

Assemblies of the Member States of WIPO

Fiftieth Series of Meetings
Geneva, October 1 to 9, 2012

ADMISSION OF OBSERVERS

Memorandum of the Director General

I. ADMISSION OF INTERGOVERNMENTAL ORGANIZATIONS AS OBSERVERS

1. The intergovernmental organizations admitted to attend, as observers, the meetings of the Assemblies and which have been invited to attend the Fiftieth Series of meetings of the Assemblies and the Unions administered by WIPO are listed in document A/50/INF/1.
2. Once an intergovernmental organization is admitted to attend, as an observer, the meetings of the Assemblies, it is also invited to attend, as an observer, meetings of committees, working groups, or other bodies subsidiary to the Assemblies, if their subject matter seems to be of direct interest to that organization.
3. Decisions concerning the admission of intergovernmental organizations to attend, as observers, the meetings of certain Assemblies were last taken at the Forty-Seventh series of meetings of the Assemblies of the Member States of WIPO, from September 22 to October 1, 2009 (document A/47/8, paragraphs 5 to 7, and document A/47/16, paragraph 150).
4. It is proposed that the Assemblies admit the following intergovernmental organization to attend, as an observer, the meetings of the Assemblies concerned:
 - (i) ITER Organization.

5. A brief description of the above-mentioned organization – its objectives, structure and membership – appears in Annex I of this document. It is further proposed that the Assemblies include the ITER Organization in category C (Worldwide Intergovernmental Organizations).

6. *The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposals appearing in paragraphs 4 and 5, above.*

II. ADMISSION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

7. The international non-governmental organizations (NGOs) admitted to attend the meetings of the Assemblies as observers, and which have been invited to attend the Fiftieth series of meetings of the Assemblies and the Unions administered by WIPO, are listed in Annex I to document A/50/INF/1.

8. Once an international NGO is admitted to attend the meetings of the Assemblies as an observer, it is also invited to attend meetings of committees, working groups, or other bodies subsidiary to the Assemblies, as an observer, if their subject matter seems to be of direct interest to that NGO.

9. Since the Forty-Ninth series of meetings of the Assemblies, from September 26 to October 5, 2011, when decisions were last taken concerning the admission of international NGOs to attend the meetings of certain Assemblies as observers (document A/49/2, paragraphs 1 to 6, and document A/49/18, paragraph 148), the Director General has received requests, with the requisite information, from each of the following international NGOs for admission to attend the meetings of the Assemblies as an observer:

- (i) American Federation of Musicians of the United States and Canada (AFM)
- (ii) Cambia
- (iii) Communia, International Association
- (iv) International Association of IT lawyers (IAITL)
- (v) International Network for Standardization of Higher Education (INSHED)
- (vi) Nordic Actors' Council
- (vii) Pirate Parties International (PPI)

10. A short profile of each of the NGOs mentioned in paragraph 9 above – its objectives, structure and membership – appears in Annex II of this document. It is proposed that, as concerns each of the NGOs mentioned in paragraph 9 above, the Assemblies include the said NGOs in the category of international NGOs.

11. *The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 10, above.*

III. ADMISSION OF NATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

12. At the Thirty-Seventh series of meetings, from September 23 to October 1, 2002, the Assemblies, each in so far as it was concerned, agreed to adopt the following proposals as principles applicable in extending invitations to national NGOs, as observers (document A/37/14, paragraph 316):

- (a) The organization shall be essentially concerned with intellectual property matters falling within the competence of WIPO and shall, in the view of the Director General, be able to offer constructive, substantive contributions to the deliberations of the Assemblies of WIPO;
- (b) The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of WIPO and of the United Nations;
- (c) The organization shall have an established headquarters. It shall have democratically adopted statutes, adopted in conformity with the legislation of the Member State from which the NGO originates. One copy of the statutes shall be submitted to WIPO;
- (d) The organization shall have authority to speak for its members through its authorized representatives and in accordance with the rules governing observer status; and
- (e) The admission of national NGOs to observer status shall be the subject of prior consultations between Member States and the Secretariat.

13. Since the Forty-Ninth series of meetings of the Assemblies, from September 26 to October 5, 2011, when decisions were last taken concerning the admission of national NGOs to attend the meetings of certain Assemblies as observers (document A/49/2, paragraphs 7 to 10 and document A/49/18, paragraph 149), the Director General has received requests, with the requisite information, from each of the following national NGOs for admission to attend the meetings of the Assemblies as observers:

- (i) Ankara University Research Center on Intellectual and Industrial Property Rights (FISAUM)
- (ii) Brands Foundation
- (iii) *Cámara Industrial de Laboratorios Farmacéuticos Argentinos*
- (iv) Egyptian Inventors Union (EIU)
- (v) German Library Association (*Deutscher Bibliothekverband e.V. – dbv*)
- (vi) Health and Environment Program (HEP)
- (vii) *Société civile pour l'administration des droits des artistes et musiciens interprètes* (ADAMI)

14. A brief profile of each of the NGOs mentioned in paragraph 13, above – its objectives, structure and membership – appears in Annex III of this document. It is proposed that, as concerns each of the NGOs mentioned in paragraph 13 above, the Assemblies decide in accordance with the principles set out in paragraph 12 above, whether to include the said NGOs in the category of national NGOs.

15. *The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 14, above.*

[Annexes follow]

ADMISSION OF INTERGOVERNMENTAL ORGANIZATIONS AS OBSERVERS

ITER Organization

Headquarters: The ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project was established in 2006 and is headquartered in Saint-Paul-lès-Durance, France.

Objectives: The purpose of the ITER Organization is to provide for and to promote cooperation among its Members on the ITER Project. The ITER project is an international project that aims to demonstrate the scientific and technological feasibility of fusion energy for peaceful purposes, an essential feature of which would be achieving sustained fusion power generation (Article 2 of the ITER Agreement). Specific functions of the ITER Organization include: constructing, operating, exploiting, and de-activating the ITER facilities and providing for the decommissioning of the ITER facilities. It also encourages the exploitation of the ITER facilities by the laboratories, other institutions and personnel participating in the fusion energy research and development programs of the Members. It promotes public understanding and acceptance of fusion energy; and more.

Structure: The Director-General is the Chief Executive Officer. The governing body of the ITER Organization is the ITER Council. The ITER Council is responsible for the promotion, overall direction and supervision of the activities of the ITER Organization.

Membership: Members consist of China, India, Japan, the Republic of Korea, the Russian Federation, the United States of America and the European Atomic Energy Community (EURATOM).

[Annex II follows]

PARTICULARS CONCERNING INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS
(ON THE BASIS OF INFORMATION RECEIVED FROM THE SAID NGOS)

American Federation of Musicians of the United States and Canada (AFM)

Headquarters: AFM was established in 1896 and is now headquartered in New York, United States of America.

Objectives: AFM is an international labor organization dedicated to improving professional musicians' lives through collective bargaining, organizing to extend the benefits of unionism, engaging in political action on matters important to musicians, and uniting in solidarity with others who share AFM's concern for social and economic justice.

Structure: AFM's primary governing body consists of an International Executive Board. This Board includes an International President, an International Vice-President, and a Vice-President from Canada, the Secretary-Treasurer, and a five-member Executive Committee.

Membership: AFM represents 90,000 professional musicians.

Cambia

Headquarters: Cambia was registered in Australia in 1993 and is headquartered in Brisbane, Australia.

Objectives: Cambia's objective is to cause a major demographic shift in science-enabled innovation worldwide, allowing more diversity in problem solvers and problems solved. Cambia aims to promote greater efficiency, effectiveness and equity in the innovation system. Cambia is working toward these objectives by creating a global, free, open and collaborative web based resource for 'innovation Cartography' through a new product called The Lens. The Lens will allow practitioners and policymakers to aggregate and use as tools to guide productive decisions information on patents, science, business and policy makers. Within two years, Cambia expects to host over 95% of the world's patent information and link to most of the scholarly literature, creating open public 'innovation' portfolios of individuals and institutions, and share the data and analytics with the public.

Cambia has operated one of the most popular full text patent search tools in the world called Patent Lens, for over a decade.

Structure: Cambia has a single member, a board, an Executive Officer, Officers of Cambia and a Secretary.

Membership: Cambia may only have a maximum of one member.

Communia, International Association

Headquarters: Communia was incorporated in 2011 and is headquartered in Brussels, Belgium.

Objectives: Communia aims to foster, strengthen, and enrich the public domain by raising awareness about the public domain. It also provides education about, advocates for, and offers expertise on the Public Domain in the Digital age within society and with policy-makers. Communia aims to maintain and reinforce an international network of non-governmental organizations for policy discussion and strategic action on all issues related to the public domain in the digital environment.

Structure: The main governing bodies are the General Assembly and the Board of Directors.

Membership: Its fourteen founding members are individuals and institutions working on questions related to the digital public domain. Most founding members are based in Europe and two are in the United States.

International Association of IT Lawyers (IAITL)

Headquarters: IAITL was established in 2006 and is headquartered in Hellerup, Denmark.

Objectives: IAITL aims to promote the development of IT law, contribute to the role of IT law in international relations, and promote the comparative study of IT law. IAITL sets out to achieve these objectives by promoting and supporting the exchange of ideas between practitioners, scholars and students of IT law across the world. It raises funds for the purpose of enabling practitioners, scholars and students to attend conferences across the world. It encourages practitioners, scholars, and students of IT law to engage more fully with the IT industry, policymakers, and members of the general public so as to become more fully involved with the way IT affects the law, policy and the way IT is used. IAITL aims to provide a world-wide forum for the exchange of information between practitioners, scholars and students of IPR and IT law across the world and to promote the widest possible use of such information through seminars, conferences, book publications, journals and classroom teaching in the graduate and post graduate level.

IAITL publishes the world's widest circulated academic law journal on IT law, *the Journal of International Commercial Law and Technology*.

Structure: IAITL has seven officers who are elected by a majority of its members. The officers are the President, the Vice-President, the Secretariat, Treasurer and the three Executive Committee Members.

Membership: Members may be any graduate of law, or its equivalent, lawyer, law student, jurist, or IT law practitioner. IAITL currently has 25 members.

International Network for Standardization of Higher Education Degrees (INSHED)

Headquarters: INSHED was established on April 4, 2011 in Geneva, Switzerland.

Objectives: INSHED is an international network of organizations and individuals in the fields of education and training that advocates a copyright favorable to teaching. Its main objectives are to promote public access to knowledge and information in the fields of education and training; to work towards the harmonization of education systems internationally; to propose a system of

copyright designed so as not to obstruct the legitimate interest of universities to open access to knowledge and information via all forms of media.

Membership: INSHED has 25 members consisting of education institutions on three continents, namely Africa, Europe and North America.

Nordic Actors' Council (NSR)

Headquarters: The Nordic Actor's Council (NSR) was established in 1936 and is headquartered in Stockholm, Sweden.

Objectives: NSR aims to protect and further the intellectual property rights of performing artists. NSR's primary function is to be an information and cooperation body for the associations representing performing artists in Denmark, Finland, Norway, Sweden, and The Faroe Islands.

Structure: NSR's Board of the Council consists of the chairpersons of each of its members. The chair of the Council is elected by the Board. The chair, in turn, appoints a Secretary.

Membership: NSR's members are the Danish Actors' Association, the Faroe Islands Actors' Association, the Finish Actors' Union, the Swedish speaking Actors' Union of Finland, the Union of Finnish Dance Artists, the Icelandic Actors' Association, the Norwegian Actors' Equity Association, the Norwegian Dancers Association and the Swedish Union for Theatre, Artist and Media.

Pirate Parties International (PPI)

Headquarters: PPI was established in 2010 and is headquartered in Brussels, Belgium.

Objectives: PPI exists to establish, support, promote, and maintain communication and co-operation between pirate parties around the world. PPI is not a political or authoritative entity. To achieve its goals, PPI provides for and extends communications between members; assists in the foundation of new pirate parties, organizes and coordinates global campaigns and events. PPI mediates or arbitrates disputes between members as requested; shares information and coordinates research on core pirate topics. PPI aims to act according to its members' major goals and interests; raise awareness and widen the spread of the pirate movement, unify the pirate movement, and strengthen its bonds internally and externally. Intellectual property issues of particular interest to PPI include copying monopoly and related issues, users' freedoms on the internet, developing laws and standards, economics of copying and new business methods, and enforcement of copying monopoly.

Structure: PPI's General Assembly is the highest governing body. It is composed of all Members of Pirate Parties International. PPI is managed by the Board, the executive organ.

Membership: PPI counts the regional Pirate Parties of over 25 nations as its ordinary members and has admitted 6 regional Pirate Parties to observer membership. Four observer members are from Germany, one is from the United States of America and one is from Switzerland.

[Annex III follows]

PARTICULARS CONCERNING NATIONAL NON-GOVERNMENTAL ORGANIZATIONS
(ON THE BASIS OF INFORMATION RECEIVED FROM THE SAID ORGANIZATIONS)

Ankara University Research Center on Intellectual and Industrial Property Rights (FISAUM)

Headquarters: FISAUM was founded in 1997 at Ankara University in Ankara, Turkey and is headquartered in the Ankara University Law Faculty.

Objectives: FISAUM aims to expand and promote the use of intellectual property rights, create a public consciousness on protecting the culture of intellectual property rights, and contribute to the preparation of the legal infrastructure for industry. Among other activities, FISAUM prepares and applies research projects, organizes national and international conferences and symposiums, prepares professional and educational training programs, publishes scientific reports, cooperates with international and national organizations, provides supervision services for the public and private sector.

Structure: The organs of the Center are the Central Board and the Executive Board.

Membership: There is no individual membership system for FISAUM. Insofar as FISAUM has any members, the persons constituting the Central Board, Executive Board and Director and Advisory Committee may be considered members.

Brands Foundation

Headquarters: Brands Foundation was established in Karachi, Pakistan in 2010.

Objectives: Brands Foundation's objectives are to promote Brand culture in Pakistan by organizing healthy competition among local, national and multinational brands. It aims to conduct brands quality/intellectual property survey as well as Brand analysis, brand audit and rating. Brands Foundation aims to establish international standard labs for brand quality assurance. It aims to acquire resources, research, and training so as to establish best international brands practices in Pakistan. It also aims to create awareness about the philosophy of brand empowerment within Pakistan's corporate community. Brands Foundation will also act as a sponsoring body for a university relating to the same objectives.

Structure: Brands Foundation has a membership and a Board of Directors. The Board of Directors is elected from the membership and it consists of the Chairman, the Founder Director and the Director of Operations.

Membership: Brands Foundation has a minimum of three and maximum of five members.

Cámara Industrial de Laboratorios Farmacéuticos Argentinos (CILFA)

Headquarters: CILFA was established in June 1964 in Buenos Aires, Argentina.

Objectives: CILFA's main objectives are: to ensure the most effective defense of the interests of the Argentinean pharmaceutical industry; to promote policies relevant to the sector as well as the progress of legislation related to the pharmaceutical industry and to cooperate in building a balanced intellectual property system that takes into account the interests related to public health, competition and the general public interest.

Structure: The main governing bodies are the General Assembly and the Board of Directors. The officers consist of the President, first and second Vice-Presidents, the Secretary and the Treasurer.

Membership: CILFA has 44 members made up of pharmaceutical laboratories.

Egyptian Inventors Union (EIU)

Headquarters: The EIU was established in 2010 and is headquartered in Cairo, Egypt.

Objectives: Among other goals, the EIU aims to create a scientific environment in Egypt to support the Egyptian Renaissance. The EIU publishes literature promoting Egyptian invention and innovation and hosts lectures to the same effect. The EIU aims to maintain a reference library for all things related to scientific research. It also aims to promote the role of women in scientific research.

Structure: The EIU has a Board of Directors, active members, assisting members, NGO representative members and honor members. The Board of Directors consists of all the active members who have been members for more than one year.

Membership: Active Members must be holders of patents issued by Egypt or authorized by its embassies and consulates, and must have accepted the bylaws of the EIU in writing among other requirements. Assisting members may be researchers, inventors, and university teaching staff specializing in scientific work.

German Library Association (*Deutscher Bibliothekverband e.V. – dbv*)

Headquarters: The German Library Association was established in Nierstein, Germany in 1949 and is now headquartered in Berlin.

Objectives: The German Library Association aims to promote culture, education and science by active and direct promotion and support of the library and information sector. The Association acts in the interests of the general public, in support of cooperation between all libraries and library institutions, and in support of library and information sciences where they are represented by non-profit or public-sector organizations. Its mission includes promoting reading and the adoption of modern information techniques including indispensable prerequisites for participation in society, knowledge and information.

Structure: The top-level organ of the German Library Association is the Members' Assembly. Its President and two Vice-Presidents are elected by the Members' Assembly. The Executive Committee consists of three representatives of academic and public libraries respectively and a Chairperson. The German Library Association's Board supports the work of the Executive Committee. The German Library Association's Regional Branches represent its interests at the federal state level. Its Head Office and nine expertise groups, called Sections, assist with the Association's day to day business.

Membership: Membership is only open to professionally led libraries in Germany and currently consists of over 2,000 members.

Health and Environment Program (HEP)

Headquarters: HEP was established in November 1997 with headquarters in Yaoundé, Cameroon.

Objectives: To raise awareness of all the segments of the population in development programs; to study and evaluate the impact of productions systems and exchange on the environment; and to encourage and demystify scientific and technical production in the field of the environment.

Structure: HEP's main governing bodies are the General Assembly and an Executive Board. The main officers are the President, the Secretary General and the Treasurer.

Members: HEP has 25 members consisting of natural persons or legal entities willing to support the objectives of the Organization.

Société civile pour l'administration des droits des artistes et musiciens interprètes (ADAMI)

Headquarters: ADAMI was established on February 24, 1955, with headquarters in Paris, France.

Objectives: ADAMI is a French civil collecting society for performers. Its main objectives are to collect and to distribute the equitable remuneration and the private copying remuneration as well as some remuneration issued from the exclusive rights in the audiovisual fields and to defend and develop the performers' rights at the national and international levels.

Structure: The main governing bodies are the Board, the Executive Board and the Executive Committee and the main officers consist of the President, General Secretary and Treasurer.

Members: ADAMI has 27,000 members consisting of performers.

[End of Annex III and of document]