As the moderator of the first session of this Symposium I have a triple role: to introduce the two speakers, which I shall do at the end of my introduction, to preside over the question and answer part of the session, after the two presentations, and first of all to give you a short overview of the Lisbon Agreement and of the Geneva Act.

The Lisbon Agreement was concluded in 1958 and revised in Stockholm in 1967. All the 28 Contracting States, except one (Haiti), are bound by the 1967 Act and constitute the Lisbon Union.

Among the four treaties administered by WIPO which provide for the international registration of industrial property rights (or at least for an international filing system for such rights), the Lisbon Agreement is peculiar in the sense that apart from an international filing and registration procedure it also provides for detailed substantive requirements as to the content of protection of internationally registered appellations of origin, a special category of what are called nowadays geographical indications, whereas the PCT, the Madrid Protocol and the Hague Agreement do not do so.

The revision of the Lisbon Agreement which led to the conclusion, in May of this year, of the Geneva Act of that Agreement, had a double purpose: the less controversial one was to open it to the participation of regional organizations such as the European Union and the African Intellectual Property Organization (OAPI); the more controversial objective was the extension of the coverage of the treaty to all geographical indications, beyond appellations of origin, and to provide for the same high level of protection for both appellations of origin and all the other geographical indications. To be simple, the controversies opposed two camps: the countries which provide for a *sui generis* type of protection -- basically, but not exclusively, the present Members of the Lisbon Union -- and those which protect geographical indications by their trademark system -- mainly the United States of America and Australia. Those two camps were opposed during the Diplomatic Conference and the meetings which preceded it and also the meetings which followed it, including the WIPO Assemblies that took place a few days ago, both on substantive grounds and on procedural, including financial, matters. I shall focus on the substantive issues, already touched upon by the Director General of WIPO in his opening statement.

Let me mention the main differences between the present Lisbon Agreement ("the Agreement") and the Geneva Act, without being exhaustive and leaving it to our two speakers to go into further details and particularly to give concrete examples of how the new system under the Geneva Act will work.

As already said, while the Agreement is only open to States, the Geneva Act is also open to certain intergovernmental organizations.

As I also said already, the Geneva Act deals with the international registration and the protection of not only appellations of origin, as the Agreement does, but all geographical indications. This is reflected in the name of the Lisbon Agreement, which has been until now "Lisbon Agreement for the Protection of Appellations of Origin and their International Registration" and will now be "Lisbon Agreement on Appellations of Origin and Geographical Indications".

Whereas the Agreement is not suitable for jurisdictions basing protection on trademark law, the Geneva Act contains a number of provisions aimed at allowing countries following the trademark approach to participate in the new system. Whereas it seems to work as far as procedural aspects are concerned, this does not seem to be the case for certain substantive provisions, but our speakers will certainly dwell on that.

The Geneva Act allows interested parties to request the refusal of the effect of an international registration, whereas the Agreement does not oblige Contracting Parties to offer such an opportunity.

The Geneva Act allows Contracting Parties to request the payment of individual fees, which is not possible under the Agreement.

The Geneva Act provides for express safeguards with respect to prior trademark rights, personal names used in business and rights based on a plant variety or animal breed denomination, whereas the Agreement does not do so.

Let me now briefly introduce our two speakers. Briefly because their CVs appear on page 4 of document WIPO/GEO/BUD/15/INF/3.

Mr. Elio De Tullio is an Italian attorney-at-law who followed as a representative of a non-governmental organization the meetings of the Working Group that prepared the texts that were the basis of the discussions at the Diplomatic Conference. Here, he will give us views from the side of the private sector of Italy, particularly the future final users of the Geneva Act.

Ms. Tanya Duthie is an official of IP Australia and has also followed the meetings of the said Working Group on behalf of the Australian government. She will give us views form the side of the countries protecting geographical indications through their trademark system.

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