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WIPO leadership field narrows as call made to shift focus away from political power plays

- **Eight candidates for WIPO director general position to be interviewed this week**
- **Behind closed doors lobbying intensifies as US and China jostle over role**
- **IP industry experts urge media to shift focus to right person for job**

This week, hearings are scheduled to take place with the eight candidates for the WIPO director general position, with a final candidate expected to emerge in March. However, the election has become mired in backroom manoeuvring, with one IP expert urging the various countries to “focus on who is the right person for the job”, rather than political point scoring.

Francis Gurry’s term as director general expires on 30 September and 10 candidates were [formally](#) put forward to be his successor. That number has already dropped. Last month Estonia’s Jüri Seilenthal withdrew his candidacy, while yesterday Dámaso Pardo of Argentina pulled out “[for personal reasons](#)”. This leaves eight candidates, hailing from China, Colombia, Ghana, Japan, Nigeria, Peru, the Republic of Kazakhstan and Singapore. Reflecting on the state of play, Tove Graulund (of [Graulund Consulting](#) and previously an external consultant (Madrid Protocol) for WIPO), observes: “In 2008 I think they had 15 candidates. This time we are down to eight, so the numbers are quite low. It’s not all about numbers but that is not so impressive.”

However, the competition is intense and, looking at much of the media coverage, you may be mistaken for thinking that the field was even narrower, with just two candidates – from Singapore and China – the focus of attention.

Back in November, after the first three candidates had been declared, we noted that Daren Tang, current IP Office of Singapore chief executive, had [positioned himself](#) as a strong candidate. Then came the news that Wang Binying of China was entering the fray. As [we noted](#) following her announcement, while a long-term WIPO insider (currently responsible for the organisation’s brands and designs sector), her nomination would likely grab headlines at a time of US-China IP and trade tensions. We didn’t have to wait long for that to be the case, with media coverage quickly [portraying](#) her candidacy as a bid by China to take control of the agency.

The issue soon became an intensely political one, with a bipartisan group of US lawmakers [writing to President Trump](#) in December to publicly oppose China’s nominee, stating: “Given China’s persistent violations of intellectual property protections, including through trade secret theft, corporate espionage, and forced transfer of technology, the United States and its allies must stand firmly against such a move... We cannot let a regime, which continues to blatantly undermine the rules-based system by failing to ensure open markets or respect for intellectual property rights, ascend as the leader of global intellectual property policy.”

Yesterday, the *South China Morning Post* [chronicled](#) the “scrum” occurring behind closed doors as lobbying against Wang’s candidacy, with Tang reportedly being rallied around and other candidates being encouraged to withdraw. In short, the race for the WIPO top spot has been firmly framed as a United States versus China battle, and for Graulund this has a number of worrying implications for rights holders.

One is that an important focus is being lost – who is actually the right person for the job. She told *WTR*: “It’s so politicised but from a user perspective the most important thing is not politics. It’s about running a good machine, doing efficient work at reasonable expense, and being responsible about the systems. It’s about Madrid, the PCT, Hague. That is what we would like to see the media talk about rather than all this BS. Maybe I am naive but whatever happened to the concept of ‘the best person for the job, wherever they are from’? The [current] narrative is about US versus China. Ms Wang happens to be Chinese but so what? I’m not saying I like her better than other candidates, but she is an excellent person, she has a lot of experience and the potential to be great.”

She continues: “Media coverage is saying that China is not good for IP. But what does that have to do with her? She has been in WIPO for years. And maybe if she got elected, she could help change that, raising the focus back home. There is too much noise and politics. It’s an agency meant to do specific work around specific treaties. It isn’t about politics.”

As it stands, though, the battle lines have been drawn and Graulund warns that the effectiveness of WIPO could be at stake: “Countries should rally together and focus on what WIPO should be doing, rather than tearing it apart. I have heard that some US people are saying that if Ms Wang is elected, they will veto everything – I mean, come on already. They should take a look at the proposals before taking decisions. In football you need to go for the ball, not the person – this type of thing is very tiresome.”

Additionally, she notes that the focus on particular candidates is coming at the expense of others. We noted in November that candidates should be expected to emerge from South America and, while they did, the spotlight is firmly directed elsewhere. Graulund observes: “People were saying it’s their turn but they didn’t start off with a front runner as a region, which is a shame. I would like to see someone like Marco Alemán [Colombia’s candidate and, like Wang, a long-serving WIPO insider] have more visibility in the media but it is all about the US and China.”

As it stands, then, the focus remains elsewhere and Graulund opines that the narrative will sway voting decisions: “It is already having an impact. People who have influence on which way a country votes will say: ‘Ok, I could vote for Ms Wang but the US is against it, so where should I put my vote in the first round?’ It’s a tactical, strategic voting play that is influenced by politics. You do, of course, have good people who know that it is about finding the best person for the job. But there are power plays.”

After this week’s candidate interviews, all eyes will turn to an extraordinary session of the coordination committee to nominate a candidate for appointment to the post of director general which, in early March, will see a candidate emerge (subject to formal appointment in May).

Whoever is ultimately successful will have a significant task ahead – to rebuild bridges and ensure that the focus is equally on the job at hand: leading the development of a balanced international IP system that enables innovation and creativity for the benefit of all. As to how that could be achieved,

Graulund concludes: “The person that wins would be very smart if they were to hire second-level people from different regions to be sure to get broad support from all countries. It would, obviously, need to be ensured that there were no leaks of documents (as everyone is freaking out about the unpublished patent information and China). It is good to be strict on this position – safety measures should be there – but not to panic. For the person that is hired it will be about making sure that trust is created. At the moment it is all about politics and power plays. What has all of that got to do with running a good registration system? Nothing. Countries should have a much greater focus on who is the right person for the job.”

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