



**WIPO**

ELECTION 2020

**CANDIDATURE OF THE COLOMBIAN EXPERT  
MARCO M. ALEMAN  
FOR THE POSITION OF DIRECTOR-GENERAL**



**Mr. MARCO M. ALEMAN**

**WIPO / OMPI**  
ELECTION 2020

# I. CANDIDATURE OF THE GOVERNMENT OF COLOMBIA

## Letter of H.E., the Minister of Foreign Affairs of Colombia (Non official translation)

S-DVAM-19-047457

Bogotá, November 15, 2019

Excellency,

I have the honour to address this note to you in reference to your communication dated September 30<sup>th</sup>, 2019, regarding the nomination of candidates for the position of Director General of the World Intellectual Property Organization (WIPO).

For the Government of the Republic of Colombia, WIPO is a scenario of the highest importance considering our purpose of leading the country on the path of societies based on knowledge and creative industries, which protect their goods and services through intellectual property. Colombia has reiterated its permanent commitment to the Organization and its purpose of leading the development of a balanced and effective international intellectual property system that enables innovation and creativity for the benefit of all.

With the purpose of keeping our contribution to this objective, I have the pleasure to present the candidature of Mr. Marco Matias Alemán to the post of Director General of the World Intellectual Property Organization.

Mr Alemán has extensive knowledge and experience in intellectual property, including over 20 years of professional work at expert and managerial levels at WIPO, where he currently holds the post of Director of the Patent Law Division, office of the utmost importance for intellectual property, in which he has had an outstanding role.

With the confidence that Mr Alemán has the human and professional qualifications to hold this very important position, we present his candidature for the consideration of the Coordination Committee.

I avail myself of this opportunity to renew to your Excellency, the assurances of my highest consideration.

(original signed)  
**CARLOS HOLMES TRUJILLO**  
Minister of Foreign Affairs

His Excellency  
**Mr. FRANÇOIS RIVASSEAU**  
Chair of the WIPO Coordination Committee  
Geneva.

## II. BIOGRAPHY OF Mr. MARCO M. ALEMAN

- Colombian Lawyer (Javeriana University, 1986 to 1991), specialized in Corporate Law (Certificate, 1996), with Advanced Studies in Research (DEA) at the Alcalá University (Spain, 2006) and a Ph.D. in Law (Cum Laude) at the same university.
- 28 years of experience in intellectual property matters, both at the practical level (Head of the Colombian IP office) and at the policy level (holding several positions in WIPO, including the current one as Director of the Patent Law Division).
- Effective consensus-building leader with high diplomatic skills.

### PROFESSIONAL EXPERIENCE

- Mr. Alemán has been working for WIPO during the last 20 years (since 1999), initially as a Senior Program Officer, Cooperation for Developments for Latin American and the Caribbean; then as the Deputy Director, Division for Public Policy and Development; Deputy Director, Patent Law Division and currently as the Director, Patent Law Division.
- Visiting fellow at the Max Planck Institute, Munich (1998, 2nd semester). Former Head of the Colombian Industrial Property Office (1995/98).
- Former IP Attorney (1991/95).
- Professor on IP at the Externado University (Bogotá, from 1994 until now) and invited professor at the University of Alicante (Spain), University of San Andrés (Argentina) and University of Turin (Italy).

### ACHIEVEMENTS

- Mr. Alemán has worked in different capacities. Initially, as an Intellectual Property Attorney, he created the private practice of an important consultancy firm (Top Management). Afterwards, as an official of the Colombian Government, he managed a medium size IP Office, which during that period suffered an important transformation, including the rolling out of new projects, such the creation of national technology information center. He also acted as a negotiator, participating in the construction of the Andean IP Legal Framework (Decision 486 currently in force) and bilateral negotiations (with key commercial partners).
- As a WIPO official, Mr. Alemán has been assisting countries in different regions throughout the world, in drafting their IP laws and policies, as well as leading the work of a WIPO' key substantive division (the Patent Law Division).
- He has contributed greatly on IP developments at the multilateral level, i.e., on the work conducted at the Committee on IP and Development (CDIP) on patent related flexibilities. As well as regarding the international norm setting work of the Standing Committee of the Law of Patents (SCP), where he has been acting as Secretary since 2013, and on the promotion and implementation of multilateral treaties in the field of patents, namely, the Paris Convention (PC), the Patent Law Treaty (PLT) and the Budapest Treaty (BT).

- Regarding international projects, two achievements worth mentioning are, the design and implementation of an international program to assist under resourced inventors to seek patent protection for their inventions (the Inventor Assistance Program) and an international patent drafting program, aimed at creating local capacities in the elaboration of patent applications and improving the number of patents filed by residents.
- His academic contributions on IP matters have been well received by the Academy, IP Offices and Judiciary (particularly within the Andean region, where regularly, decisions from the Andean Tribunal of Justice and scholars quote his articles and books).

## **PUBLICATIONS**

- Trademarks in the Andean Legal system (Book), 1994 Colombian Legal framework on IP matters (Book), 1998.
- Coauthor, Studies in Homage to Mariano Uzcátegui Urdaneta (Caracas, 2011); Bilateral Trade Agreements and Intellectual Property (Heidelberg, 2014); Intellectual Property Study in contemporary issues (México, 2015); and Accords de Technologie / Technology Transactions, Jacques de Werra (ed.), Geneva/ Zurich 2018, Schulthess Editions Romandes.

## **RECOGNITIONS**

- Javeriana University alumni, for his commitment to University Values, Barranquilla, 2005.
- Mexican Institute on IP. Mention of honor for his research and studies on IP matters, D.F. 2016.
- Colombian Association of IP (ACPI). Mention of honor for his career and contribution to IP matters, Bogotá, 2017.
- Colombian IP Office (Superintendence of Industry and Commerce). Mention of honor for his contribution to the international IP system, Medellín, 2017.
- Colombian Embassy in Switzerland. For his role with the community, Bern 2018

## III. PROGRAM

### Positioning WIPO for the challenges ahead

WIPO's shift to a more modern organizational and operational approach, and to reinforce our position of leadership within the IP and IGO communities, is just beginning. With over 20 years of experience delivering results at WIPO, I am committed to driving the organization into this new era, building on our recent achievements.

We all feel the world changing rapidly around us, but we do not fully understand the impact this will have on innovation, creative and entrepreneurial endeavors, the IP system, and the way we do business. For WIPO to remain relevant, it needs to be agile enough to harness the disruption ahead. As we face the crossroads of the fourth industrial revolution, we either embrace it or risk irrelevancy. Under my leadership WIPO would continue to integrate technologies such as artificial intelligence in our activities, while working to analyze and demystify the relationship of such advances with the IP system.

Like us, our stakeholders are reflecting on how the changes will affect them. We can support Member States and others to anticipate and react to important shifts affecting IP, offering guidance as to appropriate strategies. At the same time, it is imperative that we build resiliency into our systems and services, upon which millions of IP users depend, to ensure they remain cost effective and reliable. This will require a renewed partnership with Member States, and intensified engagement with IP users. Ultimately, strong partnerships will be essential to ensuring the IP system fulfils its potential to drive progress and enable economies to prosper.

### Combine Insight and Experience with Inclusive Multilateralism

Our increasingly knowledge-based economies require well-functioning IP systems to thrive. WIPO plays a role in supporting countries to identify what it will take to succeed through their own innovation and creativity. To do this, it is essential for us to serve as the convener of thought leaders, innovators and creators, and policy makers, all of whom must share insights and engage in dialogue about the necessary conditions to achieve these goals, as an example, a Symposiums on trade secrets, organized under my direction took place this year. We also deliver important benchmarks and analysis through intellectual property indicators and economic studies. This focus on expertise and evidence-based research can be scaled, and it should become the prevailing practice at our organization.

Serving as the epicenter for dialogue and research on intellectual property is vital to WIPO's function as a norm-setting organization and manager of the global IP architecture. Maintaining and updating the 26 treaties, which include the international registries, requires the collaboration of Member States. To keep up with the speed of technology development and its impact on our cultures and societies, WIPO's political bodies must work efficiently and decisively. That is only possible if two conditions are met, namely, normative discussions shall not last for decades; otherwise, the outcome when achieved is already irrelevant. On the other hand, building trust among member states and with the Secretariat is indispensable to get the consensus needed to move forward. As the Secretary of the Standing Committee on the Law of Patents (SCP), I have witnessed what a normative body can do when trust improved.

## **Drive Efficiency and Cost-Effectiveness in the IP System**

Core to WIPO's mission is the delivery of efficient and cost-effective mechanisms for the protection of IP rights internationally. It is imperative that we continuously improve these systems, to make sure they bring value to our users.

WIPO must invest in the infrastructure and technology to keep our registries functioning at the high level of quality that our users expect. The international bureau faces a growing volume of applications. We need to ramp up the development of tools to manage the increasing numbers without affecting quality or backlog. We can leverage our size and expertise to streamline not only our own operations, but also support the work of Member States. WIPO should lead the charge to mainstream technologies based on artificial intelligence in the areas of automated classification, helpdesk services, machine translation, and data analysis. Through WIPO's leadership and investment in testing, we can decrease the time and cost to adopt these advances.

To maximize the benefit, we have to expand our partnerships. We must align our registration systems and services with their current and future needs. This requires the development of tools while taking into account a wide variety of approaches, from the individual artist or inventor to public institutions, from small businesses to the largest corporations. And our tools and services should support offices of all sizes, from the smallest operations to the largest.

## **Assist Member States to benefit from IP Systems**

The use of IP systems is highly concentrated and today a number of countries are not yet reaping its benefits. Many countries still fail to experience the positive effects that IP rights can have on achieving their social development and economic goals. WIPO can help Member States bridge this gap. While we provide assistance today, our efforts do not always result in meaningful traction. Effective programs that facilitate access to IP rights and their management to drive advancement must take into account both the benefits the IP system brings together with the other challenges faced by Member States. This holistic approach, anchored in policy coherence and an approach to technical assistance based on a medium-term strategy and appropriately adapted to context, is necessary for WIPO's technical assistance to produce a lasting impact. However, it does not require establishing entirely new programs. Instead, can better utilize WIPO's resources and talent by coordinating our efforts across the organization. Each project we do should be customized for each Member State with an aim towards independence. Our work should feature outcome-driven objectives, analyzed regularly to empower us to change course to adapt to shifts in the environment or priorities. It should also embrace program to expand IP benefit to different fields, like rural tourism development and agroindustry, which tend to benefit from the quality their products.

Putting innovation policy into context is crucial to achieving the UN's Sustainable Development Goals. WIPO must take a leading role in engagement within the UN regarding policies and programs that foster innovation (SDG 9). However, WIPO's involvement should influence discussions beyond innovation. Reducing poverty, inequalities, and promoting inclusive and sustainable economic growth are accelerated by innovation and are therefore central to WIPO's mission. This creates an imperative to engage within the UN system and Member States accordingly.

While WIPO can guide Member States seeking assistance, ultimately countries must take the reins to design work programs that will achieve their own objectives. Consistently, the best results emerge when Member States take on the role of partner rather passive participant. In this regard a program under my leadership, the Inventor Assistance Program (IAP) is a good example. It empowers the local patent office to do outreach and more fully support their under-resourced inventors with guidance from WIPO. This demands moving away from ad-hoc assistance and towards strategically designed engagements that put countries on a more sustainable pathway.

## Structure WIPO's Team for Agility to Accelerate Innovation

WIPO's team must be ready for the disruption ahead. We can empower WIPO staff to work more seamlessly across the organization, encourage deeper collaboration, and reduce duplication. This includes creating new centers of excellence to leverage WIPO's talent across sectors and allowing more room for targeted experimentation. In our projects, our routine practice should be to regularly pulse programs to ensure the best allocation of resources.

A key priority will be to attract and retain top talent who have the skills we need to succeed in the future. Our team should reflect not only a commitment to our mission but also the diversity of Member States and stakeholders we support. Gender equality and women empowerment will be high in the priorities of WIPO management.

Positioning WIPO for the future demands thoughtful leadership, built on the trust of Member States and all stakeholders. I can offer the leadership and transparency necessary to advance WIPO's important work driving innovation, creativity, and the entrepreneurial spirit to everyone's benefit.

