped remove obstacles to avian flu research, while protecting the ability of developing countries to share in the benefits of innovation.

Ibis Reproductive Health, Zimbabwe and South Africa



Ibis Reproductive Health brings anti-HIV/AIDS technology to vulnerable women in Zimbabwe and South Africa. PIIPA's IP Corps members helped Ibis and research partners in the U.S. and Africa conduct a clinical trial in 'Methods for Improving Reproductive Health in Africa' (MIRA), by conducting a patent landscape analysis to ensure that the products studied and used in the trial were not protected by third-party patents. This will lead to ways to provide access to the medicines to research participants, to the local trial communities of over 5,000 women, and to populations on a larger scale. Ibis believed that PIIPA's assistance with these access issues will secure a better chance for these products to end up more rapidly in the hands of women who need them most.

Strategic Plan

The following activities form the core of PIIPA's planned activities:

- Increase activities matching assistance seekers to IP Corps volunteers, through local and regional offices in key countries.
- Collaborate with other organizations to establish a global knowledge-base of IP professionals and organizations involved with public interest IP activities.
- Conduct ongoing evaluations of demand for IP service in developing countries
- Communicate lessons learned through the PIIPA website, blogs, newsletters, conferences, and active collaborations within the greater developing country IP community. For example, PIIPA will publish its groundbreaking 2007 report to the Ford Foundation, Intellectual Property and Human Development: Current Trends and Future Scenarios, authored by PIIPA's IP Corps.

Contact PIIPA if you have any questions or suggestions, if you want to request assistance, or if you want to volunteer. piipa@piipa.org