



Distant Policies

A distant learning module for scientists on Genetic Resources Policies and their implications for Freedom-to-operate

Welcome

Rules and
regulations

Freedom to
operate discussed

Assessing
your Freedom
to Operate

Get your
'GCP-IP degree'

Distant Policies

A distant learning module for scientists on
Genetic Resources Policies
and their implications for 'Freedom-to-Operate'

Robin Pistorius & Niels Louwaars (WUR)



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Framework within GCP

- **2004/05 policy issues book (available)**
- **2005**
 - **Policy session in CAAS-GCP Conference**
 - **Development of curriculum for regional courses (WUR-IAC)**
 - **IP-PGR helpdesk (CAS) & on-line resource**
 - ***Distance learning course* (WUR-CGN)**
 - **Asset reporting – inventory of GCP tools (CAS)**



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People involved

- **Carmen de Vicente**
 - SP5 – leader

- **Victoria Henson-Appolonio**
 - IPGRI / CAS-IP

- **Niels Louwaars, Wageningen UR**
 - GCP policy research group
 - Project leader - author

- **Robin Pistorius, consultant**
 - Course design, management, author

- **Various resource persons**



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AIM

- The **Distance learning module on Genetic Resources Policies** is to provide a basic and practical distance-learning module to:
 - help scientists of Generation Challenge Programme (GCP) projects to understand the importance of rights associated with the access and use of plant genetic resources and tools, methods and products protected by intellectual property rights (IPRs) and contracts when the results of research are to be used freely by smallholder farmers.



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AUDIENCE

- Scientists in GCP projects on genomics, bioinformatics or crop improvement who operate at a considerable distance from (inter)national PGR regulations and IPR.
- Scientists at NARS and other persons receiving GCP-products that need to be aware of possible strings attached to these (intermediary) products.



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APPROACH

- Creating **awareness** of the existence of limitations to freedom-to-operate based on international policies and national regulations, especially given that the products of their research have to be freely available to resource-poor farmers.
- By enhancing basic **knowledge** of national and international agreements in relation to different types of GCP-scientific areas.
- Development of **skills** that will allow the participants:
 - to better communicate with specialists in this field: lawyers in their institution and technology transfer specialists
 - to analyze possible ownership issues and adapt project planning where necessary
 - to include the regulatory issues in technology transfer plans



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GENERAL CONTENT

- **A mediated course on genetic resources policies based on a 'story line' concept with a focus on:**
 - institutional genetic resources policies (ASK)
 - implications of national regulatory frameworks and international agreements on institutions
- **A self-test option for**
 - basic understanding of information per module,
 - ability to apply information in practice
- **An information base with sheets on:**
 - agreement texts
 - standard contracts
 - examples of IP Management Plans
 - literature references
 - GCP policy papers
- **A linkage with IPGRI/CAS-IP on-line helpdesk**
- **Production of a CD-ROM version.**



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COURSE OUTLINE

PART 1

- **Focus:** State of the art of IP&PGR regulation
- **Actions:** Introduction and matching of course members and experts (role play).
- **Storyboard:** The Agro-centre for Science and Knowledge (ASK) is confronted with IP / ABS regulation.
- **Output:**
 - A better understanding of the problem of IP / ABS regulation within the GCP environment.
 - Matching experts and course member.



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COURSE OUTLINE

PART 2

- **Focus:** Diverging interests within institutions regarding IP.
- **Actions:** 'Role play' among Agro-centre for Science and Knowledge (ASK) staff.
- **Storyboard:** Discussion among staff of ASK. Issues are:
 - PVP or patents? How to protect, where to protect? How to manage costs? When to withdraw?
 - *Sui generis* or not?
 - Commercializing public inventions or not? (Exclusive license; own management?)
 - Getting to grips with access and benefit regulation (CBD / IT)
 - The world of MTA's
 - Breeding becomes biotechnology (negotiate biotech patents?).
- **Output:** Balanced and realistic view on how an innovative institute confronted with IP/PGR regulation can find creative solutions.



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COURSE OUTLINE

PART 3

- **Focus:** Country- and organization-specific assessment of *Freedom to Operate* when using non-local materials.
- **Actions:**
 - Development of regulation-matrix per participant (examples from Kenya, China, Colombia, Uganda, India).
 - Experts (i.e. ASK team-members) assist in setting up this matrix.
- **Storyboard:** own institution's IP Policy is developed as a co-product of the course participants.
- **Output:**
 - Detailed insight in Freedom to Operate of participant
 - Participant is introduced in network of experts.



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COURSE OUTLINE

PART 4

- **Focus:** How to take steps to obtain an institutional, national and international 'green light' to continue crop improvement?
- **Actions:** Problem solving per participant on IP / ABS issues
- **Storyboard:**
 - Participants are invited to lay down their IP questions to the IP/ABS-expert team.
 - ASK IP expert team adopts the problems and works on concrete solutions.
- **Output:** Better view on juridical and institutional space to assess one's own Freedom to Operate.



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QUESTIONS

- What message to use when advertising this course among GCP members ?
- What number of people to count on?
- ...



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THANK YOU