

Stalled Development Agenda of International Intellectual Property and Alternative Strategies for Developing Countries

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Under the urge of developing countries, the main international intellectual property (IP) organizations—WIPO and WTO—respectively adopted development agenda in the past decade, paying special attention to the impact that IPs may create to economic growth, social development or the pursue of demarginalization in the world system. Those development agenda, however, have not achieved substantial progress so far in the two international forums. Against this backdrop, this essay is aiming for analyzing possible strategies that developing countries may deploy to tackle the present stall. The authors sum up those strategies into two categories: endogenous approaches and exogenous ones. The public domain approach is the most visible endogenous strategy. The exogenous strategies include the human right approach and the genetic resource and traditional knowledge approach. This essay delves into the origin of each approach, reviews its key contentions against worldwide IP expansions, and assesses their individual values for developing countries. In the last part of this paper, the authors further discuss the interaction of those strategies. This essay detects potential conflicts between those approaches. Through careful analysis, the authors try to figure out the possibilities of reconciliation, which might lead to combining them into a more coherent and comprehensive IP strategy.

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