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General Statement of American Intellectual Property Law Association (AIPLA)

Thank you, Mr. Chair. I am speaking on behalf of AIPLA. Our members represent both owners and users of IP. Our mission includes helping to establish and maintain fair and effective laws and policies that stimulate and reward invention while balancing the public's interest in healthy competition, reasonable costs, and basic fairness.

We would like to thank WIPO for its continued focus to provide a global policy forum to address evolving IP issues. We congratulate you, Mr. Chair, on your appointment.

AIPLA has been following with interest the discussions and proceedings of the IGC. With the provisional mandate on the IGC up for discussion, AIPLA would like to make the following comments on the topic. AIPLA supports, in principle, the objectives of preserving sustainable biodiversity, and to provide for the fair and equitable sharing of benefits through the use of material transfer agreements between a user of a newly identified genetic resource and the member state from which it is obtained to provide certainty to both parties.

However, AIPLA opposes a mandatory disclosure of origin or source requirement for genetic resources and/or traditional knowledge in patent applications. Furthermore, AIPLA believes that more studies are needed in order to understand how a mandatory disclosure requirement would be implemented and what possible impact it could have on stakeholders before WIPO Members move towards a diplomatic conference from which a possible treaty could emerge. AIPLA is currently canvassing members to

obtain more information from members regarding how a mandatory disclosure requirement currently affects them or would affect them, as the case may be. It would be premature to move towards a diplomatic conference before further studies are conducted and more information is gathered. AIPLA looks forward to continued engagement with WIPO Members and Observers on this important topic.

We would also like to thank WIPO for its continued commitment to transparency and inclusiveness in its decision making and negotiating bodies. We express our thanks to the WIPO secretariat for inviting AIPLA to attend the WIPO General Assemblies.

Thank you for this opportunity to speak.