

WIPO

World Intellectual Property Organization

President: Joshua Hazari Rodriguez Mendieta

Moderator: Joshua Emiliano Méndez Sánchez

Conference officer: Gabriela Edith Torres Sánchez



"Courage is the resistance to fear, the mastery of fear, not the absence of fear."

– Mark Twain

Dear delegates,

It is an honor to welcome you to TOLMUN 2024, a particularly significant model as we celebrate its 30th anniversary, which for three decades has encouraged thousands of students to use their full potential for the well-being of the world in which we live. On behalf of the Tecnológico de Monterrey and the Organizing Committee, we extend our greetings and our gratitude for being part of this important history.

For 30 years, TOLMUN has been a place where bold and committed young people become the leaders of tomorrow to dialogue, debate, and above all, to transform the world. This model has witnessed countless ideas that have challenged the status quo, brave voices that have raised their hands in favor of justice, and the construction of a better future.

This year, more than ever, we find ourselves at a moment where you, the delegates, have the opportunity to continue the story. It is not just about representing different nations, but about expressing your way of thinking and coming together as one to solve problems.

The heart of this model is you, the delegates, who motivate us year after year with your enthusiasm, talent and commitment that allows you to continue writing the history of TOLMUN and without realizing it you are already doing something that many others do not do; raising your voice and facing the challenges of the world.

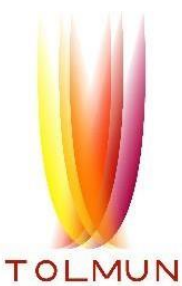
Never stop participating, debating, and above all, daring. You are already changing the world. Let's celebrate 30 years of doing it together!

On behalf of the entire organizing committee, thank you very much for your participation in TOLMUN 2024, good luck delegates, we wish you much success.

Sincerely:

Valeria Tapia Morales
Secretaria General

Maria Fernanda Zenil Cruz
Subsecretaria General



WELCOME LETTER FROM THE CHAIR

As chair, we are so proud to have you here in this new model of the United Nations TOLMUN 2024. As you may know, you are now part of the World Intellectual Property Organization (WIPO) committee as a delegate. We value this opportunity of shared learning with you. We want you to express your ideas in this forum, give them the potential they need to develop, and create awareness of their impact on people and society. Our goal is to give you a different perspective, to see this model as something that goes beyond a simple simulation since the issues we will address are of great importance to the current society in which we live.

Keep in mind that this model is a unique chance for us to come together as a community and share our different perspectives, opinions, and arguments on important issues that we will develop in this period.

Delegates, we are here with a deep sense of responsibility. The various situations that afflict us serve as a reminder of the urgent need to act to make a difference. This is an invaluable opportunity to inform ourselves, learn and work together to build a brighter future. It is our mission to find solutions that respect human rights through the protection of copyrights, trademarks, patents, etc., in order to contribute to economic, cultural and social development at a global level. We also seek to encourage all our delegates to participate actively and to always behave with respect and consideration.

Beyond this forum, where our voices converge in a dialogue, we must recognize the role we have as contributors to our future. This United Nations model is not simply about strengthening our potential and producing a positive impact, it is about a space where actions are forged that transcend the barriers of discourse. Likewise, in order to generate substantial changes, the understanding and firmness of our will play an important role, because of this it is imperative that you not only participate but that you can serve as inspiration and conviction for others.

Finally, we can only thank you deeply for your courage and determination, since getting involved in an event of this nature is not easy and requires a huge commitment. We wish you much success in each of your participations, but above all, that each argument and position presented is one more step that allows you to advance with conviction and in a constant manner.

Enjoy this debate, but keep in mind that true transformation begins when each of us commits.

Cordially,



President: Joshua Hazari Rodríguez
Mendieta Moderator: Joshua Emiliano Méndez
Sánchez Conference Officer: Gabriela Edith
Torres Sánchez



ABOUT THE COMMITTEE

The World Intellectual Property Organization (WIPO) was established to address the need for international protection of intellectual property. It is dedicated to developing a balanced and accessible international intellectual property system, which rewards creativity, stimulates innovation and contributes to economic development while safeguarding the public interest. Its origins date back to the 19th century, beginning with the Paris Convention for the

Protection of Industrial Property in 1883, which was designed to protect the IP of foreign investors from being misused in other countries. This was followed by the Bern Convention for the Protection of Literary and Artistic Works in 1886, initiated by Victor Hugo's Association Littéraire et Artistique Internationale. In 1893, these two conventions merged to form the United International Bureaux for the Protection of Intellectual Property, known by its French acronym, BIRPI, which served as the predecessor to WIPO.

The formal establishment of WIPO occurred with the signing of the WIPO Convention in 1967 in Stockholm, which came into force in 1970, transforming BIRPI into WIPO. In 1974, WIPO became a specialized agency of the United Nations, tasked with promoting the protection of IP rights worldwide.

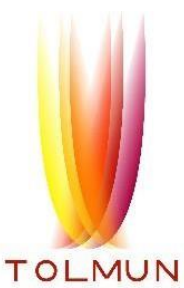
Today, WIPO has 193 member states, making it a globally representative body. WIPO has implemented work with the governments of 46 countries which are designated by the United Nations as Least Developed Countries to use IP in support of innovation and creativity to address development challenges and enhance their productive capacity and competitiveness.

The organization's operations are guided by decision-making bodies composed of member states and observers who convene regularly in various committees. These committees work to ensure that the international IP system evolves in response to global changes and challenges. One of WIPO's most significant achievements is the Patent Cooperation Treaty (PCT), which simplifies the process of seeking patent protection in multiple countries by allowing a single international application to be filed.

WIPO continues its mission of leading the development of a balanced and effective international system that fosters innovation and creativity for the benefit of all. To create a world where the international system is a way to reach an equal world where honor is given to those who deserve it.

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TOPIC A:

The importance of protecting Indigenous knowledge and cultural heritage

The heritage and cultural understanding of indigenous peoples constitute a wide variety of practices and expressions that have been accumulated over time. This knowledge, transmitted mainly from generation to generation, encompasses different practices and expressions, ranging from traditional medicine, agricultural techniques, art and music. These elements are an indisputable part of the cultural identity of indigenous communities and, in turn, contribute significantly to global knowledge systems.

Nowadays, the preservation of indigenous knowledge and heritage is an extremely important task in today's world, but this knowledge is constantly at risk of exploitation and misappropriation. Intellectual property (IP) systems are essentially designed to protect individual creations, but are often insufficient and do not adequately recognize and protect the collective and integrative nature of indigenous knowledge. The lack of protection of indigenous knowledge has led to numerous cases of cultural appropriation, where components of indigenous culture have been used by third parties without their consent, mainly for commercial purposes, which is clearly a violation of the dignity and rights of indigenous communities.

In recent decades, the World Intellectual Property Organization (WIPO) has played a key role in addressing these issues on a global scale. In 2000, WIPO created a group called the IGC to develop an international legal framework to protect indigenous knowledge and culture. However, despite a long period of negotiation, a binding international agreement has not yet been reached because it remains elusive.

This topic involves key states that can even be seen as working towards the acceptance of indigenous ideas and how they have a way to be properly adapted and coexist with the modern world. These states have considerably large indigenous populations in proportion as Australia, Canada, New Zealand and Brazil, as well as Africa and Asia where knowledge and traditions have a great impact on the economy. These nations are examples of how this process of dialogue is necessary to create an international system that is focused on protecting the identity of indigenous groups.

The challenge is to create a balance between protecting Indigenous knowledge but enabling it in a way that benefits Indigenous communities. Meanwhile, the Nagoya Protocol, adopted under the Convention on Biological Diversity, provides a framework for access and benefit sharing related to genetic resources, including traditional knowledge. But, the implementation of such agreements is often addressed with difficulties, including the need for capacity-building in Indigenous communities to ensure they can effectively participate in and benefit



from these frameworks.

There are many gaps remaining, Indigenous communities continue to struggle with the misappropriation of their knowledge and cultural expressions, often by multinational corporations in sectors such as pharmaceuticals, agriculture, and fashion. These issues raise critical questions about consent, benefit-sharing, and the ability of existing intellectual property systems to accommodate the rights and needs of Indigenous peoples.

Moving forward, it is crucial to continue international dialogues under WIPO and to create relevant structures to develop legal instruments that effectively protect Indigenous knowledge.

This includes generating a study on the way they live and analyzing the impact of using their knowledge to generate a benefit, to know if they really need it, and if so, to generate strategies among the state to ensure greater welfare. The objective is to analyze whether it is necessary to seek the protection of traditions and years of evolution.

Key questions:

1. What processes should be put in place to protect indigenous knowledge from misappropriation?
2. How can international intellectual property systems be adapted to take into account and protect the collective nature of indigenous knowledge?
3. What role should indigenous communities play in the implementation of their knowledge and cultural heritage?
4. How can benefit-sharing processes be revamped to ensure that indigenous communities receive fair compensation for the use of their knowledge?
5. What are the challenges and opportunities in creating an international agreement on the preservation of indigenous knowledge?

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TOPIC B:

AI and the multilateral Approach to Intellectual Property Protection

Artificial intelligence is changing the world by opening up new avenues for innovation and work across a wide range of industries. The advancement of AI poses challenges to existing laws, particularly those related to intellectual property. The World Intellectual Property Organization plays a critical role in addressing these challenges by helping countries work together to protect intellectual property around the world.

While the world advances, AI is changing the way things are created and manufactured. For example, machines can now invent new technologies, produce creative content, and even solve complex problems that previously required human intelligence. Even though current intellectual property laws were redacted a long time before the development of AI, as result, law struggles to address the new challenges that AI presents.

This leads to a huge problem; AI work is not protected by copyright laws and AI inventions can not be patented. Somehow, we need to find who should have the patent of an AI generated work, as patents are typically given to human inventors, but with AI it is unclear who should own the patent; should it be the person who created the AI, the AI itself, or someone else?

As said before, another concern is copyright law, the law that protects creative works such as music, books, and art. Before AI was capable of producing high quality content on its own with minimal human intervention, copyright was granted to human creators. But now, things have changed a lot, raising the question: AI generated works should be protected by copyright? And if so, who should own those rights?

As the leading international intellectual property organization, WIPO wants to help countries develop and coordinate their intellectual property policies. WIPO is well positioned to lead discussions on how to address the challenges of protecting intellectual property involving AI, the mission is that countries work together to create global standards that everyone can follow and that ensure consistency and fairness across borders.

There are many international key characters at the center of this debate. such as the United States and China, two countries leaders in artificial intelligence technology who have strong interests in creating global laws that protect their innovations and trying to promote international standards. The European Union has also taken the lead in addressing legal issues related to AI and will influence the global debate on AI and intellectual property. Countries such as Japan, South Korea and India, with their growing AI industries, will also play a key role in shaping a fair and inclusive global framework.

Technology companies such as Google, IBM and Microsoft are at the forefront of AI development and have played a major role in developing intellectual property laws. These

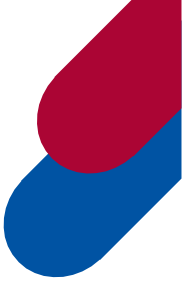
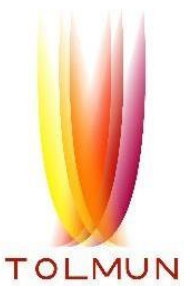


companies, along with leading academic institutions such as MIT and Tsinghua University, will play a decisive role in developing policies that reflect the realities of AI innovation. Under WIPO, these stakeholders should work together to develop international guidelines or model laws that could help with the main issue.

The global AI market was valued at \$136.55 billion in 2022 and forecasts suggest it could reach \$1.81 trillion by 2030. This highlights the importance of protecting AI-related innovations through strong intellectual property laws. In addition, the number of AI-related patent applications has increased significantly: more than 340,000 patents were filed worldwide in 2020, an increase of 28% compared to the previous year. (*The Global AI Market Is Expected to Reach \$1.81 Trillion by 2030, 2024*).

There is an obvious need to address this challenges as soon as possible, but despite our best efforts, significant gaps remain in the global approach to AI and intellectual property. WIPO has initiated discussions on these issues involving many Member States and stakeholders. Therefore, we need a comprehensive international framework that specifically addresses AI-related intellectual property challenges. Some countries, such as Japan and South Korea, have begun to develop their own policies, but without a coordinated global approach, policies risk being fragmented and inconsistent.

WIPO is expected to promote the development of international guidelines that can be adopted by Member States to ensure a consistent approach to protecting AI related intellectual property worldwide. This framework should balance the need to protect the rights of innovators with the importance of making AI technologies accessible to all countries, particularly developing countries. Some ethical considerations, such as fairness, transparency and social impact must be integrated into intellectual property laws to make sure new intellectual property laws benefit everyone and every creation.



Key questions:

1. What is your country's current stance on AI related intellectual property rights, and how does it align with or differ from international standards?
2. How can your country contribute to the development of a multilateral framework that balances innovation with the protection of intellectual property rights in AI?
3. In what ways can your country support developing nations in building capacity for AI innovation while ensuring intellectual property protections are equitable and inclusive?
4. How should your country approach the ethical implications of AI, talking about intellectual property, particularly regarding fairness, transparency, and access to technology?

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President

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NOTE:.. Search in the following drive for the committee you belong to and upload your position sheet there. Deadline October 1st
<https://drive.google.com/drive/folders/1rAAW1-t9XMhqn5GwERTqPgmZCAIztI5S?usp=sharing>