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Technology Transfer Under Trips: Tripping the Developing Countries

TECHNOLOGY TRANSFER UNDER TRIPS: TRIPPING THE DEVELOPING COUNTRIES

by

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ABSTRACT

TRIPs recognises the special needs of the developing and least developed countries (LDCs) and to facilitate them devise a sound and plausible technical base, transfer of technology has been established as one of the fundamental principles of the TRIPs agreement. A thorough study tells us that the provisions related to technology transfer have been included as a result of a bargain between the developed and the developing countries or the LDCs.

In 2005, for proper implementation of TRIPs, the developing countries and the LDCs were asked to provide information as to their needs and aspirations from the developed countries but they slept on the request instead of performing a bit to actually analyze their needs. Only five countries submitted their reports and that paved the way for analyzing the requirements of the developing countries and the LDCs. Against the background of the requirements of these countries, the efforts made by the developed countries in wake of their duty and obligations under Article 66(2) of the TRIPs agreement were also not satisfactory.

Though, the developed countries also face many problems in transferring technologies but a joint effort can provide a solution to these problems. A combined effort should be made by the LDCs taking support from developing countries and some changes



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should be proposed in the technology transfer provisions which in the present scenario lack perfection and be replaced by provisions putting enforceable obligations on the developed countries. Also, government funded research should be promoted. It seems that in the issue of 'technology transfer', both the parties need to harmonize their endeavour and it should be done only under the aegis of the WTO and the vital role is to be played by the LDCs to change the existing situation for which they should form a pool and work together for improving their bargaining power in the WTO.

Keywords: TRIPs; Intellectual Property; Least Developed Countries (LDCs); Technology Transfer; World Trade Organisation (WTO)

The dire need to accrue a law related to intellectual property at global level was felt in the late 20th century, because of the non-rivalrous and non-excludable characteristic of the intellectual property. From its inception till the last decade of 20th century, the intellectual property law has transformed into its new avatar through three stages. The first period was '*territorial period*' in which the protection to intellectual property was up to a particular territory or up to an individual state. The '*international period*' was the second period which started at the end of 19th century during which the developed countries breaks away from the concept of 'territorial protection' of intellectual property, while preserving all the basic tenets of intellectual property law. What prevails today is the third stage, i.e. globalization of intellectual property law. With the

amelioration in the intellectual property law, the protections of the intellectual property rights were improved and were recognised as an essential part of the international trade. The development of the intellectual property law in the third phase focussed on its international enforcement and the protection of rights at international level; also the sphere of intellectual property was enhanced with respect to its subject areas and the jurisdiction.¹ The world's most industrialized and developed countries, especially U.S. and the countries of the European Union, initiated the process of globalization in the mid 1980's. The issue of technology transfer at international level was first brought up in 1960s, in the United Nations Conference on Trade and Development (UNCTAD) by United Nations. The first instrument documented on International



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Technology Transfer (ITT) was 'International Code of Conduct on the Transfer of Technology' which must be attributed to the UNCTAD.

I. PROVISIONS RELATED TO TECHNOLOGY TRANSFER

During the late 20th century, the least developed and developing countries on one hand and the developed and industrialized countries on the other were confronted with two different problems with respect to the intellectual property rights protection at international scenario.

The former, was perturbed about the access to latest technologies. In contrast, the developed and the industrialized countries, as the architect of IP protected goods, were troubled about the feeble implementation of IP rights in least developed countries.² The issue of implementation was successfully placed by the developed countries on the agenda of GATT's Uruguay round.³ During GATT's negotiations, the developing and the least developed countries were pressing the issue of technology transfer, while the industrialized and developed nations were pushing for the enforcement of IP rights in the developing and least developed nations.⁴ Thus the tussle between the developed and the least developed nations leads to the introduction of the provisions related to the protection of IP rights under Part III of TRIPs and provision related to 'transfer of technology'. The provisions related to technology transfer and protection of IP rights are incorporated in various WTO agreements, for example, in Agreement on Trade Related aspects of Intellectual Property (TRIPs), Agreement on Technical Barriers to Trade (TBT), Agreement on Application of Sanitary and Phytosanitary Measures (SPS), Agreement on Subsidies and Countervailing Measures (SCM), General Agreement on Trade in Service (GATS), Agreement on Trade Related Investment Measures (TRIMs).⁵ The protectionist approach of WTO has narrowed down the possibilities available to the developing and least developing nations of getting industrialized in the last century. In this WTO regime, the concept of 'technology transfer' acts as an exception to the general principle of protectionism which endorse the developed and industrialized economies and leaves modicum space for the least developed and developing economies. Because of this, there is a devoir to make



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meticulous efforts with well-defined objectives for enhancing technology transfer to least and developing countries within the ambit of the WTO.⁶

The extent of this research paper is restricted to the TRIPs agreement and the prevailing mechanism of the technology transfer which has been established on the fundamentals of its provisions. In its preamble, the TRIPs recognises the specialized needs of the developing and the least developed nations in order to facilitate them to devise a sound and plausible technical base and one of the objective is of transfer and distribution of technology.⁷ TRIPs likewise recognise the necessity for preventive measures required to protect the practices which can affect the technology transfer.⁸ Article 66(2) of the TRIPs agreement is one of the essential provisions, with regards to the transfer of technology at global level, which articulates that the industrialized and the developed nations should entice the institutions, companies and enterprises in their jurisdiction for bolstering international transfer of technology to the least developed and developing country members.⁹ Article 66(2) is *de rigueur* in nature, but it is not backed by any protocol for its proper implementation; also no device is available through which conduct of the industrialized and developed nations may be measured. The TRIPs agreement under Article 40, acknowledges the fact that some competitive activities might restrain licensing practices or circumstances may restrict the distribution and transfer of technology, but it does not lay down any obligation on signatory state.

After analysing the TRIPs agreement, we found out that the provisions related to transfer of technology were included as a result of a bargain between the least developed nations and the developed nations for provisions on intellectual property rights enforcement, ostensibly the erstwhile was simply not a match for latter. The technology transfer provision under TRIPs neither provides for any minimal threshold limit of obligation nor caters guidelines for their implementation, unlike the intellectual property enforcement under TRIPs. The apparent impotency of these provisions leads the least developed and the developing countries to object and raise their concern against the issue of transfer of technology in the WTO regime.¹⁰



In 2001, the least developed and the developing countries put forth their concern as the major issue to be discussed in the *Fourth WTO Ministerial Conference*¹¹ held in Doha, Qatar. In the conference, it was proposed by most of the participating least developed and developing countries to set-up a 'Working group' under the direct control of the WTO General Council, which will study the relationship between the technology transfer and the international trade and will also make recommendations to facilitate and improve the flow of technology to the least developed and the developing countries. The "Working Group on Trade and Transfer of Technology (WGTTT)" was established after the proposal made by the developing and the least developed countries.¹² The benefit of Doha declaration was that it aims to improve transfer of technology to the developing countries but it doesn't materially affect the position of the least developed and the developing countries in relation to their participation in the group proceedings. Since 2002, WGTTT organises three to four meetings each year, and the reports of the meetings are submitted to the General Council of WTO. Another significant change brought by Doha declaration is that it makes mandatory for the developed country members to submit a report regarding the steps taken by them to incentivize their enterprises for the technology transfer to the least developed and the developing countries in pursuance of Article 66(2) of the TRIPs agreement.¹³ This decision has placed obligations on the industrialized and the developed country members for technology transfer and has put to use the Article 66(2) of the TRIPs agreement.

II. THE NEED OF LEAST DEVELOPED COUNTRIES

For addressing the problems related to the technology transfer, the fundamental step is to identify the needs of the least developed countries. To cater to the needs of the LDCs, the TRIPs Council in November, 2005 took a decision and asked the LDCs to provide necessary information as to their needs, so as to implement TRIPs properly, be it technical assistance or the financial assistance or any other assistance as they may require.¹⁴ The fact that the above mentioned steps were taken after four years of the establishment of "WGTTT" and the Doha declaration, makes the structure of WTO look unpromising. However, the incompetence cannot be ascribed to only the TRIPs Council, WTO or the industrialized and developed country members. The reports and the notes of the "WGTTT" proceedings from 2002 to 2010 actually shows that the least developed and the developing countries only kept on stressing the requirement of technology transfer instead of performing a bit to actually analyze their needs. The notable instance



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is that according to an agreement of the TRIPs Council, the LDCs were asked to give information regarding their aspirations from developed countries regarding technology transfer till 1st January 2008, but till 2012 only 5 out of 48 least developed nations as recognized by the UN have tabled their reports to the Council. These 5 least developed nations were Sierra Leone (submitted in 2007 and 2008), Uganda (in 2007-2008), Tanzania and Rwanda (both in 2010) and Bangladesh who has also submitted the report in 2010. The reports submitted by these countries are a great source for recognizing the requirements of the LDCs and an analysis of the reports is discussed below.

Uganda and Sierra Leone were first amongst the LDCs to submit the report before the TRIPs Council. *Sierra Leone*¹⁵ in its submission recognizes various problems like institutional weakness, low technological base, human social and economic development and the poor education system as its major problem. As observed in the report, the Sierra Leone, ICTSD-Saana Consulting and U.K. Department for International Development (DFID) are working in the close collaboration for solving these problems. Some suggestions were also included in this report in relation to technology transfer which include, (i) A scoping analysis for examining how transfer of technology, domestic creativity and innovation can be provoked through indigenous measures and external help from developed and industrialized countries under Article 66(2); (ii) Technological and fiscal assistance establishing the system of education and to organise campaigns for increasing awareness among people about intellectual property management for small and medium enterprises (SMEs) and utilizing intellectual property for development; (iii) Development of Patent Information System (PIS) to encourage technology transfer and innovation. As the report urges, for analyzing technologies and technical information, the PIS should be capable of searching global patent database, which can be used for transfer of technology to Sierra Leone for its main sectors like forestry, fishing, agriculture and mining; and (iv) Technological and fiscal help for constructing infrastructure of judicial and administrative forums for intellectual property.

Uganda has also submitted the report in the same year, and it identifies the similar issues as identified by Sierra Leone and the solutions proposed were also similar as in the report submitted by Sierra Leone.¹⁶ Ugandan report has suggested various important solution which are (i) enhancing business education and increasing awareness about intellectual property for SMEs and aiming the agriculture, creative

industries and manufacturing



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sector in particular, and (ii) development of PIS to support novelty and transfer of technology. The report also talks about the need for technological and fiscal support for capacity building to indigenously develop intellectual property and also for making them identify transferable technologies and to put them in use.

The report submitted by Tanzania in 2010 shows a similar picture of want of technological base, the report lacks the measures that can help develop intellectual property and in technology transfer.¹⁷ As in the reports submitted by Sierra Leone and Uganda, the report submitted by Rwanda recognises the technological and financial support for infrastructure development and capacity building in each and every area related to intellectual property and education.¹⁸ Particularly, the report talks about the support which the Rwanda's intellectual property institutions required for (i) furnishing PIS concerning patents internationally and importantly in Rwanda; (ii) facilitating Rwandan enterprises in recognizing appropriate technologies in public domain; (iii) aiding corporation's in finding germane technologies from patent information, recognizing subject matter that can be protected and addressing issues related to licensing; (iv) establishing technology transfer and intellectual property help desk; and (v) for enhancing patenting and dissemination of patented technological information. Regardless of facing social and economical problems in recent past,¹⁹ Rwanda has done well in improving their economy. For technology transfer, it has set up a programme on science, technology and innovation; under this a knowledge transfer programme has been started.

After analyzing these reports, the requirements of the LDCs of Africa can be briefed as follows: 'a study to find out how domestic creativity and technology transfer can be stimulated', 'education system, employing intellectual property for development, crusades for increasing intellectual property management awareness', for recognizing transferable technologies, PIS should be developed with the convenience of finding global patent databases', 'developing judicial, administrative and research oriented infrastructure for promoting and managing technology transfer'.

Against the background of the requirements of the LDCs and the solutions to fulfil them, the efforts made by the developed countries which are members of the WTO in wake of their duty and obligations under Article



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66 (2) of the TRIPs agreement should also be examined. This article will talk about the efforts made by the European Union (EU) for LDCs in Africa.

European Union filed a report in the year 2010 on the implementation of Article 66 (2) of the TRIPs agreement²⁰, as per the report huge numbers of the projects have been started by the EU for the benefit of the LDCs of the Africa under different heads. The projects undertaken cover various numbers of fields which are important not only for transfer and dissemination of scientific knowledge, technical management for organising and conducting research, mining but also for poverty alleviation and for solving the problem of food security, etc. The 2010 report also talks about a large number of initiatives started by at least 10 European nations in the fields discussed above. For instance, Belgium itself is managing around 12 projects on different

intellectual property heads. The report prepared was in alliance with the guidelines laid down by the TRIPs Council through its decision on 19 February 2003²¹ and the initiatives mentioned in the report represent a positive account of the European Union.²²

A critical analysis of the report submitted by the European Union as such does not illustrate that a structured plan was followed by them, which is probably needed. According to professor Gervais and Reichman (2004), there are three steps involved in the process to develop a sound technical base and the process starts with a step towards imitation, then it is followed by the process of adaptation and in the end a nation begins innovation in its own right. The feasibility of this formula can be perceived from the success memoir of the countries like India, Brazil, Russia and China. Nevertheless, in order to reach to the first step of imitation, what is required is the critical mass of technical information along with human resource²³ which up to some extent all these four countries had. According to the reports submitted to TRIPs Council, for the LDCs of Africa, a distinct approach should be adopted with more accuracy in planning in the case of each least developed country. Regardless of huge expenditure and large number of projects undertaken by the European Union, the initiatives are turning to be fruitless and do not seem to be solving the basic problems of the LDCs as cited by them in their report to the TRIPs Council.²⁴ At present, there are no means available to evaluate the achievements of the developed and industrialized nation's efforts, and now it will be pertinent to anticipate



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how the LDCs themselves fell. Rwanda, a beneficiary of the projects undertaken by the European Union as mentioned in at least eight distinct projects reports in the year 2010, has mentioned in its own report that there is no empirical evidence of its getting any benefit from these specific programmes²⁵. Another noteworthy facet of the European Report is that the initiatives it acknowledges were not started for accomplishing the obligations under Article 66(2) of the TRIPs agreement, for example, the 6th and the 7th framework programs. The European Union research policy on the global level is a chunk of its agenda from 1950 onwards and the first program for the technical and research development was introduced in late 1980s. Hence, it is not a part of the coordinated and orderly efforts for boosting technology transfer to LDCs as was the real goal behind introducing technology transfer provisions in WTO.

III. ON MANDATORY NATURE OF TECHNOLOGY TRANSFER PROVISION

The LDCs were concerned about the non-consequential structure of Article 66(2) of the TRIPs agreement and has been raising their voices since the passing of the decision of February 2003 of the TRIPs Council over the implementation of the provision. For example, some changes in Article 66(2)²⁶ were proposed by Uganda in June, 2002 for advancing the monitoring of the initiatives undertaken by the industrialized and developed countries. Uganda proposed many solutions and one of them was to put strict measures against the industrialized and developed countries' members, if these countries were not able to adhere to the reporting mechanism, when the failure would lead to a breach of WTO obligations. Obviously, developed countries have put resistance on this proposal made by Uganda.²⁷

IV. PROBLEMS OF THE DEVELOPED COUNTRIES

Industrialized Countries hold 97% of all the patents in the world as per the United Nations Development Programme (UNDP), Human Development Report (HDR) 2000²⁸. Nevertheless, the multinational companies (MNC) own more than 90% of all the

patents on technology and product patents. The developed countries on this basis argue that it is almost impossible to transfer technology for them to the LDCs. One of the proposed solution to the above problem is that, the developed countries and the LDCs should



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first recognize the IP protected knowledge specially patents, which were not owned by the private parties and are owned by the government or the public institutions or non-commercial organisations and this can easily be done by two measures as mentioned in the report submitted by the LDCs to the TRIPs Council that is *either through PIS or through a scooping study*. All these and other similar concepts can be accepted, but what is more beneficial to the LDCs is to provide them with the support to develop infrastructure, by which the technologies can be transferred more easily and effectively and can be retained. The local IP protection regime can help to boost the innovation indigenously and will lead to develop the more marketable goods which can address the needs of the LDCs for instance agriculture and public health.

Another solution to tackle the problem of most patents being owned by the private players can be resolved by charging a fee on the patent applications under an international treaty and the revenue generated from these can be used to purchase the patents owned by the commercial organisations for the LDCs. This is the remedy proposed by the Hoekman, Maskus and Saggi for advancing the intellectual property rights administrative system in the least developed and the developing countries.²⁹

V. GOAL OF INTERNATIONAL TECHNOLOGY TRANSFER

Before moving towards goal of technology transfer, we should know what technology transfer actually means. The technology transfer comprises of successful learning of useful information by the weaker party from the stronger party, and to learn the proper utilization of that knowledge in producing marketable goods and services.³⁰ The above definition includes two things, in its first part, it talks about international technology transfer and in second part, it aptly talks about the goals in the latter part. Considering the discussions about technology transfer and the aforementioned definition, it appears that for the LDCs the need of the hour is to develop institutions from which the technology transfer can be systematically and continuously fostered. These institutions can be used as a foundation for building the intellectual property and the least LDCs will get a platform through which they can achieve their goal of technology transfer that is to indigenously develop marketable goods and services. Still, as mentioned above, this needs systematic and orderly efforts. As long as the provisions of TRIPs and other international statutory provisions on technology transfer



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lack mandatory character³¹, the developed and the industrialized nations will make efforts as to their whims and fancies and as per their agendas aiming only to fulfil their obligations ostensibly. This will only provide very little to no help to the LDCs in preparing a feasible technological base.

VI. POSSIBLE SOLUTION

Considering the fact that how the intellectual property rights enforcement provision

were negotiated for technology transfer, the Doha Declaration Agenda and the Decision of TRIPs Council of 19 February 2003, the issue of technology transfer needs to be resolved more systematically and orderly for securing the ultimate aim of socio-economic and technical development. A combined effort should be made by the LDCs taking support from developing countries and some changes should be proposed in the technology transfer provisions which in the present scenario lack perfection and be replaced by provisions putting enforceable obligations on the developed countries. For proposing the amendments in the provisions related to technology transfer, LDCs should take help of the objectives behind introducing the technology transfer provision in the WTO regime or in the TRIPs Agreement. There should be a timeline for the LDCs and within that time frame they have to transpose the intellectual property rights enforcement provisions of the TRIPs agreement in their laws. As against this, the technology transfer provisions don't have any such precondition. The LDCs can also consider introducing some provisions containing an enforcement mechanism for technology transfer. These provisions may introduce obligations related to conducting scoping studies for LDCs, instrument for deciding the timelines for accomplishing the obligations and the consequences of failure to execute.

The provisions related to technology transfer under WTO also need a significant change, which is mainly to delete the segregation between the LDCs and the developing countries. There are some agreements which contain provisions only to benefit the developing countries like the 'Agreement on the Application of Sanitary and Phytosanitary Measures' contains provisions for technological support from the developed countries, but these provisions only recognize developing countries as their beneficiaries. So, these practices should be stopped and the provisions should be amended to benefit both the least developed and the developing countries.

Another important suggestion was made by Barton and Maskus who proposed to start a dialogue on a treaty on "*Access to Basic Science and Technology*" under WTO and with this treaty the research funded by the government or public institutions can be put in the public domain and the



global commons can be conserved and enhanced.³² The new treaty or the amendments in the existing provision should determine the measures taken by the industrialized and developed nations and the repercussions for its failure. As already mentioned, the LDCs should also consider for proposing a fee on the private players, so that the revenue generated could be used by them for purchasing the privately owned patents and technologies for them. This system is the best system for reducing problem and is free from various problems like scrutinizing the efforts by the developed countries, etc.

VII. CONCLUSION

The recent complaint filed by the European Union to the WTO against China alleging that the European companies coming to China are "forced to grant ownership or usage rights of their technology to domestic Chinese entities and are deprived of the ability to freely negotiate market-based terms in technology transfer agreements" has ignited the debate related to technology transfer under the TRIPs. A similar complaint was filed by the United States in the month of March against China on the similar grounds.

After analyzing the various aspects of technology transfer and the recent conflicts on various issues, it seems that in the issue of technology transfer both the parties need to harmonize their endeavour and it should be done only under the aegis of the WTO. The first step to be taken by the LDCs should be to reckon individual needs and

propose well defined needs with explicit aims and objectives. Such proposal can be to conduct a scoping study with every least developed country. One such study was done by the 'Sanna Consulting' in the year 2007 for Rwanda which has been mentioned in the Rwanda's report to the TRIPs Council. However it is very arduous to recognize that whether any projects have been started based on that report. But the benefit of this is that the LDCs on the basis of these proposals can coax WTO and its members to fulfil their duties as mentioned under Article 66(2) of the TRIPs Agreement and other technology transfer provisions in the WTO agreements. Earnestness of the LDCs in pursuing the technology transfer can play an important role for them, but the need of the hour is that they have to be arduous to bring any actual change in the existent technology transfer mechanism. At present, the situation seems to be very austere. In 10 years, only 5 of the LDCs out of 48 have submitted their proposals based on their needs in technology transfer and technical guidance. The most important work is to be done by the least developed countries to change the existing situation for which they should form a pool and work together for improving their bargaining power in the WTO.

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¹ Drahos P., "The Universality of Intellectual Property Rights: Origins and Development" 13-41 (1999).

² For example, US and the European Community entered into an agreement called "The Agreement on Measures to Discourage the Importation of Counterfeit Goods" (1979) and was to be made part of GATT.

³ Congressional Research Service Report (2007).

⁴ TRIPs: Issues Technology Transfer, WTO 2011, (March 14, 2018 at 11.04 A.M.), <http://www.wto.org/english/tratope/tripse/techtranfere.htm>.

⁵ Compendium of International Arrangements on Transfer of Technology: Selected Instruments, (2 April, 2014 at 15.50 A.M.), <http://www.unctad.org/en/docs/psiteipcm5.en.pdf>.

⁶ Hoekman, working paper on "Transfer of Technology to Developing Countries: Unilateral and Multilateral Policy Options", University of Colorado (2004).

⁷ Agreement on Trade-Related Aspects of Intellectual Property Rights, Art. 7, 1 January 1995.

⁸ Agreement on Trade-Related Aspects of Intellectual Property Rights, Art. 8, 1 January 1995.

⁹ *Supra* note 8, Art. 66(2). It only refers to the least developed country as the potential beneficiaries of technology transfer, but Para 37 of the Doha Declaration, 2001 refers to the developing countries. Also, Art. 66 (2) has been used by both the least developed and the developing countries to increase flow of transfer of technology.

¹⁰ Proposal for the Establishment of a Working Group, Reference no. WT/GC/W/443, (June 3, 2018, 05:00 P.M.), http://www.wto.org/english/thewto_e/minist_e/min01_e/proposals_e/wt_gc_w443.doc.

¹¹ Agreement Establishing the World Trade Organization, Art. 4, 1 January 1995.

¹² Declaration of the Fourth Ministerial Conference, Doha, Para 37, November 2001.

¹³ *Ibid.* S.11(2).

¹⁴ Decision of the TRIPs Council, Part II, Reference no. IP/C/40, (28 April, 2018 01:15 P.M.) http://www.wto.org/english/tratop_e/trips_e/ta_docs_e/7_1_ipc40_e.pdf.

¹⁵ Communication from Sierra Leone, TRIPs Council, Reference no. IP/C/W/499, (23 March, 2018, 07:00 P.M.) <http://docsonline.wto.org/imrd/directdoc.asp?DDFDocuments/t/IP/C/W499.doc>.

¹⁶ Communication from Uganda, TRIPs Council, Reference no. IP/C/W/500, (23 March, 2018, 09:00 P.M.)

<http://docsonline.wto.org/imrd/directdoc.asp?DDFDocuments/t/IP/C/W500.doc>.

¹⁷ Communication from Tanzania, TRIPs Council, Reference no. IP/C/W/552 (23 March, 2018, 09:00 P.M.)
<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=t:/IP/C/W552.doc>.

¹⁸ Communication from Rwanda, TRIPs Council, Reference no. IP/C/W/548, (25 March, 2018, 02:00 P.M.)
<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=t:/IP/C/W548.doc>.

¹⁹ 50% of the yearly budget of Rwanda was funded by the donors. Also it has faced many civil wars and genocide in past 15 years.

²⁰ Report submitted on the Implementation of Art. 66(2), European Union, Reference no. IP/C/W/536.

²¹ Decision of the TRIPs Council, Reference no. IP/C/28 (20 February, 2003).

²² Since the beginning of the report filling system for technology transfer, only five reviews of the yearly report has been done by the TRIPs.

²³ Gervais, *Intellectual Property, Trade & Development* (Oxford University Press, 2004).

²⁴ Exception to this is a study conducted by ICTSD for Rwanda, (23 April, 2018 08:00 A.M.)
<http://ictsd.net/i/ip/technicalcooperation/11549>.

²⁵ *Supra* note 18.

²⁶ Proposal received from Uganda in the TRIPs Council meeting dated June 2002, Reference no. IP/C/357.

²⁷ Issues raised by European Union and the US, in TRIPs Council meeting no. IP/C/M/36/Add.1 (June 2002), Reference.

²⁸ Towhidul, "Implications of the TRIPs Agreement in Bangladesh: Prospects and Concerns", 2009 Macquarie Journal of Business Law, 01.

²⁹ *Supra* note 6.

³⁰ Hamdani, "First Session of the Working Group of WTO on Transfer of Technology" (2002).

³¹ Meetings of WGTTT, Reference no. WT/WGTTT/M/1 (2002).

³² UNESCO, Project 931/NIR/1000 (2007).

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