

Published monthly  
Annual subscription:  
Sw.fr. 100.—  
Each monthly issue:  
Sw.fr. 10.—

# Copyright

15<sup>th</sup> year - No. 3  
March 1979

Monthly Review of the  
World Intellectual Property Organization (WIPO)

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# World Intellectual Property Organization

## The World Intellectual Property Organization in 1978 \*

### I. Membership of WIPO

1. During 1978, the Governments of six States deposited instruments of ratification of or accession to the Convention Establishing the World Intellectual Property Organization: Central African Empire, Jamaica, Mongolia, Republic of Korea, Sri Lanka, Yemen. The number of States party to the WIPO Convention is 84.<sup>1</sup>

### II. Governing Bodies

#### A. Membership

2. The membership of the Governing Bodies of WIPO and of the Unions administered by WIPO appears in the January 1979 issue of the reviews of WIPO.

#### B. WIPO Budget Committee

3. The second session of the WIPO Budget Committee was held in May 1978. The WIPO Budget Committee considered the preliminary draft program and budget for 1979. Subject to certain recommendations, the WIPO Budget Committee recommended that that preliminary draft program and budget for 1979 be submitted for final examination and decision to the competent Governing Bodies of WIPO and certain Unions in their September 1978 sessions.

#### C. Ninth Series of Meetings

4. The ninth series of meetings of the Governing Bodies of WIPO and the Unions administered by WIPO was held in September/October 1978. During the said series of meetings, the following six bodies held their sessions: the WIPO Coordination Committee, the Paris Union Executive Committee, the Berne Union Executive Committee, the PCT Union Assembly, the Hague Union Assembly, the Hague Union

Conference of Representatives. The main items discussed and the principal decisions taken by the said Governing Bodies were as follows.

5. The WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee reviewed and noted with approval the reports of the Director General which had been presented to the said Bodies and the activities of the International Bureau which had taken place since their last sessions in September/October 1977. The PCT Union Assembly did likewise as concerns the period since the entry into force of the Patent Cooperation Treaty (PCT) on January 24, 1978.

6. The Governing Bodies concerned noted with approval the accounts of the International Bureau and the reports of the auditors on those accounts, as well as other information concerning finances in the year 1977.

7. The PCT Union Assembly adopted the financial regulations of the PCT Union, appointed the Government of the Swiss Confederation as auditors of the accounts of the PCT Union and agreed to postpone the question of the constitution of the working capital fund of the PCT Union until its ordinary session in 1982.

8. The WIPO Coordination Committee approved an agreement on the establishment of working relations and cooperation with the European Patent Organisation (EPO). The following States are members of the EPO: Belgium, France, Germany (Federal Republic of), Italy, Luxembourg, Netherlands, Sweden, Switzerland, United Kingdom (9).

9. The WIPO Coordination Committee noted with approval the activities performed or planned by the Director General in respect of the resolutions and decisions of the United Nations General Assembly, adopted at its thirty-second session (September to December 1977), of the United Nations Economic and Social Council, adopted at its first and second regular sessions, 1978, and of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted at its meetings in August 1978.

\* This article covers the main activities of the World Intellectual Property Organization as such (that is, as distinguished from those of the Unions administered by WIPO) in the year 1978. The main activities of the said Unions in 1978 will be covered in separate articles to be published in the April 1979 issues of *Copyright* and *Industrial Property*.

<sup>1</sup> The list of Member States as of January 1, 1979, was published in the January 1979 issue of this review.

10. The Governing Bodies concerned established or approved the program of the International Bureau for the Year 1979. The budgets of WIPO and the Unions administered by WIPO which relate to the calendar year 1979 show an expected income of 27 312 000 Swiss francs and an expected expenditure of 27 613 000 Swiss francs. The number of staff posts covered by the budgets for the year 1979 is 202.

11. The WIPO Coordination Committee decided, upon the recommendation of the WIPO Budget Committee, that the Director General should prepare for the 1979 sessions of the WIPO Budget Committee and Governing Bodies not only a triennial (1980 to 1982) program and budget but also give indications as to the plan envisaged for the subsequent three-year period (1983 to 1985). In addition, the WIPO Coordination Committee and the Executive Committees of the Paris and Berne Unions decided, upon the recommendation of the WIPO Budget Committee, that the WIPO Permanent Committees and any other committee or working group making proposals for the program should recommend priorities among program proposals and indicate, in respect of any proposed new activity, its objectives, its expected duration and possible need for additional staff and other additional expenses.

12. The WIPO Coordination Committee decided, upon the proposal of the Delegation of the United States of America, supported by the delegations of a great number of States, to nominate, unanimously and by acclamation, Dr. Arpad Bogsch for appointment by the General Assembly of WIPO for a further period of six years as Director General of WIPO.

### III. Development Cooperation Activities

#### A. Permanent Program and Permanent Committee (Industrial Property)

##### *Permanent Committee (Industrial Property)*

13. *Membership.* Four States — Benin, the Democratic People's Republic of Korea, India and Upper Volta — became members of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property (hereinafter referred to as "the Permanent Committee (Industrial Property)"), bringing the total membership to 59.

14. *Fifth Session.* The Permanent Committee (Industrial Property) held its fifth session in March 1978. That session was held jointly with the seventh (and last) session of the PCT Interim Committee for Technical Assistance (see "The Paris Union and Industrial Property in 1978," paragraphs 109 to 111, in the April 1979 issue of *Industrial Property*). Thirty-seven States members of the Permanent Committee (Industrial Property) were represented at its

session; seven other States, two intergovernmental organizations and four international non-governmental organizations were represented by observers.

15. In accordance with the special budgetary provisions approved by the Governing Bodies at their eighth series of meetings in September/October 1977, the expenses of the attendance at the fifth session of the Permanent Committee (Industrial Property) of one delegate each from Upper Volta, Uganda and Sudan, all of which countries are members of the Permanent Committee (Industrial Property) and are regarded as being among the least developed of the developing countries, were borne by WIPO.

16. The Permanent Committee (Industrial Property) reviewed past and current activities and plans for future activities under the Permanent Program (Industrial Property). Its recommendations are referred to below in connection with the following summary of those activities.

#### *Permanent Program (Industrial Property)*

##### *Promotion of Technological Innovation in Developing Countries*

17. *Working Group on Technological Innovation.* The Working Group on Technological Innovation held its first meeting in July 1978. Experts designated by nine States (Algeria, Canada, Chile, France, Ghana, India, Mexico, the Soviet Union and Sweden) and observers from two international organizations (the International Labour Organisation (ILO) and the International Federation of Inventors' Associations (IFIA)), as well as three consultants (from Egypt, the Philippines and the Andean Group Secretariat) specially invited by the Director General, attended the meeting of the Working Group.

18. The Working Group had before it a study prepared by the International Bureau on the legislative and institutional arrangements which exist in the field of industrial property in developed and developing countries for the promotion of technological innovation (i. e., inventions, innovations, rationalization and adaptation of technology). In addition to summarizing the institutions concerned with and arrangements for the promotion of technological innovation, the study presented an analysis of the existing situation in terms of the technological environment and innovative climate and of the kinds of legal and administrative arrangements and institutions for the promotion of technological innovation.

19. The Working Group formulated a number of recommendations addressed to Governments and WIPO concerning the promotion, development and protection of inventions and innovations. It recommended that Governments should adopt integrated policies and programs for stimulating technological innovation, particularly as concerns small inventions

and innovations, adopt legislative measures for protecting inventions and innovations, establish institutions which could provide technical, financial and legal assistance to inventors and innovators, encourage inventors and innovators to form professional associations, develop factors contributing to a positive national innovative climate and develop means for finding and promoting latent innovative talent.

20. The Working Group recommended that WIPO should examine the possibility of (i) expanding the WIPO Training Program to provide training for officials of government institutions active in the field of the promotion of technological innovation, (ii) issuing, on a self-supporting basis, a publication containing information on selected innovations and new ideas, in particular those emanating from developing countries, (iii) collecting information and establishing a clearing house for information on legal and institutional arrangements for promoting technological innovation, and (iv) convening a meeting of representatives of various institutions dealing with the promotion of technological innovation with the objectives of determining the elements which constitute a favorable national innovative climate in developing countries and preparing guidelines for the creation and administration of institutions in developing countries dealing with the promotion of technological innovation. In addition, the Working Group recommended that WIPO should continue its efforts to facilitate and improve access by developing countries to the technological information contained in patent documents and related non-patent literature and to search reports on the state of the art in technology prepared by industrial property offices in developed countries for the purpose of the examination of patent applications.

#### *Technological Information from Patent Documents*

21. *Expert Working Group on Information from Patent Documents.* The Expert Working Group on Information from Patent Documents held its third session immediately before the fifth session of the Permanent Committee (Industrial Property) in March 1978. Experts from 11 States, consultants from four States and one governmental organization, and observers from four intergovernmental organizations took part in the session.

22. The Expert Working Group discussed the following matters: the use of the International Patent Classification (IPC) as a means of identifying and locating patent documents which relate to given technologies; the state-of-the-art searches performed for developing countries by the Austrian Patent Office; the availability, comparative cost and usefulness of various primary and secondary sources of patent information; ways and means to obtain information on the legal status and working of patents; the plan-

ning and organization of a patent information and documentation center in a developing country; the follow-up on the feasibility study on the establishment of a patent information system; and the future status of the Expert Working Group. The Expert Working Group adopted a number of recommendations for submission to the Permanent Committee (Industrial Property) and to the International Bureau.

23. The Permanent Committee (Industrial Property) noted the report of the Expert Working Group and approved the recommendations contained therein.

24. *State-of-the-Art Search Reports.* On the basis of the Agreement between the Government of Austria and WIPO, which was signed on December 29, 1976, and provides for the furnishing by the Austrian Authorities to developing countries, free of charge, of state-of-the-art search reports based on patent documentation, arrangements were made in May 1978 between the Government of Austria and WIPO for the processing of an additional 100 search reports during 1978. During 1978, 218 search requests were submitted by 21 countries (Algeria, Argentina, Brazil, Chile, Colombia, Cuba, Democratic People's Republic of Korea, Egypt, India, Kenya, Mauritius, Mexico, Peru, Philippines, Portugal, Rwanda, Singapore, Surinam, Thailand, Trinidad and Tobago, Zaire), and by two organizations — the United Nations Industrial Development Organization (UNIDO) and the United Nations Economic Commission for Africa (ECA) — and 174 search reports were furnished by the Austrian Authorities to 20 countries (Algeria, Brazil, Chile, Colombia, Cuba, Egypt, India, Mauritius, Mexico, Nicaragua, Panama, Peru, Philippines, Portugal, Rwanda, Singapore, Thailand, Trinidad and Tobago, Turkey, Zaire) and to one organization (ECA).

25. Pursuant to the recommendation made by the Permanent Committee (Industrial Property) at its session in March 1977, the International Bureau invited, in March 1978, institutions and organizations from developing countries concerned with applied research and technological decision-making also to submit search requests.

26. At its session in March 1978, the Expert Working Group on Information from Patent Documents (see paragraphs 21 to 23, above) reviewed the Austria/WIPO State-of-the-Art Search Program and proposed certain measures to improve that Program, particularly as concerns the content of the search reports, the use by patent offices submitting search requests of documentalists working in technical or scientific institutions to assist in formulating search requests, and the submission of search requests by national scientific information and documentation centers or other scientific and technological institu-

tions in developing countries. The Expert Working Group noted that improved "Guidelines for the Submission of Search Requests" had been prepared. It concluded that, generally, the search reports had met the purposes for which they had been requested and had enabled the developing countries to assess the value of patent documents as one of the important sources of technological information, more particularly for evaluating a specific technology contemplated for acquisition, providing technological information for research activities, identifying possible solutions to a specific problem with a view to choosing a solution to be applied in practice, identifying technologies which could replace a known technology, and identifying enterprises which are active in a specific field of technology.

27. In April 1978, the Patent Office of the Federal Republic of Germany offered to perform, free of charge, in 1978 and 1979, for the benefit of developing countries, searches in those fields of technology where that Patent Office had developed mechanized search systems. Discussions are being held between the International Bureau and the said Patent Office with a view to working out procedures to give effect to that offer.

28. *User's Guides to the IPC*. See paragraph 225, below.

29. *Availability of Patent Documents to Developing Countries*. As recommended by the Expert Working Group on Information from Patent Documents at its March 1977 session, the International Bureau received information from the Patent Offices of Austria, Australia, Belgium, France, the German Democratic Republic, Germany (Federal Republic of), Japan, the Soviet Union, Spain, Switzerland, the United Kingdom and the United States of America, in response to its request concerning their exchange agreements for published patent documents and the question how developing countries could benefit from such an exchange even though, in many cases, they did not publish patent documents in multiple copies or published them only in very limited numbers of copies. The Expert Working Group noted with appreciation the generous offers made by various responding Offices to deliver, free of charge, patent gazettes or other official publications as well as patent documents to developing countries.

30. Following upon the transmittal by the International Bureau, on an ad hoc basis, of requests from Algeria, Brazil and Indonesia to receive, and offers from the Patent Offices of Canada, the German Democratic Republic, Germany (Federal Republic of), the Netherlands, Norway, Sweden and the USSR State Committee for Inventions and Discoveries, as well as Shell International Research Maatschappij B. V. of the Netherlands, to provide certain collections of patent documents, in paper or in microform,

arrangements were made for the delivery of the said collections.

31. The International Bureau also received a request from Romania for assistance in acquiring backlog collections, in paper or microform, of the patent documents published by Canada, Japan, the Soviet Union, the United Kingdom and the United States of America. The International Bureau is studying the means available for meeting this request.

32. As concerns the list of non-patent literature (technical periodicals) obtainable free of charge or on very favorable conditions by developing countries, see "The Paris Union and Industrial Property in 1978," paragraph 111, in the April 1979 issue of *Industrial Property*.

33. *Activities in the Field of Technological Information from Patent Documents in Support of the Preparations for the United Nations Conference on Science and Technology for Development (UNCSTD)*. See paragraphs 137 to 141, below.

#### *Strengthening National and Regional Infrastructures: Industrial Property Offices Survey and Study*

34. At its March 1978 session, the Permanent Committee (Industrial Property) noted the progress of the work on the survey of industrial property offices aimed at assisting in the planning, management or reorganization of industrial property services in a developing country or region by providing relevant and comparable information from other countries or regions, whether developed or developing. In response to an invitation sent by the International Bureau in December 1977, 27 countries submitted relevant information. The Permanent Committee (Industrial Property) approved the suggestion of the International Bureau to continue its survey in order to obtain or complete the required information and to present the survey at its next session with conclusions on recommended action to be taken by interested developing countries.

#### *Model Laws for Developing Countries*

35. *New Model Law for Developing Countries on Inventions and Know-How*. Parts I to V of the draft Model Law were communicated to all States members of the Permanent Committee (Industrial Property) and to interested organizations for written comments at the end of 1977 and early in 1978. Part VI of the draft Model Law was communicated to the said States and organizations as a preparatory document for the Permanent Committee (Industrial Property) before its March 1978 session.

36. The Permanent Committee (Industrial Property) noted, in the said session, the progress of the work in the preparation of a new Model Law on In-

ventions and Know-How, in particular the report of the International Bureau covering the sixth session of the Working Group on the Model Law for Developing Countries on Inventions and Know-How, which was held in June 1977. The Permanent Committee (Industrial Property) decided that, after the May 1978 session of the Working Group, the International Bureau would establish and issue the new Model Law in its final form in English, French, Spanish and Arabic (see, for later developments, paragraph 41, below). It also decided that transfer of technology patents should be included in an annex rather than in the actual body of the Model Law, owing to the absence of a consensus on whether or not that special type of patent should constitute a part of the new Model Law. It was agreed that the reasons for making it an annex only would be given in the annex itself, which would also list the advantages and possible drawbacks of that special type of patent.

37. The Permanent Committee (Industrial Property) also approved the suggestions of the International Bureau that, in order to facilitate the legislative work of States and regional organizations, a memorandum should be prepared by the International Bureau, with the advice of experts, which would describe the main options facing legislators.

38. Finally, the Permanent Committee (Industrial Property) decided that, in the long term, the preparation could be envisaged of a guide, designed principally for industrial property offices, on the examination as to substance of patent applications. Such a guide would complement the new Model Law, which provides for such examination but does not go into the details of all the technical aspects of the examination of patent applications.

39. The seventh session of the Working Group on the Model Law for Developing Countries on Inventions and Know-How was held in May 1978. Experts from the following countries participated: Algeria, Argentina, Brazil, Cameroon, France, Germany (Federal Republic of), Hungary, Indonesia, Israel, Kenya, Mexico, Poland, Spain, Soviet Union, the United Kingdom, the United States of America, Yugoslavia, Zaire. Four intergovernmental organizations and six international non-governmental organizations were represented by observers.

40. By the time the Working group met, 13 States and two organizations had made written comments on the draft of the Model Law. Several of these comments were critical and some of them intimated that the Model Law or some of its Parts should not be published before the revision of the Paris Convention was completed and/or before the work of the United Nations Conference on Trade and Development (UNCTAD) on the Code of Conduct was completed. These comments were put before the Working Group.

41. The Working Group fully discussed Part 1 ("Patents") of the draft Model Law and resolved by consensus most of the outstanding questions. Since it had not had enough time to discuss the other Parts (Parts II to VI) of the Model Law, the Director General intends to convene the Working Group once more to discuss those Parts. In further preparation for that discussion, the Director General invited the States members of the Permanent Committee (Industrial Property) to make comments or further comments on the draft of the said Parts by October 1, 1978. In response to that invitation, the Director General had received (as of December 15, 1978) comments from the Governments of 19 States (Austria, Australia, Canada, Czechoslovakia, Finland, France, German Democratic Republic, Germany (Federal Republic of), Italy, Mexico, Netherlands, Portugal, Soviet Union, Spain, Surinam, Sweden, Switzerland, United Kingdom, United States of America) and one international organization (the International Federation of Inventors' Associations (IFIA)).

42. At their sessions in September/October 1978, the WIPO Coordination Committee and the Paris Union Executive Committee approved the publication of Part I of the new Model Law, provided that its text is in complete conformity with the Stockholm Act of the Paris Convention and that information on possible provisions based on a revised text of the Paris Convention prepared during the work on its revision is furnished in the form of footnotes, annex, additional pages, or the like. The said Committees decided also that the remaining Parts of the Model Law should be submitted to the WIPO Permanent Committee (Industrial Property) for comments prior to publication. The Working Group on that new Model Law will meet again in March 1979.

43. *New Model Law for Developing Countries on Marks and Trade Names.* In its March 1978 session, the Permanent Committee (Industrial Property) noted the progress of the work on the preparation of a new Model Law on Marks and Trade Names, in particular the report of the International Bureau covering the first session of the Working Group on the Model Law for Developing Countries on Marks and Trade Names, which was held in November 1977. It recommended that the Model Law be limited to marks and trade names, on the understanding that the possibility of its expansion into other fields could be considered at a later date. Furthermore, it recommended that governments be given an opportunity to comment on the contents of the new Model Law at an appropriate time.

44. The second session of the Working Group on the Model Law for Developing Countries on Marks and Trade Names was held in June 1978. Experts from the following countries participated: Chile, Cuba, Czechoslovakia, Egypt, France, Germany

(Federal Republic of), Israel, Mexico, Netherlands, Soviet Union, Switzerland, Tunisia, Uganda, United Kingdom, United States of America, Zaire. One intergovernmental organization and six international non-governmental organizations were represented by observers.

45. The Working Group had before it the second half of the draft Model Law (the first half had been discussed by the Working Group at its first session in November 1977). The second half of the draft Model Law contains provisions dealing with infringement, assignment and transfer of applications and registrations, contractual licenses, the Trademark Office, collective marks, trade names and examination and registration of contracts. The Working Group discussed all the provisions with the exception of those relating to the examination and registration of contracts, the study of which it postponed.

*License Agreements: Guide for Developing Countries*

46. The Permanent Committee (Industrial Property) commended the International Bureau for the successful completion of the work on a guide on the legal aspects of the negotiation and preparation of industrial property licenses and technology transfer agreements appropriate to the needs of developing countries (*WIPO Licensing Guide for Developing Countries*), for the excellent quality of this *Guide* which is addressed to technology acquirers in developing countries, and for its wide distribution, particularly in developing countries. The Permanent Committee (Industrial Property) noted that the *Guide* had been published in English, French and Spanish and that an Arabic version was in preparation and would be issued by the end of 1978. It noted, moreover, that the International Bureau would explore the possibility of preparing a Portuguese version, in cooperation with the Governments of Portugal and Brazil.

47. The Permanent Committee (Industrial Property) noted that the International Bureau would present to the sixth session of the Permanent Committee (Industrial Property) a report on the work of other organizations of the United Nations system in the field of license agreements and, depending on the likelihood of reasonable progress on practical measures contemplated by the said organizations, the International Bureau would also compile information on the existing legislation and practice dealing with the review and control of license agreements and present a summary of that information to the Permanent Committee (Industrial Property) at its next session when suggestions for further action on the preparation of a guide for government officials in developing countries could be considered.

48. The *WIPO Licensing Guide for Developing Countries* was published in Arabic in December 1978. Arrangements were made for copies of it to be

sent to the Governments of Arabic-speaking countries, to their Permanent Missions in Geneva and to the industrial property offices and other governmental or private institutions in those countries, as well as to the experts, consultants and other individuals from Arabic-speaking countries who had participated in the preparation of the *Guide*.

*Industrial Property Multilingual Terminology List, Glossary and Manual for Developing Countries*

49. At its session in March 1977, the Permanent Committee (Industrial Property) approved plans for the preparation of an industrial property terminology list (initially to be drawn up in Arabic, English, French and Spanish), an industrial property glossary and an industrial property manual (or guide), and decided to give priority to the first of these.

50. The International Bureau drew up a draft multilingual industrial property terminology list consisting of terms in English which were thereafter translated into Arabic, French and Spanish.

51. A committee of Arab experts met in February 1978 and examined the draft list of terms prepared in Arabic. Experts from Kuwait, Morocco and the Association for the Protection of Industrial Property in the Middle East and North Africa (APPIMAF) and the Industrial Development Centre for Arab States (IDCAS) participated in that meeting.

52. The revised draft text in Arabic was sent by the International Bureau in March 1978 to the industrial property offices of the Arab countries for their comments. The text in Spanish of the draft terminology list was sent in April 1978 to the industrial property offices of Spanish-speaking countries for their comments.

53. At its session in March 1978, the Permanent Committee (Industrial Property) approved the revised plan of work and expressed its satisfaction with the method adopted by the International Bureau which consisted in combining the terminology list and the glossary. It was also suggested that Portuguese and Russian editions of the terminology list should be established and the delegations of the countries concerned said that their governments would be prepared to examine the possibility of co-operating with the International Bureau on the establishment of such editions.

*Training Program in the Field of Industrial Property*

54. *In General.* The Permanent Committee (Industrial Property) expressed satisfaction at the growing scope of the activities under the WIPO training program and the number of fellowships awarded under the WIPO Fellowships Program for the years 1977 and 1978. Particular stress was laid on the importance of the program to developing countries.



55. The Permanent Committee (Industrial Property) approved the measures proposed by the International Bureau with a view to improving the Program, and especially the organization of a general introductory course and the initiation of medium-term plans for training and assistance in setting up infrastructures in the field of industrial property with a view to integrating such training and assistance into national development plans. It noted with appreciation the special contributions made by certain Member States to the Program and that the International Bureau intends to continue its efforts to increase those contributions with a view to a further increase in the number of fellowships awarded every year and the development of the activities carried on under the Program.

56. The International Bureau noted all the remarks and suggestions made by the delegations, and especially those that had a bearing on the improvement of the Program. It indicated that the increase in activities in the training field and in the number of fellowships, which was desired by most of the delegations, would entail a corresponding increase in the budget.

57. *Fellowships.* Under the WIPO Fellowships Program for 1978, 70 applications for fellowships in the field of industrial property were received by WIPO from 46 developing countries and one intergovernmental organization. Eighteen of the said countries requested fellowship assistance under the medium-term plan (see paragraph 76, below). Forty-seven fellowships were awarded to officials from the following 34 countries and one intergovernmental organization: Algeria, Bangladesh, Bolivia, Burundi, Cameroon, Central African Empire, Chad, Colombia, Costa Rica, Egypt, Ethiopia, Gambia, Ghana, Guatemala, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Mauritius, Mexico, Panama, Philippines, Republic of Korea, Rwanda, Seychelles, Sri Lanka, Sudan, Swaziland, Tanzania, Uganda, Zaire, Zambia, and the African Intellectual Property Organization (OAPI).

58. The following 13 countries and one study center agreed to contribute in full or in part to the payment of the costs of the travel expenses and subsistence allowances of the fellows:

(i) full payment: France (four fellows coming from Burundi, the Central African Empire, Chad and the Ivory Coast); Germany (Federal Republic of) (four fellows from the Gambia, Sri Lanka, the Sudan and Swaziland); Spain (four fellows from Bolivia, Colombia, Costa Rica and Panama, and also a subsistence allowance for one additional fellow from Bolivia); Sweden (four fellows from Bangladesh, Ghana, the Philippines and Zambia); Switzerland (one fellow from Rwanda); United Kingdom (two fellows from Egypt and the Republic of Korea);

(ii) partial payment: Czechoslovakia (one fellow from Ethiopia); Hungary (one fellow from Algeria); India (two fellows from Fiji and Thailand); Israel (one fellow from Zaire); Italy (one fellow from the Seychelles); Netherlands (three fellows from Mauritius, Mexico and OAPI), Soviet Union (one fellow from Tanzania); *Centre d'études internationales de la propriété industrielle (CEIPI) de l'Université de Strasbourg* (Center for the International Study of Industrial Property (CEIPI) of Strasbourg University) (part of the subsistence expenses of the 27 fellows who attended the general introductory course in industrial property). The remainder of the cost was borne by the budget of the WIPO Legal-Technical Assistance Program.

59. Under the WIPO Fellowships Program for 1978 in the field of industrial property, the fellows attended the general introductory training course at CEIPI and at WIPO Headquarters and received practical training in the following 18 countries and one organization: Brazil, Czechoslovakia, Egypt, France, Germany (Federal Republic of), Hungary, India, Israel, Italy, Japan, Netherlands, Senegal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, and the African Intellectual Property Organization (OAPI). Finally, under the said Program but financed by the United Nations Development Programme (UNDP), seven Algerian nationals received training in the German Democratic Republic.

60. Of the countries whose nationals were awarded fellowships under the WIPO Fellowships Program for 1978 in the field of industrial property, the following ten are on the list of the 30 least developed among the developing countries: Bangladesh, Burundi, Central African Empire, Chad, Ethiopia, Gambia, Rwanda, Sudan, Tanzania, Uganda.

61. With regard to cooperation between developing countries, it should be noted that the following four countries and one regional organization received fellows for training: Brazil, Egypt, India, Senegal, OAPI.

62. *WIPO-CEIPI Training Course.* A General Introductory Course in the Field of Industrial Property was organized by WIPO and CEIPI with the cooperation of the National Institute of Industrial Property (INPI) of the Government of France at Strasbourg in September 1978.

63. Twenty-seven persons from 22 countries (Algeria, Burundi, Cameroon, Central African Empire, Chad, Ethiopia, Gambia, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Mauritius, Mexico, Republic of Korea, Rwanda, the Seychelles, Sri Lanka, Sudan, Swaziland, Zaire) and the African Intellectual Property Organization (OAPI) participated in the course.



64. The aim of the training course was to provide a general introduction to the subjects of industrial property and to the role of industrial property in economic development, in particular in developing countries, and information on the activities of WIPO in the field of industrial property.

65. *Austria-WIPO Training Course.* The Austria-WIPO Training Course in the Use of Patent Documentation as a Source of Technological Information, organized jointly by the Government of Austria and WIPO for the benefit of government officials from developing countries, took place in Vienna at the Diplomatic Academy from August 17 to September 14, 1978.

66. Eighteen officials from the following 16 countries participated: Algeria, Bangladesh, Brazil, Ecuador, Egypt, Iran, Iraq, Jordan, Kenya, Philippines, Republic of Korea, Sudan, Surinam, Tanzania, Uganda and Zambia.

67. The aim of the training course was to familiarize the participants with the role of patent documents in the context of the industrial property system and with the means of obtaining technological information from patent documentation for the benefit of users in developing countries.

68. *Training Courses on the Use of the International Patent Classification (IPC).* Two training courses on the use of the International Patent Classification (IPC) were organized by WIPO under the sponsorship of the Swedish International Development Authority (SIDA), one at the Central American Institute for Public Administration (ICAP) in San José (Costa Rica), in June 1978, and the other at the Industrial Property Office of Colombia in Bogotá, in June 1978. Fifteen officials from the Governments of Costa Rica, Guatemala, Honduras, Nicaragua and Panama participated in the training course at San José. Twenty-two officials from the Government of Colombia participated in the training course at Bogotá. A member of the staff of the International Bureau and, as a consultant expert, an official of the branch of the European Patent Office (EPO) at Rijswijk, presented papers and led the discussions.

#### *Regional Meetings and National Seminars on Technological Information Contained in Patent Documents*

69. Two regional meetings and one national seminar were held in the context of the first phase of the preparatory work for the United Nations Conference on Science and Technology for Development (UNCSTD). Their main purpose was to consider all aspects of the technological information contained in patent documents (scope, access, utilization) in order to establish the contribution that that type of information can make to the industrial and

scientific development of developing countries. The regional meetings took place in Yaoundé and Cairo and the national seminar was held in Algiers.

70. *Regional Meeting for African Countries on Technological Information Contained in Patent Documents.* In May 1978, WIPO organized in Yaoundé, in cooperation with the Secretary-General of the United Nations Conference on Science and Technology for Development (UNCSTD) and the United Nations Economic Commission for Africa (ECA), the Regional Meeting for African Countries on Technological Information Contained in Patent Documents. All Member States of ECA, except those which had been invited to a similar regional meeting for Arab States in Cairo in May 1978 (see paragraph 72, below), were invited as were several African experts and a number of intergovernmental and other interested organizations. The participants, about 30 in all, came from Benin, Cameroon, Congo, Kenya, Madagascar, Senegal, Zaire and Zambia, and included representatives of a number of organizations (the United Nations, the African Intellectual Property Organization (OAPI), the African Association for the Advancement of Science and Technology (AASI) and the International Association for the Protection of Industrial Property (IAPIP)).

71. The purpose of the Regional Meeting was to consider aspects of technological information contained in patent documents (for instance, technology content, means of access, implementation, etc.) in order to establish the contribution that that kind of information could make towards the development of the region. These aspects were considered in the light of present conditions and the characteristics of national, regional, international and global policies for the development of technology.

72. *Regional Meeting for Arab Countries on Technological Information Contained in Patent Documents.* In May 1978, WIPO organized in Cairo, in cooperation with the Government of Egypt, the Industrial Development Centre for Arab States (IDCAS), the Secretary-General of the United Nations Conference on Science and Technology for Development (UNCSTD), the United Nations Economic Commission for Western Asia (ECWA) and the United Nations Economic Commission for Africa (ECA), a Regional Meeting for Arab Countries and Technological Information Contained in Patent Documents. All members of the League of Arab States were invited, as were a number of intergovernmental and other interested organizations and several Arab experts. The participants, about 100 in all, came from Egypt, Iraq, Jordan, Kuwait, Lebanon, Morocco, Qatar, Sudan and Tunisia, and included representatives of the following organizations: the United Nations Development Programme (UNDP), the United Nations Educational, Scientific

and Cultural Organization (UNESCO), the League of Arab States, the Arab Educational, Cultural and Scientific Organization (ALECSO), the Arab Organization for Standardization and Metrology (ASMO), the Arab Labour Organization (ALO), the Council of Arab Economic Unity (CAEU), the Association for the Protection of Industrial Property in the Middle East and North Africa (APPIMAF) and the International Patent Documentation Center (INPADOC).

73. *Seminar on Technological Information Contained in Patent Documents.* In November 1978, the Algerian Institute for Standardization and Industrial Property (INAPI) organized with the cooperation of WIPO a seminar on technological information contained in patent documents at Algiers. The participants, about 85 in all, were officials of the Government of Algeria. The purpose of the seminar was to consider the role of technological information contained in patent documents in national development.

#### *Other Seminars*

74. *Industrial Property Seminar.* An industrial property seminar was organized by the Patent Office of the Republic of Korea and WIPO at Seoul in October 1978. About 200 persons attended the seminar. Lectures were given by officials of the Patent Office of that country, experts from the United Kingdom and the United States of America and a staff member of the International Bureau.

#### *Assistance to Certain Developing Countries and Regional Institutions of Developing Countries*

75. *In General.* At its March 1978 session, the Permanent Committee (Industrial Property) noted with approval the projects for advice and assistance in legislation, institutions and related matters which had been carried out or continued by the International Bureau during 1977 and early in 1978 at the request of developing countries or their organizations.

76. The Permanent Committee (Industrial Property) also noted the requests for assistance which had been received under the medium-term plan proposed to developing countries in October 1977. Under that plan, a program for a period of between three and five years, decided upon in discussions between the national office of the developing country concerned, the International Bureau and a receiving office, is set up with the aim of combining visits by experts and practical training in developed or developing countries. As regards industrial property, the following countries have so far asked to take advantage of the plan: Bangladesh, Bolivia, Burundi, Cameroon, Central African Empire, Congo, Egypt, Gambia, Iraq, Ivory Coast, Madagascar, Mauritius, Panama, Philippines, Somalia, Sri Lanka, Sudan, Surinam, United Arab Emirates, Venezuela, Zaire (21).

77. The Permanent Committee (Industrial Property) welcomed the suggestions made with regard to the efforts to find extra-budgetary resources for the financing of, and the provision of the services of experts for, the assistance projects in progress or being planned.

78. During 1978, assistance was given to the following developing countries or groups of developing countries, or requests for assistance from the governments of such countries and regional authorities were under active consideration, in connection with the preparation of legislation, the establishment or modernization of national or regional institutions concerning industrial property or related matters.

#### *Countries*

79. *Algeria.* Modernization of the trademark legislation, with the help of an expert from the Swiss Federal Bureau of Intellectual Property; expansion of the collection of patent documents advice on methods for the storage and classification of such documents (preparatory discussions); organization, in November 1978, of a seminar on the use of technological information in patent documents.

80. *Bangladesh.* Reorganization of the Patent Office and the Trademark Registry (preparatory mission, report and discussions).

81. *Bolivia.* Modernization of the industrial property legislation (written advice and preparatory discussions).

82. *Brazil.* Continuation of the project financed by the United Nations Development Programme (UNDP), for the modernization of the Brazilian patent system, with the help of Australia, Austria, Germany (Federal Republic of), Japan, the United Kingdom and the United States of America and with the addition of patent documents, microforms or microfilms of such documents provided by the Federal Republic of Germany and the Soviet Union. Following the fifth tripartite review in June 1978 of the progress made in the implementation of the project, the Government of Brazil took certain steps improving the salary levels of the examiners and other counterpart staff in the Brazilian Patent Office. As a result of these steps, the recruitment of the required number of counterpart staff can be expected, as can the continuation of the training program at the desired level. A project revision document was approved by the Government of Brazil and by UNDP which, as a first step, will lead to an extension of the project up to the end of 1979 and will entail, in particular, an enhanced training program. In addition, a further extension of the project until the end of 1981 is under consideration; it should allow the project to fully reach its objectives.

83. *Burundi*. Modernization of the industrial property legislation and reorganization of the Industrial Property Office (preparatory mission and report).

84. *Cameroon*. Planning of specialized training in the field of industrial property (preparatory discussions).

85. *Central African Empire*. Restructuring and operation of the National Industrial Property Service (preparatory mission in November 1978).

86. *Congo*. Preparation of industrial property legislation, training of staff, establishment of an office responsible for industrial property in the light of the Congo's withdrawal from OAPI (preparatory mission in November 1978).

87. *Ecuador*. Training of Government officials in the classification of patent documents and the examination of patent applications, acquisition of collections of patent documents and bibliographic data concerning patent documents related to selected fields of technology, evaluation of the relationship between industrial property policies and measures and technological development policies (preparatory discussions).

88. *Egypt*. Improvement of the patent documentation collection and enhancement of patent documentation and information services to government units, industry and the public (preparatory mission and report).

89. *Ethiopia*. Establishment of industrial property legislation (preparatory discussions).

90. *Gambia*. Modernization of the system for the administration of trademarks and acquisition of related equipment and documentation (preparatory discussions).

91. *Honduras*. Modernization of the trademark legislation (completed upon the enactment of a new law).

92. *Iraq*. Reorganization of the Industrial Property Office (preparatory mission and report) and training of a documentalist on the use of the International Patent Classification (IPC) and patent documents (preparatory discussions).

93. *Ivory Coast*. Establishment of an information service on industrial property and technology, planning of specialized training in the field of industrial property and organization of a seminar on intellectual property, with the help of an expert from the National Institute of Industrial Property (INPI) of France (preparatory mission and report).

94. *Kuwait*. Advice to the Institute for Scientific Research of Kuwait on patent documentation and information matters (visit of government official to Geneva).

95. *Madagascar*. Preparation of manual on industrial cooperation agreements, including industrial property licenses and technology transfer agreements (discussion during visit of Government officials to Geneva); preparation of industrial property legislation and organization of the industrial property office (preparatory mission in November 1978).

96. *Mexico*. Reorganization of the Industrial Property Office (preparatory mission and report).

97. *Philippines*. Establishment of a patent documentation and information center and planning of specialized training in the industrial property field preparatory discussion during visit of Government official to Geneva).

98. *Republic of Korea*. Modernization of the industrial property system (preparatory discussions on a five-year plan, with possible assistance of UNDP, during visit of a mission consisting of experts from the United Kingdom and the United States of America and a staff member of the International Bureau); lectures given by the said experts and staff member at a seminar on industrial property organized by the Patent Office and WIPO.

99. *Rwanda*. Modernization of the industrial property legislation and administration and planning of specialized training in the industrial property field (preparatory discussions).

100. *Senegal*. Establishment of a Directorate of Innovation and Technological Progress within the General Delegation for Scientific and Technological Research Administration with the help of an expert from the National Institute of Industrial Property (INPI) of France (preparatory mission and report).

101. *Sri Lanka*. Modernization of the intellectual property legislation and administration (preparation of the full texts of five separate draft laws on patents, trademarks, industrial designs and copyright and on an inventors' commission to encourage the creation of Sri Lankan inventions; discussions on the same between a member of the staff of the International Bureau and Government officials in Sri Lanka and discussions in Geneva between the Sri Lankan Minister of Trade and other Government officials and the Director General); planning of specialized training in the industrial property field (preparatory discussions).

102. *Sudan*. Implementation of the new patent law — follow-up on the preparation of draft regulations and training of staff — and organization of a seminar on industrial property (discussions in Khartoum).

103. *Surinam*. Preparation of intellectual property legislation, training of staff and organization of the industrial property office (preparatory discussions).

104. *Thailand*. Planning of specialized training in the industrial property field (preparatory discussions).

105. *Turkey*. Modernization of the trademark search service (preparatory discussions).

106. *United Arab Emirates*. Survey of the situation on industrial property, including establishment of trademark legislation and a trademark administration (preparatory mission and report).

107. *Zaire*. Establishment of industrial property legislation, (written advice on draft law and preparatory mission in November 1978).

#### *Regional Institutions*

108. *African Intellectual Property Organization (OAPI)*. Cooperation with OAPI continued with a view to encouraging the signing and acceptance of the revised Libreville Agreement which established OAPI and its Annexes on patents, trademarks and other industrial property subjects and on copyright. To that end, visits were made by a member of the staff of the International Bureau and the Director General of OAPI in February and October 1978 to Benin, the Central African Empire, Gabon, Togo and Upper Volta, and by a member of the staff of the International Bureau and the President of the Administrative Council of OAPI in June 1978 to the Ivory Coast, Mauritania and Niger, where the matter was discussed with the government authorities concerned. Draft Regulations under the revised Libreville Agreement have also been established with the assistance of the International Bureau.

109. Work continued on the preliminary phase of the project to establish, within the framework of OAPI, a center providing patent documentation and information services, to be financed by the United Nations Development Programme (UNDP) and from other extra-budgetary sources. The project manager, whose costs are being financed by UNDP, and an expert on patent documentation, whose costs are being financed by the Federal Republic of Germany, arrived in August 1978. During a visit in September 1978, members of the staff of the International Bureau prepared with the Director General of OAPI and counterpart staff of the Center (the Technical Director and technical staff) the work program and the counterpart budget and a preliminary draft UNDP project document. The draft was discussed by a member of the staff of the International Bureau with officials of UNDP in New York in October 1978.

110. Discussions continued between the International Bureau and government authorities of France, Germany (Federal Republic of) and Switzerland and officials of the Commission of the European Communities (CEC), which have expressed an interest in cooperating with WIPO in the execution of the

project by providing experts or supplying documentation, equipment and facilities.

111. *Industrial Property Organization for English-Speaking Africa (ESARIPO)*. The Agreement on the Creation of an Industrial Property Organization for English-Speaking Africa, which was adopted at Lusaka (Zambia) on December 9, 1976, entered into force on February 15, 1978, following ratification by Ghana, Kenya, Malawi and Zambia and accession by the Gambia. Sudan acceded to the Agreement with effect from May 3, 1978; Uganda ratified the Agreement with effect from August 8, 1978. In accordance with Article I of that Agreement, its entry into force had the effect of establishing the Industrial Property Organization for English-Speaking Africa (ESARIPO).

112. *ESARIPO Council: First Session*. The first session of the Council of ESARIPO was held at Nairobi (Kenya) in May 1978. Four member States — Ghana, Kenya, the Sudan and Zambia — and two observer States — Ethiopia and Seychelles — were represented at the first session of the Council. The preparatory work for the first session had been carried out by the International Bureau of WIPO and the Secretariat of the United Nations Economic Commission for Africa (ECA) acting as the Interim Secretariat.

113. The Council dealt with such matters as its rules of procedure and the finances of the Organization, including fixing the calendar year 1980 as the first year for the budget and for the appointment of the Director and staff of the Organization. The Council decided to request WIPO and ECA to act as the Interim Secretariat of ESARIPO and to prepare the next session of the Council, which was then held in December 1978. The Council recommended that the Governments of English-speaking African States should introduce independent patent systems based on the Model Law for English-Speaking African Countries on Patents and that their trademark systems should be modernized on the basis of a Model Law for English-Speaking African Countries on Trade Marks to be prepared under the auspices of the Committee for Trade Mark and Industrial Design Matters. The Council decided to establish a patent information and documentation service whose name should be "Patent Documentation and Information Centre for English-Speaking Africa" (to be known in abbreviated form as "ESAPADIC"). The Council also decided that negotiations should be continued with the Governments of Austria, Germany (Federal Republic of) and the United Kingdom as well as CEC, the Commonwealth Fund for Technical Cooperation (CFTC) and any other State or organization willing to make contributions to the preparatory assistance project for ESAPADIC and to ESAPADIC itself.

114. *ESARIPO Council: Second Session.* The second session of the Council of ESARIPO was held at Nairobi (Kenya) in December 1978. All States members of ESARIPO (the Gambia, Ghana, Kenya, Malawi, the Sudan, Uganda and Zambia) and five observer States (Botswana, Lesotho, Sierra Leone, Somalia and Swaziland) were represented. The preparatory documents for the second session had been prepared by the International Bureau of WIPO, after consultation with the Secretariat of ECA. The International Bureau of WIPO and the Secretariat of ECA acted as the Interim Secretariat of the meeting of the Council and of ESARIPO in general.

115. The second session of the Council was preceded by a seminar and by the fourth session of the Committee for Trade Mark and Industrial Design Matters.

116. The seminar was organized by the Interim Secretariat with the assistance of CFTC and the Government of the Federal Republic of Germany. Lectures were given by officers of ESARIPO, members of the staff of WIPO, ECA and OAPI and officials of CFTC.

117. The Committee for Trade Mark and Industrial Design Matters considered a revised draft of the Model Law for English-Speaking African Countries on Trade Marks, with Regulations and Commentary, as well as proposals concerning the preparation of a Model Law for English-Speaking Africa on Industrial Designs. The report of the Committee was submitted to the second session of the Council of ESARIPO.

118. At its second session, the Council of ESARIPO expressed the wish that seminars also be organized in connection with future sessions of the Council or of its Committees. The Council endorsed the Model Law for English-Speaking African Countries on Trade Marks, with its Commentary and Regulations, requested the Interim Secretariat to publish the Model Law, Commentary and Regulations and recommended their texts as the basis for the harmonized modernization of trademark legislation in the English-speaking countries of Africa. The Council invited the Interim Secretariat to prepare draft standard forms to be used for applications and other trademark procedures under legislation based on the Model Law. The Council decided that the question concerning the preparation of a Model Law for English-Speaking Africa on Industrial Designs should be further studied by the Committee for Trade Mark and Industrial Design Matters with a view to determining the essential features of that Model Law, and for this purpose country position papers should be prepared. The Council further invited that Committee to consider at its next session draft special provisions for the protection of the Olympic symbol.

119. The Council adopted a number of recommendations dealing with the matter of assisting infor-

mation users to have access to the technological information contained in patent documents, including a recommendation calling for the establishment of closer working relations between ESAPADIC and the Patent Documentation and Information Centre (CADIB) of OAPI and a recommendation that ESARIPO and OAPI should, through ESAPADIC and CADIB, offer to provide jointly to the African Regional Centre for Technology (ARCT) support services as the specialized agencies responsible for patent documentation and information.

120. *Patent Documentation and Information Centre for English-Speaking Africa (ESAPADIC).* Discussions took place in London in July 1978 and in Geneva in September 1978 between members of the staff of the International Bureau and officials of the United Kingdom Patent Office and representatives of CFTC concerning the contributions which that Office and CFTC could make to the preparatory assistance project for ESAPADIC (Patent Documentation and Information Centre for English-Speaking Africa). Discussions also took place by correspondence in August 1978 with officials of the Government of Austria and in September and October 1978 with officials of the Government of the Federal Republic of Germany on the possible contribution that those Governments, and in particular their Patent Offices, could make to setting up ESAPADIC.

121. *African Regional Centre for Technology (ARCT).* WIPO was represented at the first session of the Council of the African Regional Centre for Technology held in Arusha (Tanzania) in May 1978.

122. Discussions were held in May 1978 in Arusha and in November 1978 in Addis Ababa between members of the staff of the International Bureau and officials of the Centre concerning possible assistance by WIPO to facilitate operations of the Centre. An official of WIPO took part in the meetings of the Executive Board of the Centre, during which Senegal was chosen as the Centre's headquarters.

123. *Industrial Development Centre for Arab States (IDCAS).* Assistance to IDCAS continued, especially in planning the establishment of a patent documentation and information center for Arab States and in drawing up a directory of licensing in the petrochemical and fertilizer industries.

124. Cooperation also continued with IDCAS in the preparation of the industrial property terminology list (see paragraphs 49 to 53, above), in the organization of a regional meeting on the use of technological information in patent documents (see paragraph 72, above) and in the implementation of the recommendations of the Baghdad Conference (see paragraph 125, below).

125. *Industrial Property and Transfer of Technology for Arab States.* Work continued on the sur-

vey of the situation of industrial property and technology transfer in the Arab States, which was called for by the Conference on Industrial Property and Transfer of Technology for Arab States held in Baghdad (Iraq) in March 1977. Visits were made by members of the staff of the International Bureau to Democratic Yemen, Djibouti and Qatar in January 1978, to Oman, Somalia, Sudan and the United Arab Emirates in January and February 1978, and to the Libyan Arab Jamahiriya in April/May 1978. The survey covers the situation in 21 Arab countries (Algeria, Bahrain, Democratic Yemen, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, the Sudan, Syria, Tunisia, the United Arab Emirates and Yemen).

126. The survey was published in English, French and Arabic in September 1978 under the title "Situation of Industrial Property in the Arab States." The publication includes, in addition to the survey of the situation of industrial property in each of the 21 Arab States, relevant data on the Industrial Development Centre for Arab States (IDCAS), the Association for the Protection of Industrial Property in the Middle East and North Africa (APPIMAF) and the activities of WIPO in respect of Arab States.

127. The publication was distributed in November and December 1978 to the Governments of the Arab countries concerned, to their permanent missions in Geneva and New York and to interested institutions and individuals.

128. *Arab Centre for the Transfer and Development of Technology.* A draft feasibility study, based on the findings of the mission organized by the United Nations Economic Commission for Western Asia (ECWA), which visited 21 Arab countries with a view to preparing a study on the possibilities of establishing a regional center for the transfer and development of technology, was submitted to the Second Inter-Agency Meeting on the Arab Regional Centre for the Transfer and Development of Technology held in Beirut in February/March 1978. Representatives of eight organizations of the United Nations system, including WIPO, and of 14 other regional and governmental organizations attended the Second Inter-Agency Meeting. The report was submitted to an intergovernmental meeting of experts convened by ECWA in September 1978 and to the October 1978 session of ECWA.

129. *ESCAP Regional Centre for Technology Transfer.* Discussions took place between members of the staff of the International Bureau and officials of the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) in Bangkok in July 1978 and with an official of the Regional Centre for Technology Transfer located in Bangalore (India), when the latter visited Geneva in September 1978,

concerning means for assisting the Centre in organizing a program on the use of technological information contained in patent documents and on the preparation and negotiation of industrial property licenses and technology transfer agreements.

130. *Latin American Industrial Property and Technology Transfer Data Service.* Nine countries (Colombia, Costa Rica, El Salvador, Honduras, Mexico, Nicaragua, Paraguay, Uruguay and Venezuela) have expressed their willingness to participate in the Latin American Industrial Property and Technology Transfer Data Service. The establishment of the Service was recommended by the Bogotá Round Table (see "The World Intellectual Property Organization in 1977" in the February 1978 issue of this review), and approved by the WIPO Governing Bodies at their sessions in September/October 1977 for an experimental period of three years beginning in 1978. The purpose of the Service is to collect, process and distribute through a periodic bulletin data relating to patents, trademarks and offers and requests to supply technology.

131. The Industrial Property Offices of the countries participating in the Service were invited to provide data in accordance with forms prepared by the International Bureau in consultation with the said Offices. Data have so far been provided by the Industrial Property Offices of Colombia, Costa Rica, Honduras, Mexico, Nicaragua, Uruguay and Venezuela.

132. The first two issues of the Bulletin containing the data furnished were published in October and November 1978, respectively; they cover the period from January to the end of September 1978.

133. *Andean Group.* The Secretariat of the *Junta del Acuerdo de Cartagena* (Andean Group) requested in August 1978 discussions with the International Bureau with a view to preparing proposals for a possible program of technical cooperation whose objective would be to assist the member countries of the Andean Group in implementing certain programs of the Commission of the Andean Group, particularly in respect of the structure and functions of their industrial property offices.

134. In October 1978, during a visit to the headquarters of the Andean Group in Lima (Peru), the Director General of WIPO and the Senior Coordinator of the Commission signed a memorandum of understanding concerning the preparation of proposals for a long-term program of cooperation between WIPO and the Andean Group, which would entail the improvement of the industrial property institutions and systems of the five countries of the Andean Group (Bolivia, Colombia, Ecuador, Peru and Venezuela) and the establishment of patent information links in the Andean Technological Information System. The memorandum of understanding also



covers the organization by WIPO and the Andean Group of introductory courses on the use of the International Patent Classification (IPC) and the Nice Classification of Goods and Services for the Purposes of the Registration of Marks.

#### *Cooperation Among Developing Countries*

135. At its March 1978 session, the Permanent Committee (Industrial Property) noted with approval the activities of the Permanent Program (Industrial Property) and the measures of support and assistance, based on the guidelines adopted at its fourth session, which contribute to the promotion of cooperation among developing countries. These activities include representation of WIPO at the meetings organized by the United Nations Development Programme (UNDP) in preparation for the United Nations Conference on Technical Co-operation Among Developing Countries and at the meetings of the Committee on Economic Co-operation Among Developing Countries set up by the United Nations Conference on Trade and Development (UNCTAD) to which papers were submitted in February and March 1978 on the activities of WIPO in promoting economic and technical cooperation among developing countries, the support and assistance measures for economic or technical cooperation among developing countries in progress or planned in connection with the preparation of model laws for developing countries (see paragraphs 35 to 45, above), the training being provided by developing countries for nationals of other developing countries (see paragraphs 59 to 61, above), the organization of regional meetings (see paragraphs 70 to 72, above), the establishment of regional patent documentation and information services and the strengthening of other regional institutions in the fields of industrial property and the transfer of technology (see paragraphs 108 to 134, above), the preparation, with the help of experts from developing countries, of an industrial property glossary and manual for developing countries (see paragraphs 49 to 53, above), and the sharing by developing countries of the benefits of their experience in establishing national and regional infrastructures which is expected to result from the survey and study of industrial property offices (see paragraph 34, above) or in the use of the WIPO *Licensing Guide for Developing Countries* and in negotiating license agreements for the acquisition of technology from abroad (see paragraphs 46 and 47, above) or in obtaining technological information through state-of-the-art search reports (see paragraphs 24 to 27, above).

#### *Activities of the Patent Cooperation Treaty (PCT) Interim Committee for Technical Assistance (TAS)*

136. See "The Paris Union and Industrial Property in 1978," paragraphs 109 to 111, in the April 1979 issue of *Industrial Property*.

#### *Preparations for the United Nations Conference on Science and Technology for Development (UNCSTD)*

137. At its March 1978 session, the Permanent Committee (Industrial Property) noted the activities undertaken by the International Bureau in support of the preparations for UNCSTD. It recommended that the International Bureau continue to provide support, within its resources, to the Secretary-General of the Conference. Finally, the Permanent Committee (Industrial Property) endorsed the choice of the special theme of "technological information contained in patent documents" as that on which the efforts of WIPO were to be concentrated for the purposes of the Conference.

138. The activities undertaken by the International Bureau in support of the preparations for UNCSTD have included the organization, in cooperation with the Secretary-General of the Conference and the United Nations Regional Commissions, of regional meetings on technological information from patent documents in Mexico City in October 1977, in Cairo (Egypt) in May 1978 (see paragraph 72, above), and in Yaoundé (Cameroon) in May 1978 (see paragraphs 70 to 71, above) and a national seminar in Algiers in November 1978 (see paragraph 73, above), as well as preparations for a regional meeting to be held in Bangkok (Thailand) in early 1979. The purpose of these regional meetings during the preparatory period of the Conference is to focus attention, nationally, regionally and worldwide, not only on the importance for development of access to the world's store of technological information in patent documents but also on the fact that international cooperation for this purpose is already effective in the patent field.

139. WIPO was represented at the regional and sub-regional meetings — organized in cooperation with the Secretary-General of UNCSTD as part of the preparations for the Conference — by the United Nations Economic Commission for Latin America (ECLA) in Bogotá (Colombia) in February 1978, in Kingston (Jamaica) in February 1978, in Lima (Peru) in February/March 1978, in Buenos Aires (Argentina) in March 1978 and in Panama City (Panama) in August 1978, by the United Nations Economic Commission for Africa (ECA) in Cairo (Egypt) in August 1978, by the United Nations Economic Commission for Western Asia (ECWA) in Amman (Jordan) in September 1978, by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) in Manila (Philippines) in April 1978 and in Bangkok (Thailand) in July 1978, and by the United Nations Economic Commission for Europe (ECE) in Bucharest (Romania) in June/July 1978. WIPO was represented also at a meeting of Governmental Experts to examine a draft regional paper on



science and technology organized by ECA in Yaoundé (Cameroon) in July 1978. In addition, WIPO was represented at the sessions of the United Nations bodies which dealt with the preparations for the Conference, held in Geneva in February 1978 and in New York in September and December 1978.

140. The International Bureau also submitted to each of the said regional and sub-regional meetings papers on questions concerning the access to and use of technological information contained in patent documents. Information was also provided on such subjects to governments for inclusion in their national papers. In addition, at the request of ECA, the International Bureau submitted to the African Regional Meeting at Cairo (Egypt) in August 1978, a paper on aspects of the transfer, adaptation and development of technology in Africa.

141. In addition, the International Bureau has also made some contribution to the Conference preparations as far as the staff of the Conference Secretariat is concerned.

## **B. Permanent Program and Permanent Committee (Copyright and Neighboring Rights)**

### *Permanent Committee (Copyright)*

142. *Membership.* Five States — Benin, Central African Empire, Italy, Mali and the Sudan — became members of the Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (hereinafter referred to as “the Permanent Committee (Copyright)”), bringing the total membership to 44.

143. *Second Session.* The second session of the Permanent Committee (Copyright) was held in March 1978. Thirty-three States members of the Permanent Committee (Copyright) were represented at that session. Fifteen other States, two organizations of the United Nations system, and one other inter-governmental and 13 international non-governmental organizations were represented by observers.

144. In accordance with the special budgetary provisions approved by the Governing Bodies at their eighth series of meetings in September/October 1977, the travel and subsistence expenses of attendance at the second session of the Permanent Committee (Copyright) of one delegate each from Mali, the Sudan and Upper Volta, all of which countries are members of the Permanent Committee (Copyright) and are regarded as being among the least developed of the developing countries, were borne by WIPO.

145. The Permanent Committee (Copyright) reviewed past and current activities and plans for future activities under the Permanent Program (Copyright). Its recommendations are referred to

below in connection with the following summary of those activities.

### *Permanent Program (Copyright)*

#### *Status of Ratifications of or Accessions to the Conventions on Copyright and Neighboring Rights*

146. At its March 1978 session, the Permanent Committee (Copyright) noted the number of States party to the Berne Convention for the Protection of Literary and Artistic Works, the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (“Rome Convention”), the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (“Phonograms Convention”) and the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (“Satellites Convention”), as of the date of its session, and heard the statements of a number of delegations to the effect that their countries were actively considering acceding to the Paris Act (1971) of the Berne Convention or to the other Conventions. The Permanent Committee (Copyright) also noted that Niger had made a declaration availing itself of the special provisions in favor of developing countries contained in the Annex of the Paris Act (1971) of the Berne Convention.

#### *Support of National Authors and Performers*

147. At its March 1978 session, the Permanent Committee (Copyright) noted the progress made by the International Bureau on the study of the legislative and institutional arrangements in the fields of copyright and neighboring rights in developed and developing countries for the support of national authors of literary and artistic works (including musical works) and other creative artists.

148. The information received by the International Bureau in response to its circular letter issued in November 1977 is in the process of being analyzed and will be submitted to a Working Group for review and for the formulation of recommendations to the Permanent Committee (Copyright).

#### *Access to and Dissemination of Protected Works*

149. At its March 1978 session, the Permanent Committee (Copyright) noted the decisions taken at their November/December 1977 sessions by the Berne Union Executive Committee and the Intergovernmental Copyright Committee established under the Universal Copyright Convention concerning the study of the problems faced by developing countries in respect of access to protected works and the convening of a working group for that purpose. In the course of the discussion, a number of delegations, both from developing and developed coun-

tries, expressed concern and stressed the importance of the need to examine the question of facilitating access to protected works and their dissemination, including implementation of the specific provisions for the benefit of developing countries contained in the Paris texts of the two Copyright Conventions. The Permanent Committee (Copyright) strongly urged that the joint WIPO/Unesco questionnaire envisaged for the purpose by the two Copyright Committees at their sessions in November/December 1977 should be issued as soon as possible and without further delay in order to elicit not only the legal but also the practical difficulties in the implementation of the 1971 texts.

150. A questionnaire designed to obtain information for an over-all study of the problems posed for developing countries by access to protected works of foreign origin, prepared by the International Bureau of WIPO and the Secretariat of Unesco, was sent by the two Secretariats in June 1978 to States members of the organizations of the United Nations system.

#### *Model Law on Copyright for Developing Countries*

151. At its March 1978 session, the Permanent Committee (Copyright) noted that the Portuguese text of the Tunis Model Law on Copyright for developing countries, which had been published previously in Arabic, English, French and Spanish, had been prepared with the assistance of the Portuguese authorities and would be published in cooperation with Unesco.

152. The Portuguese text of the Tunis Model Law on Copyright for Developing Countries was published in April 1978.

#### *Glossary of Terms of the Law of Copyright*

153. At its March 1978 session, the Permanent Committee (Copyright) noted that work by the International Bureau continued, in cooperation with Unesco, on the preparation of a glossary of terms of the law of copyright and neighboring rights. The Glossary would contain words and expressions which characteristically occur in legislative texts (national laws, regulations, international treaties) on copyright and neighboring rights, in contracts transferring copyrights or neighboring rights or licensing such rights, and in treaties about copyright or neighboring rights, or in common parlance on copyright or neighboring rights matters. It would be prepared initially in Arabic, English, French and Spanish and, in cooperation with the governments concerned, in other languages, including Portuguese. A preliminary draft of the Glossary, with terms in English, French and Spanish, was presented to the Permanent Committee (Copyright), which made comments on it and suggested certain improvements.

#### *Protection of Folklore*

154. Following the decisions of the Berne Union Executive Committee and the Intergovernmental Copyright Committee at their November/December 1977 sessions, to the effect that Unesco should pursue studies on folklore in general on an inter-disciplinary basis within the framework of an overall approach, with WIPO being associated in the examination of any aspects of copyright or copyright-type protection involved, the International Bureau held discussions with the Secretariat of Unesco with a view to planning for a study on the protection of folklore by copyright or copyright-type provisions.

#### *Guide to the Berne Convention*

155. At its March 1978 session, the Permanent Committee (Copyright) noted the publication of a Guide to the Berne Convention and expressed its satisfaction for this useful work which, in a certain sense, constitutes a manual for those relying on the Berne Convention.

156. The French original and the English version of the *Guide to the Berne Convention* were published at the beginning of 1978. At the end of 1978, the Spanish translation of the Guide was being printed, whereas Arabic and Portuguese translations of the Guide were being prepared. Additionally, arrangements had been made for the publication of the Guide in German, Japanese and Russian.

#### *Training Program in the Field of Copyright and Neighboring Rights*

157. *In General.* At its March 1978 session, the Permanent Committee (Copyright) noted the information presented by the International Bureau on the WIPO training program in the field of copyright and neighboring rights, in particular the fellowships awarded and training courses held in 1977. It expressed appreciation to the governments of the countries and to the organizations which had received fellows for training and had otherwise contributed to the training program by meeting the travel and/or subsistence expenses of trainees. The Permanent Committee (Copyright) noted the statements of a number of delegations which expressed the willingness of their governments to contribute in the future to the training program.

158. *Fellowships.* Under the WIPO Fellowships Program for 1978, 31 applications for fellowships in the field of copyright and neighboring rights from 22 developing countries were submitted to WIPO. Twenty-five fellowships were awarded to officials from the following 19 developing countries: Algeria, Bolivia, Fiji, Ghana, India, Iran, Ivory Coast, Kenya, Mexico, Niger, Panama, Peru, Senegal, Thailand, Togo, Tunisia, Upper Volta, Venezuela and Zaire.

159. The following five countries contributed in full or in part to the payment of the costs of the travel expenses and subsistence allowances of the fellows:

(i) full payment: United Kingdom (three fellows from Fiji, Ghana and Kenya);

(ii) partial payment: Hungary (two fellows from Algeria and Niger); India (two fellows from Fiji and Thailand); Italy (one fellow from Tunisia); Mexico (two fellows from Bolivia and Panama).

160. The remainder of the cost of the WIPO Fellowships Program for 1978 was borne by the budget of the WIPO Legal-Technical Assistance Program.

161. Seventeen of the 25 trainees, before their practical training with authors' societies or copyright offices, took part in a Symposium, as in 1976 and 1977, held in Geneva in October 1978. Those were nationals of Algeria (2), Fiji, Ghana, India, Iran (2), Ivory Coast, Kenya, Niger (2), Thailand, Togo, Tunisia, Upper Volta, Venezuela and Zaire. The purpose of the Symposium was to provide the trainees with general information on the legal instruments existing in the field of copyright and neighboring rights, as well as to give them an outline of some important questions in that field. Lectures were given by members of the staff of the International Bureau and by representatives of the European Broadcasting Union (EBU), the International Confederation of Societies of Authors and Composers (CISAC), the International Federation of Producers of Phonograms and Videograms (IFPI) and the International Publishers Association (IPA).

162. Some of the trainees also underwent practical training at the copyright offices or authors' societies in the following twelve countries: Algeria (National Copyright Office (ONDA)); Argentina (Society of Authors and Composers of Music (SADAIC)); France (Society of Authors, Composers and Music Publishers (SACEM)); Germany (Federal Republic of) (Musical Performing and Mechanical Reproduction Rights Society (GEMA)); Hungary (Bureau for Copyright Protection (ARTISJUS)); India (Copyright Office in New Delhi and other related organizations in Calcutta); Italy (Bureau of Literary and Artistic Property, Rome); Mexico (Directorate General of Copyright); Senegal (Senegalese Copyright Office (BSDA)); Switzerland (Swiss Society of Authors and Publishers (SUISA)); United Kingdom (Industrial Property and Copyright Department of the Department of Trade, and other organizations concerned in London); United States of America (Copyright Office, Washington, D. C.).

163. *Teaching of Copyright Law.* The Permanent Committee (Copyright) discussed the importance of teaching copyright law in universities in developing countries and noted the plans of the International Bureau to continue its contacts with a view to devel-

oping and teaching the subject in the universities of developing countries.

164. During April and May 1978, a lecturer in the Faculty of Law from a University in India visited the Copyright Offices of the United Kingdom and the United States of America and had discussions with professors of universities and interested persons and societies in the fields of copyright and neighboring rights in those countries, as well as at the Max Planck Institute for Foreign and International Patent, Copyright and Competition Law (Munich), with a view to planning the organization of courses on copyright law and other intellectual property courses in the university concerned. He also visited WIPO Headquarters for necessary discussions.

### *Regional Meetings*

165. *Meeting of Group of Latin American Experts on Copyright.* A meeting of a Group of Latin American Experts on Copyright was convened by WIPO and Unesco in Geneva in March 1978. Experts from Argentina, Colombia, Ecuador, Mexico and the Interamerican Copyright Institute (IIDA) participated in the meeting. The purpose of the meeting was to make suggestions for the preparation of a meeting of Latin American experts to be held in 1979. The Group of Experts suggested that the agenda of the 1979 meeting include the specific role of copyright in contemporary Latin American society, the state of Latin American copyright law and the formulation of principles which could facilitate the harmonization of copyright legislation, taking into account the particular characteristics of the region, in order to strengthen copyright protection. The Group of Experts suggested that the preparatory documents for the 1979 meeting should include the resolutions adopted at the First Continental Conference on Copyright held at São Paulo (Brazil) in June 1977 (see "The World Intellectual Property Organization in 1977" in the February 1978 issue of this review) and a comparative study of the national copyright laws in relation to the Tunis Model Law on Copyright for developing countries in order to ascertain the principal tendencies of the legislation and doctrine on copyright in Latin America, as well as contributions which might be submitted by IIDA.

166. *Asian/Pacific Seminar.* The proceedings of the Asian/Pacific Seminar on the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Bangkok, October 1977) were issued in July 1978.

167. *Regional Seminar on Copyright and Neighboring Rights for Asian and Pacific States and Territories.* A Regional Seminar on Copyright and Neighboring Rights for Asian and Pacific States and Territories was organized jointly by WIPO and Unesco at

the invitation of the Government of India in New Delhi (India) in December 1978. Specialists from the following 15 States and Territory participated in the Seminar: Australia, Bangladesh, Fiji, Hong Kong, India, Indonesia, Iran, Japan, Malaysia, Pakistan, Philippines, Republic of Korea, Soviet Union, Sri Lanka, Thailand. In addition, representatives of seven States (India, Japan, Kenya, Libyan Arab Jamahiriya, Nigeria, Thailand, United States of America) and eight international organizations attended the Seminar in an observer capacity.

168. The main topics discussed at the Seminar were the role of copyright in the context of development, the special provisions in the international copyright conventions in favor of developing countries, the general principles in the fields of copyright and neighboring rights which are of special interest to the countries and territories of the region, and the aspects of the multilateral intergovernmental conventions concerning the protection of performers, producers of phonograms and broadcasting organizations.

169. The participants in the Seminar recommended that governments should strengthen their national legislation on copyright and neighboring rights by adopting, on the basis of the model laws in these fields, suitable provisions, including penal and civil, so as to conform with the requirements of the 1971 revisions of the two Copyright Conventions, as also suitable provisions for the protection of neighboring rights, adhere to the international treaties in the fields of copyright and neighboring rights, develop suitable infrastructures for the administration and enforcement of the rights of authors, performers, producers of phonograms and broadcasting organizations and consider creating "Good Offices Committees" of authors and publishers. The participants recommended also that WIPO and Unesco assist in the training of required personnel and in establishing suitable infrastructures that would promote creativity in the developing countries, and prepare model contracts concerning relations between performers, producers of phonograms and broadcasting organizations. Finally, the participants called upon publishers and owners of copyright in developed countries to facilitate the acquisition of translation and reproduction rights by publishers in developing countries by granting such rights on easier terms and conditions.

#### *Assistance to Certain Developing Countries and Regional Institutions of Developing Countries*

170. During 1978, assistance has been given to the following developing countries or groups of developing countries, or requests for assistance from the governments of such countries and regional authorities were under active consideration, in connection with the preparation of legislation, the establish-

ment or strengthening of national or regional institutions concerning copyright and neighboring rights or related matters.

#### *Countries*

171. *Cameroon*. Planning of specialized training in the fields of copyright and neighboring rights (preparatory discussions).

172. *Cape Verde*. Organization of a seminar devoted to the problems of national artists and writers (preparatory discussions).

173. *Central African Empire*. Planning of specialized training in the fields of copyright and neighboring rights (preparatory discussions).

174. *Congo*. Modernization of the Copyright Office, including the creation of a documentation and information service on copyright matters and reorganization of the service for the collection of fees for copyright and performers' rights (preparatory discussions and mission in November 1978).

175. *Iran*. Planning of specialized training in the fields of copyright and neighboring rights and the establishment of a copyright office (preparatory discussions).

176. *Ivory Coast*. Survey of the situation on new copyright and neighboring rights legislation and related infrastructure (preparatory discussions).

177. *Niger*. Planning of specialized training in the fields of copyright and neighboring rights and the establishment of copyright legislation (preparatory discussions).

178. *Sri Lanka*. See paragraph 101, above.

179. *United Arab Emirates*. Survey of the situation on copyright and neighboring rights (preparatory mission and report).

180. *Zaire*. Planning of specialized training in the fields of copyright and neighboring rights (preparatory discussions).

#### *Regional Institutions*

181. *African Cultural Institute (ACI)*. Training of officials on copyright matters and expert-lecturer on copyright and other intellectual property subjects (preparatory discussions).

182. *African Intellectual Property Organization (OAPI)*. See paragraph 108, above.

183. *Caribbean Community (CARICOM)*. Harmonization of laws on copyright and neighboring rights, on the protection of industrial designs and on the legal deposit of national publications (written advice on reports prepared by the CARICOM Secretariat).

### *Cooperation Among Developing Countries*

184. At its March 1978 session, the Permanent Committee (Copyright) noted with satisfaction the activities in the field of cooperation among developing countries within the framework of the Permanent Program (Copyright) and decided to maintain this item on its agenda for each subsequent session of the Committee. These activities include the strengthening of regional institutions in the fields of copyright and neighboring rights (see paragraph 108, above), the preparation and adoption of the Tunis Model Law on Copyright for developing countries (see paragraphs 151 and 152, above), the preparation of model provisions relating to the implementation of international treaties dealing with copyright or neighboring rights, as for example the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (see "The Berne Union and International Copyright and Neighboring Rights in 1978" in the April 1979 issue of this review), which serve as a means for bringing about greater harmony among the copyright laws within that particular group, the organization of regional meetings and seminars which provide an opportunity for an exchange of experience among participants from groups of developing countries and which can lead to the formulation of recommendations for concerted action among the developing countries or groups of developing countries (see paragraphs 165 to 169, above), and the holding of orientation or evaluation courses and training courses which also provide an opportunity to exchange views and to benefit from the experience of others (see paragraphs 161 and 162, above).

#### **C. Training Opportunities in the Fields of Industrial Property and Copyright and Neighboring Rights**

185. In October 1978, the International Bureau announced the program for training opportunities in 1979 and subsequent years in the fields of industrial property and copyright and neighboring rights, and invited the governments of developing countries to propose candidates for the 1979 general introductory courses and/or for training at national patent offices or copyright offices of certain countries.

#### **D. Special Contributions by Certain Countries to Development Cooperation Activities in the Fields of Industrial Property, Copyright and Neighboring Rights**

186. For the purposes of the development cooperation activities in the fields of industrial property, copyright and neighboring rights, referred to above, the governments of certain countries made the following special contributions in the form of the provisions of the services of experts or documents, or the payment of all or part of the cost of certain activities:

(a) The Government of France has made available experts from its National Institute of Industrial

Property (INPI) to participate in preparatory missions concerning assistance to the Ivory Coast (see paragraph 93, above) and Senegal (see paragraph 100, above).

(b) The Government of the Federal Republic of Germany continued to assign one of the officials of its Patent Office to work full time in the International Bureau on WIPO projects on development cooperation. The official was selected in agreement with the Director General of WIPO. The Government of the Federal Republic of Germany not only covers the salary of the said official but also reimburses the International Bureau's overhead expenses due to the presence of that official in the International Bureau and the expenses of that official's missions. From a fund of 895,000 Swiss francs, placed at the disposal of the International Bureau by the Government of the Federal Republic of Germany pursuant to an agreement concluded in August 1977 between WIPO and that Government for the financing of specified development assistance projects between 1977 and 1982, allocations were made for the services of the consultant official provided by that Government to work on development cooperation projects and for the travel expenses and subsistence allowances of some of the participants and one of the lecturers in the ESARIPO Seminar held in December 1978 (see paragraph 116, above).

(c) The Swedish International Development Authority (SIDA) provided funds to assist in the organization of two training courses, each of two weeks' duration, in the use of the International Patent Classification (IPC), held in San José (Costa Rica) in June 1978 and in Bogotá (Colombia) also in June 1978 (see paragraph 68, above).

(d) The special allocation of funds in the amount of 15,000 pounds sterling made available by the United Kingdom for the financial year 1978-1979 to support WIPO programs of benefit to developing countries, in particular the WIPO Fellowships Program and training or other assistance for the Industrial Property Organization for English-Speaking Africa (ESARIPO), has been used in part so far for the payment of the travel expenses and subsistence allowances of trainees under the WIPO Fellowships Program for 1978 — two in the field of industrial property (see paragraph 58, above) and three in the field of copyright and neighboring rights (see paragraph 159, above) — and for the payment of part of the travel expenses and subsistence allowance of a university professor undertaking specialized training (see paragraph 164, above), as well as for engaging the services of a consultant on trademark matters to assist the Industrial Property Conference for English-Speaking Africa (see "The World Intellectual Property Organization in 1977" in the February 1978 issue of this review).

(e) The United States Patent and Trademark Office continued to assign one of its officials to work full time in the International Bureau on matters which include WIPO projects on development co-operation. This official, too, was selected in agreement with the Director General of WIPO; the Government of the United States of America continues to pay that official's salary.

(f) Full or partial payment of the travel expenses and subsistence allowances of trainees in the field of industrial property (see paragraph 58, above) and in the fields of copyright and neighboring rights (see paragraph 159, above) under the WIPO Fellowships Program for 1978 was made by a number of countries.

(g) Patent documents, or microforms of such documents, were provided to Algeria by Canada, the German Democratic Republic, Germany (Federal Republic of), Netherlands and Norway and to Brazil by the Federal Republic of Germany and the Soviet Union (see paragraphs 30 and 82, above). State-of-the-art search reports were provided by Austria to a number of developing countries (see paragraph 24, above).

(h) The Swedish Patent Office has provided the International Bureau with an English and French version of a 16mm film and videocassette entitled "*Patent — skyddat och känt*" ("Patent — Protected and Known"), which may be used as a training aid and for information purposes.

(i) The Commonwealth Fund for Technical Co-operation (CFTC) paid the travel expenses and subsistence allowances of some of the participants and one of the lecturers in the ESARIPO Seminar held in December 1978 (see paragraph 116, above).

## E. Other Relations with Developing Countries

### Meetings

187. *New Delhi Seminar on Educational Publishing in Developing Countries* A Seminar on Educational Publishing in Developing Countries was organized by the National Book Trust of India in the course of the Third World Book Fair at New Delhi in February 1978. It was attended by about 100 participants, nearly half of whom came from other countries. They included government officials, members of the book publishing industry, and representatives of associations of publishers and book-sellers and other interested organizations, including Unesco and WIPO. Papers were presented on a number of subjects, including a paper by a member of the staff of the International Bureau on problems of international copyright and educational publishing.

188. *Spanish-Latin American Symposium on Science and Technology*. A Spanish-Latin American Symposium to launch the International Project on

Social Implications of the Application of Science and Technology to Development was organized by the Institute for Labour Studies of the International Labour Organisation (ILO) and the Government of Spain at the University of Santa Maria de la Rábida, Huelva (Spain), in March 1978. The Symposium, which was attended by about 80 participants, included representatives of universities, national institutes and governmental organizations in Spain and Latin America. A member of the staff of the International Bureau delivered a lecture on the subject of the law on inventions and science and technology.

189. *Training Course on Documentation and Industrial Information*. A training course on documentation and industrial information was organized by the Industrial Development Centre for Arab States (IDCAS), in cooperation with the Iraq Institute for Engineering Studies and the United Nations Industrial Development Organization (UNIDO) at Baghdad (Iraq) in October/November 1978. About 70 persons from Algeria, Iraq, Lebanon, Saudi Arabia, Somalia, and Tunisia participated. The International Bureau presented papers on the access to technological information contained in patent documents and on the technical content and structure of patent documents and Official Gazettes. A member of the staff of the International Bureau gave lectures on these subjects and participated in the discussions.

190. *Marga Institute Training Seminar on the Negotiation of Transnational Contracts*. A training seminar on the negotiation of transnational contracts was organized by the Sri Lanka Centre for Development Studies (Marga Institute) in Colombo (Sri Lanka) in February 1978. It was attended by 40 participants, including officials of State corporations, legal advisors of private enterprises and other members of the legal profession. Lectures were given by government officials, law professors, attorneys in private practice, and a member of the staff of the International Bureau. Discussions took place on the basis of the lectures and on case materials prepared by the staff of the Marga Institute as well as on the basis of the WIPO *Licensing Guide for Developing Countries*. The topics included the formation of contracts for the purchase of capital equipment and for the export and import of goods, the negotiation and preparation of industrial property licenses and technology transfer agreements, and the regulation of investment from abroad (e. g., the laws concerning the establishment of business enterprises, currency exchange controls, taxation, settlement of disputes).

191. *Manila Regional Workshop on the Patent System*. A Regional Workshop on the Patent System was organized by the Government of the Philippines in Manila in April 1978. The Workshop was held in conjunction with the celebration of the 12<sup>th</sup> Annual Philippine Inventors' Week and was sponsored by the

Philippine Inventors' Commission, the National Science Development Board, the Department of Trade, the Technology Transfer Center, the Philippines Patent Office and the Filipino Inventors' Society. The Workshop was attended by about 40 participants, who included representatives of the five member countries of the Association of South East Asian Nations (ASEAN) (Indonesia, Malaysia, Philippines, Singapore and Thailand) and of WIPO as well as members of the Filipino Inventors' Society.

192. The discussions were focused on the need for regional cooperation in facilitating the exchange and flow of scientific and patent-based technological information and appropriate technologies within the region. Working papers were presented by resource persons drawn from the Philippines as well as by members of the staff of the International Bureau.

193. The Workshop adopted recommendations concerning the establishment of a clearing house or other mechanism for the dissemination and exchange of information on the transfer and development of technology, the creation of patent information banks, the training of officials in the use of technological information in patent documents, the adoption of national patent legislation and the establishment in each ASEAN country of a commission or other government body that would promote and encourage the creation of local inventions and innovations. The Workshop also recommended that a study be undertaken on the various systems for the legal protection of inventions, innovations and know-how in the countries of the ASEAN region and that that study, together with suggestions or recommendations for the improvement of the said systems be considered by a group of experts from the ASEAN region, taking into account the specific needs of each country of that region and the objectives of stimulating the creation of local inventions and innovations and the disclosure of know-how and of ensuring their protection, inducing investment in the ASEAN region and facilitating the export of products of that region. In this connection, the Workshop noted the willingness of WIPO to assist in the preparation of the study, suggestions and recommendations and in organizing the meeting of the group of experts.

194. The recommendations of the Workshop were referred by the ASEAN Standing Committee at its meeting in June 1978 to the ASEAN Standing Committee on Science and Technology (COST). At its meeting in June 1978, COST endorsed the resolutions and recommended the acceptance in principle of the offer of WIPO to cooperate with the ASEAN countries in the implementation of the said resolutions.

195. *International Seminar on the Rights of Inventors and the Transfer of Technology.* An international seminar on the rights of inventors and the

transfer of technology was organized by the Lawyers' Association of São Paulo in cooperation with the Interamerican Bar Association and the Interamerican Copyright Institute (IIDA) at São Paulo (Brazil) in October 1978. About 75 members of the legal profession, including university law professors, participated. The Director General gave a talk on WIPO and its activities particularly the PCT.

196. *First Venezuelan Seminar on Patents of Invention.* A seminar on patents of invention was organized by the Industrial Property Office of the Government of Venezuela in Cooperation with local universities and institutes in Mérida (Venezuela) in November 1978. About 50 persons attended the seminar. A member of the staff of WIPO gave lectures and presented papers prepared by the International Bureau on the access to technological information contained in patent documents, the technical content and structure of patent documents and Official Gazettes, and WIPO and its activities in the field of patent documentation and information.

197. *ALECSO Meeting of Government Experts on Copyright in Arab States.* WIPO was represented at a meeting organized by the Arab States Educational, Cultural and Scientific Organization (ALECSO) at Algiers (Algeria) in October 1978 to consider a preliminary draft convention on copyright for Arab States, prepared by the Secretariat of ALECSO. Representatives of seven Arab States (Algeria, Iraq, Kuwait, Oman, Qatar, Saudi Arabia and Tunisia) and of two intergovernmental organizations (WIPO and Unesco) attended the meeting.

### *Missions*

198. The Director General made a visit to India in January 1978. On that occasion, he met with the President of the Republic of India and with the Prime Minister, the Minister for External Affairs, the Ministers for Commerce, Education, Industry and Law, and other high-ranking officials of the Government of that country responsible for industrial property, transfer of technology and copyright and neighboring rights matters.

199. In February 1978, the honorary degree of Doctor of Laws was conferred on the Director General by the University of Jabalpur (India).

200. On the occasion of his participation in the Regional Meeting for Arab Countries on Technological Information Contained in Patent Documents, held in Cairo in May 1978 (see paragraph 72, above), the Director General met with the Minister of State for Foreign Affairs, the President of the Academy of Scientific Research and Technology and other high-ranking officials of the Government of that country responsible for industrial property and transfer of technology matters.



201. Visits were made by WIPO officials to Algeria, Argentina, Bangladesh, Benin, Brazil, Burundi, Cameroon, the Central African Empire, Chile, Colombia, Congo, Costa Rica, Democratic Yemen, Djibouti, Egypt, El Salvador, Ethiopia, Gabon, Honduras, India, Iran, Iraq, the Ivory Coast, Jamaica, Kenya, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mauritania, Mexico, Nicaragua, the Niger, Nigeria, Oman, Panama, Paraguay, Peru, the Philippines, Qatar, Republic of Korea, Senegal, Singapore, Somalia, Sri Lanka, the Sudan, Tanzania, Thailand, Togo, Upper Volta, the United Arab Emirates, Uruguay, Venezuela and Zaire, for the purpose of exchanging views with the Government authorities of those countries on matters relating to WIPO, particularly industrial property, transfer of technology and copyright and neighboring rights. In a number of instances, these discussions took place at the time when WIPO officials were participating also in meetings organized by WIPO or by organizations of the United Nations system.

202. Officials of the Government of Madagascar and an advisor from the United Nations Industrial Development Organization (UNIDO) had discussions with members of the staff of the International Bureau in Geneva in January 1978 on matters concerning industrial property licenses and technology transfer agreements. An official of the Institute for Scientific Research of Kuwait had discussions with members of the staff of the International Bureau in Geneva in March 1978 on patent documentation and information matters. An official of the Government of the Ivory Coast had discussions with members of the staff of the International Bureau in Geneva in March 1978 in connection with new legislation and infrastructures in the fields of industrial property, copyright and neighboring rights.

203. An official of the Government of the Philippines had discussions with members of the staff of the International Bureau in Geneva in November 1978 on the possibilities of strengthening the patent documentation and information services of the Technology Resources Center of the Government of the Philippines.

204. Talks took place on industrial property and transfer of technology matters with the Secretariats of the United Nations Economic Commission for Africa (ECA) in Addis Ababa (Ethiopia) in February 1978, the United Nations Economic Commission for Asia and the Pacific (ESCAP) in Bangkok (Thailand) in March and July 1978, the United Nations Economic Commission for Western Asia (ECWA) in Beirut (Lebanon) in February, March and May 1978, the Industrial Development Centre for Arab States (IDCAS) in Cairo (Egypt) in May 1978, the Organization for African Unity (OAU) in Addis Ababa in February 1978 and in Dar es Salaam (Tanzania) in

May 1978, the *Junta del Acuerdo de Cartagena* (Andean Group) in Lima (Peru) in February and October 1978, the African Intellectual Property Organisation (OAPI) in Yaoundé (Cameroon) in February and September 1978 and the African Centre for Technology in Arusha (Tanzania) in May 1978 and in Addis Ababa in November 1978.

#### IV. Relations with States and Organizations

##### A. In General

205. The International Bureau pursued its contacts with States and international organizations during the period under review.

##### B. Relations with States

###### *Relations with Developing Countries*

206. See paragraphs 79 to 107, 171 to 180, and 187 to 204, above.

###### *Relations with Other States*

207. On the invitation of the Government of Bulgaria, and, in particular, the Director of the Institute of Inventions and Rationalizations, the Director General paid an official visit to Sofia (Bulgaria) in August 1978. He met, in addition to the Director and several officials of the Institute, with the Acting Minister for Foreign Affairs, the Acting Minister to the State Committee of Science and Technical Progress, the Deputy Chairman of the Committee of Culture, as well as with other officials of the Government of Bulgaria responsible for industrial property and copyright matters and with the Chairman of the Bulgarian Chamber of Commerce. Agreement was reached on several matters of practical cooperation, including plans for a seminar on patent information questions to be organized by the Government of Bulgaria with the cooperation of WIPO in Bulgaria in 1980.

208. The Director General went on an official visit to Czechoslovakia in June 1978 on the invitation of the Government of that country. He met with the Acting Minister for Foreign Affairs, the Minister for Culture and the Minister for Technology and with Government officials responsible for industrial property and copyright matters. He visited Prague and several places in Slovakia.

209. In April 1978, the Director General met with the Federal Councillor and Head of the Federal Political Department of the Swiss Confederation.

210. Visits were made by the Director General to Spain, the United Kingdom and the United States of America, and by officials of the International Bureau to the same countries and to Australia, Austria,

Bulgaria, Denmark, France, Germany (Federal Republic of), Hungary, Japan, the Soviet Union and Sweden to discuss with Government authorities of the said States matters relating to WIPO, industrial property, copyright and neighboring rights.

211. Officials of the Government of China visited WIPO Headquarters in Geneva in November and December 1978 and had discussions with the Director General and members of the staff of the International Bureau on questions of mutual interest. A visit by the said officials to the International Patent Documentation Center (INPADOC) in Vienna in December 1978 was also arranged by the International Bureau.

### **C. Relations with Other Organizations of the United Nations System**

#### *General Coordination of Policies and Activities*

212. The Director General and other officials of the International Bureau participated in the work of a number of inter-secretariat bodies of the United Nations established for the purpose of facilitating coordination of the policies and activities of the organizations of the United Nations system. These bodies included the Administrative Committee on Coordination (ACC), which met in April, May, July and October/November 1978, and its Preparatory Committee, which met in March, July and October/November 1978, the Consultative Committee on Administrative Questions (CCAQ), which met in January 1978, as well as other sub-committees, working groups and inter-agency meetings convened to deal with various matters of common interest to the organizations of the United Nations system, including fellowships and training, procurement of goods and services, publications, public information, science and technology, the coordination of external assistance to developing countries, and economic cooperation among developing countries.

#### *Representation at Meetings of United Nations Bodies*

213. WIPO was represented at various meetings of United Nations bodies at which questions of direct interest to WIPO were discussed. These included: the first organizational session of the Committee of the Whole established under United Nations General Assembly resolution 32/174 in order to assess and review the progress of the implementation of United Nations resolutions related to the New International Economic Order, in New York in April 1978; the meetings of the Preparatory Committee for the United Nations Conference on Technical Co-operation among Developing Countries, in New York in May 1978 and in Geneva in June 1978; the United Nations Conference on Technical Co-operation

among Developing Countries held in Buenos Aires (Argentina) in August/September 1978 (where a statement was also made on the activities of WIPO in the field of technical cooperation among developing countries); the meetings of the Preparatory Committee for the United Nations Conference on Science and Technology for Development (UNCSTD) held in New York in September and December 1978; the meeting of the United Nations Advisory Committee on the Application of Science and Technology for Development, held in Geneva in July/August 1978; and the thirty-third session of the General Assembly of the United Nations, which met in New York from September to December 1978.

214. WIPO was represented at the second regular session in 1978 of the United Nations Economic and Social Council (ECOSOC), which met in Geneva in July 1978, at the meetings of the Committee for Programme and Co-ordination of ECOSOC in New York in May 1978, and at the joint meeting of that Committee and ACC which took place in July 1978, at the session of the Governing Council of the United Nations Development Programme (UNDP), which met in Geneva in June 1978, at the special ministerial sessions of the Trade and Development Board of the United Nations Conference on Trade and Development (UNCTAD), in Geneva in January and March 1978, and at its session in August/September 1978, at its Committee on Transfer of Technology, which met in December 1978, as well as at meetings of groups of experts convened by UNCTAD in Geneva on the international code of conduct on transfer of technology (February and June 1978), restrictive business practices (March/April and July 1978), trade expansion and regional economic integration among developing countries (April 1978), and on questions related to the least developed of the developing countries (July 1978). WIPO was represented at the United Nations Conference on an International Code of Conduct on Transfer of Technology held in Geneva in October/November 1978. WIPO was also represented at the session of the Permanent Committee of the Industrial Development Board of the United Nations Industrial Development Organization (UNIDO), in Vienna in May 1978, and at the session of the Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space, in Geneva in March/April 1978.

215. The Director General attended the opening ceremony of the World Conference to Combat Racism and Racial Discrimination, convened by the United Nations in Geneva in August 1978.

216. WIPO was also represented at the Observance of an International Day of Solidarity with the Palestinian People, which took place at the United Nations in Geneva in November 1978.

*Resolutions and Decisions of the United Nations General Assembly and of Other Organs of the United Nations*

217. The United Nations General Assembly at its thirty-second session (September to December 1977). ECOSOC at its sessions in April/May and July/August 1978 and the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples at its meetings in August 1978 adopted a number of resolutions and decisions which called for action by the organizations of the United Nations system in general or are otherwise relevant to the work of WIPO. They were brought to the attention of the WIPO Coordination Committee together with comments and proposals by the Director General, as appropriate (see paragraph 9, above).

*Information for Studies and Reports of the United Nations*

218. The International Bureau provided information on subjects of direct concern to WIPO for inclusion in reports prepared by the Secretary-General of the United Nations for the General Assembly, ECOSOC and other organs of the United Nations.

219. Among the subjects which these reports dealt with were science and technology (including technological information from patent documents and the transfer, adaptation and development of technology), technical and economic cooperation among developing countries, consumer protection and the implementation of the United Nations General Assembly Declaration on the Granting of Independence to Colonial Countries and Peoples and other resolutions and decisions of the United Nations General Assembly or of ECOSOC.

*Relations with the United Nations*

220. The Secretary-General of the United Nations, Mr. Kurt Waldheim, visited the new WIPO Headquarters Building on August 15, 1978. The Secretary-General gave a short address to the members of the staff of the International Bureau.

*Relations with the United Nations Development Programme (UNDP)*

221. A basic agreement between UNDP and WIPO, governing the relationship between UNDP and WIPO as an Executing Agency in the execution of UNDP technical cooperation activities with governments, was signed by the Administrator of UNDP and the Director General of WIPO on June 22, 1978.

*Relations with the United Nations Conference on Trade and Development (UNCTAD)*

222. The International Bureau continued to follow the work of UNCTAD, particularly by the atten-

dance of staff members at the sessions of the UNCTAD Trade and Development Board and at meetings of groups of experts convened by UNCTAD (see paragraph 214, above).

*Relations with United Nations Regional Commissions*

223. Close cooperation continued to be maintained with the United Nations Economic Commission for Africa (ECA), particularly as concerns ESARIPO (see paragraphs 111 to 119, above), and ARCT (see paragraphs 121 and 122, above), as well as the organization of the Regional Meeting for African Countries on Technological Information Contained in Patent Documents (see paragraphs 70 and 71, above) as part of the preparations for the United Nations Conference on Science and Technology for Development (UNCSTD).

224. Cooperation also continued with the other United Nations Regional Commissions, particularly as concerns the organization of regional meetings on technological information from patent documents as part of the preparatory work for UNCSTD (see paragraphs 137 to 141, above). In addition, WIPO was represented at the annual session of the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) held in Bangkok in March 1978, at the annual session of the United Nations Economic Commission for Western Asia (ECWA) in Amman in October 1978, and at the fifth meeting of the Follow-Up Committee on Industrialization in Africa, convened by ECA at Addis Ababa in November 1978.

*Relations with the United Nations Industrial Development Organizations (UNIDO)*

225. Discussions continued in 1978 between the International Bureau and the Secretariat of UNIDO in connection with the work on the preparation of user-oriented Guides to the International Patent Classification (IPC) in four selected key sectors of industrial activities of developing countries, namely, Iron and Steel, Fertilizers, Agro-Industries and Agricultural Machinery and Implements. These Guides will enable users of technological information to identify easily those "groups" of the IPC which might contain patent documents describing solutions to certain technical problems in the said sectors. First outlines for the industrial sectors Iron and Steel and Fertilizers were prepared by the European Patent Office and considered by the Expert Working Group on Information from Patent Documents at its session in March 1978.

226. On the basis of those outlines and the suggestions of the Working Group, the European Patent Office in cooperation with the International Bureau and UNIDO started work on the preparation of the Guides.

*Relations with the United Nations Conference on Science and Technology for Development (UNCSTD)*

227. See paragraphs 137 to 141, above.

*Relations with the United Nations Educational, Scientific and Cultural Organization (UNESCO)*

228. Close cooperation continued with Unesco in connection with copyright activities, including matters concerning development cooperation related to copyright (see paragraphs 149 to 154, above), as well as in the preparation of the Seminar held in New Delhi in December 1978 (see paragraphs 167 to 169, above), and in respect of other matters in the fields of copyright and neighboring rights (see "The Berne Union and International Copyright and Neighboring Rights in 1978" in the April 1979 issue of this review).

229. Consultations took place between the International Bureau and the Secretariat of Unesco in Paris in May 1978 to coordinate the planning and carrying out of the program activities of the two Organizations in the fields of copyright and neighboring rights. These consultations concerned the activities foreseen in the preliminary draft program and budget of WIPO for 1979 and the draft program and budget of Unesco for 1979-1980, in particular on the question of undertaking jointly the administration of the International Copyright Information Centre, the study of the protection of folklore by copyright or copyright-type legal provisions and the study of arrangements in the fields of copyright and neighboring rights for the support of national authors, performers and other creative artists, as well as the more effective implementation of certain activities now being carried out jointly, including the study on access to works of foreign origin protected by copyright and neighboring rights.

230. The Director General of Unesco, Mr. Amadou-Mahtar M'Bow, visited WIPO Headquarters in August 1978 and had discussions with the Director General of WIPO on activities of mutual interest, particularly with regard to copyright matters.

231. WIPO was represented at the April/June 1978 session of the Executive Board of Unesco, at the Consultation of International Non-Governmental Organizations Responsible for the Coordination of National Infrastructures with a view to the Identification of Copyright Holders, held in April 1978, and at the General Conference of Unesco, which met in October/November 1978, as well as at the Intergovernmental Conference on Strategies and Policies for Informatics, organized by Unesco in conjunction with the Intergovernmental Bureau for Informatics (IBI) at Torremolinos (Spain) in August/September

1978. At the last mentioned meeting, a staff member of the International Bureau presented a statement on WIPO's activities in the field of patent documentation and on the protection of computer software.

*Relations with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Labour Organisation (ILO)*

232. Close cooperation was also continued with Unesco and ILO in connection with activities in the field of neighboring rights, including the problems raised by the transmission of television programs by cable, the problems raised by the use of audiovisual cassettes and discs, the study of the administration of the rights provided for by the Rome Convention and the collection of laws and treaties on neighboring rights (see "The Berne Union and International Copyright and Neighboring Rights in 1978" in the April 1979 issue of this review).

233. Consultations took place between the Secretariats of WIPO, ILO and Unesco during 1978 to coordinate program activities in the field of neighboring rights.

**D. Relations with Other Intergovernmental Organizations**

234. *African Cultural Institute (ACI)*. See paragraph 181, above.

235. *African Intellectual Property Organization (OAPI)*. See paragraphs 108 to 110, above.

236. *African Regional Centre for Technology (ARCT)*. See paragraphs 121 and 122, above.

237. *Andean Group*. See paragraphs 133 and 134, above.

238. *Arab States Educational, Cultural and Scientific Organization (ALECSO)*. See paragraph 179, above.

239. *Caribbean Community (CARICOM)*. See paragraph 183, above.

240. *Commission of the European Communities (CEC)*. See "The Paris Union and Industrial Property in 1978," paragraphs 205 and 212, in the April 1979 issue of *Industrial Property*.

241. *Commonwealth Fund for Technical Cooperation (CFTC)*. See paragraphs 113 to 116 and 120, above.

242. *Council for Mutual Economic Assistance (CMEA)*. See "The Paris Union and Industrial Property in 1978," paragraph 213, in the April 1979 issue of *Industrial Property*.

243. *European Patent Organisation (EPO)*. See "The Paris Union and Industrial Property in 1978," paragraph 214, in the April 1979 issue of *Industrial Property*.

244. *Industrial Development Centre for Arab States (IDCAS)*. See paragraphs 123 to 127, above.

245. *Industrial Property Organization for English-Speaking Africa (ESARIPO)*. See paragraphs 111 to 119, above.

246. *Intergovernmental Bureau for Informatics (IBI)*. See paragraph 231, above.

247. *Interim Committee for the Community Patent*. See "The Paris Union and Industrial Property in 1978," paragraph 215, in the April 1979 issue of *Industrial Property*.

248. *International Olive Oil Council (IOOC)*: See "The Paris Union and Industrial Property in 1978," paragraph 217, in the April 1979 issue of *Industrial Property*.

249. *Organization of African Unity (OAU)*. WIPO was represented at the thirty-first session of the Ministerial Council preceding the fifteenth session of the Heads of State and Government of the Organization of African Unity (OAU), which met in Khartoum (Sudan) in July 1978.

#### **E. Relations with International and National Organizations**

*Relations with the International Organization for Standardization (ISO)*

250. See "The Paris Union and Industrial Property in 1978," paragraphs 218 to 220, in the April 1979 issue of *Industrial Property*.

*Relations with Other International and National Organizations*

251. *Representation at Meetings: Copyright*. See "The Berne Union and International Copyright and Neighboring Rights in 1978" in the April 1979 issue of this review.

252. *Representation at Meetings: Industrial Property*. See "The Paris Union and Industrial Property in 1978," paragraphs 221 to 224, in the April 1979 issue of *Industrial Property*.

#### **V. WIPO Publications**

253. *Reviews*. The reviews *Copyright* and *Industrial Property* continued to appear every month in English and French. The review *La Propiedad Intelectual* continued to appear in Spanish every quarter.

254. An updated list of *Member States of the World Intellectual Property Organization and the International Unions*, as of January 1, 1978, was published in English and French in January 1978 and appeared in Spanish in *La Propiedad Intelectual*

(first quarter of 1978). An updated version of the *WIPO General Information Brochure* was published in English, French, German and Spanish in April 1978. A new catalog of *WIPO Publications (1978)* was published in March 1978. A document containing a report on the activities in 1977 of WIPO and the Unions administered by WIPO was issued in August 1978 and was distributed to the organizations of the United Nations system, to their Member States, to the Permanent Missions of the said States located in Geneva and to the Resident Representatives of the United Nations Development Programme (UNDP).

255. *Official Texts*. The official texts of a number of conventions, agreements and other treaties and international classifications administered by WIPO, as well as the records of the diplomatic conference at which the Satellites Convention was adopted, were published during the year (see "The Berne Union and International Copyright and Neighboring Rights in 1978" in the April 1979 issue of this review and "The Paris Union and Industrial Property in 1978" in the April 1979 issue of *Industrial Property*).

256. *Other Publications*. The *WIPO Licensing Guide for Developing Countries* (see paragraph 46, above) was reprinted in English in April 1978 and published in Arabic in December 1978. The *Tunis Model Law on Copyright for developing countries* was published in Portuguese in April 1978. The *Model Provisions on the Protection of Computer Software* were published in English and French in February 1978 and in Spanish in March 1978. The publication entitled *The Situation of Industrial Property in the Arab States* was published in Arabic, English and French in September 1978. A number of other publications were also published dealing with specific matters in the fields of industrial property (see "The Paris Union and Industrial Property in 1978" in the April 1979 issue of *Industrial Property*) and copyright (see "The Berne Union and International Copyright and Neighboring Rights in 1978" in the April 1979 issue of this review).

257. A display of the publications of WIPO was presented by the International Bureau at the Third World Book Fair in New Delhi (India) in February 1978, at the International Book Fair held in Frankfurt (Federal Republic of Germany) in October 1978 and at the *Salon des inventions*, held in Geneva in November/December 1978.

#### **VI. Public Information**

258. *Information Meetings*. Lectures on WIPO and its activities were given during the year by officials of the International Bureau in information meetings held at the headquarters of WIPO or in Geneva, for the benefit of groups of students from

various universities and other institutes of higher learning located in Belgium, Switzerland and the United States of America.

259. Similarly, lectures were given on WIPO and its activities at seminars and courses organized in Geneva under the auspices of the United Nations Institute for Training and Research (UNITAR) for the benefit of officials of diplomatic missions.

260. Officials of the International Bureau participated in the *Journée de l'OMPI*, sponsored by the *Institut du droit de la paix et du développement de l'Université de Nice*, at Nice (France) in January 1978. Lectures were given by the said officials on WIPO, its relations with the United Nations, and international aspects of copyright and industrial property.

261. Officials of the International Bureau also participated in the weekly press briefings given at the *Palais des Nations* in Geneva for the benefit of the communications media.

## VII. New WIPO Headquarters Building

262. The construction of the new Headquarters Building of WIPO was completed in May 1978. The move from the BIRPI building and offices rented elsewhere in Geneva to the new building took place in May and June 1978.

263. The building was inaugurated on September 11, 1978, in a ceremony to which were invited officials of the Government of Switzerland, the Republic and Canton of Geneva and the City of Geneva, the ambassadors, heads of permanent missions of various States accredited in Geneva, and a number of special guests, among them Professor G. H. C. Bodenhausen, former Director General of WIPO.

264. A further dedication ceremony took place on September 24, 1978, at which the main invitees were the delegations of the various States and the international intergovernmental and non-governmental organizations accredited to the annual meetings of some of the Governing Bodies of WIPO and Unions administered by WIPO.

265. The programs of the ceremonies included speeches by Mr. Pierre Aubert, Federal Councillor, Head of the Federal Political Department of the Swiss Confederation, Dr. h.c. Albrecht Krieger, Director General, Federal Ministry of Justice, Federal Republic of Germany, in his capacity of Chairman, WIPO Headquarters Building Sub-Committee, Mr. Alvaro Gurgel de Alencar, Under-Secretary for International Economic and Technical Cooperation, *Secretaria de Planejamento da Presidencia da Republica* of Brazil, in his capacity of Chairman (1976—1979) of the General Assembly of WIPO, Mr. Willy Donzé, President of the Council of State of the Republic and Canton of Geneva, Mr. Luigi Cottafavi, Director General of the United Nations Office at Geneva, representing the Secretary-General of the United Nations, Mr. Pierre Braillard, architect, of Geneva and Dr. Arpad Bogsch, Director General, WIPO.

266. Gifts for the new building have been received so far from Brazil, Bulgaria, Cameroon, Chile, Congo, Finland, German Democratic Republic, Germany (Federal Republic of), Greece, Holy See, Hungary, India, Iran, Ireland, Italy, Japan, Kenya, Netherlands, Norway, Poland, Portugal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, Zaire, the International Association for the Protection of Industrial Property (IAPIP) and the International Federation of Inventors' Associations (IFIA). The Governments of several States have been in touch with the International Bureau concerning their intention to make gifts for the new building.

## Berne Union

### Executive Committee of the International Union for the Protection of Literary and Artistic Works (Berne Union)

Fourteenth Session (5<sup>th</sup> extraordinary)  
(Geneva, February 5 to 9, 1979)

#### Report

submitted by the Secretariat and adopted by the Committee

#### Introduction

##### Opening of the session

1. The Executive Committee of the Berne Union ("the Committee"), having been convened by the Director General of the World Intellectual Property Organization (WIPO), met in extraordinary session at WIPO headquarters in Geneva from February 5 to 9, 1979.

2. Sixteen out of the seventeen States members of the Committee were represented: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Hungary, India, Italy, Ivory Coast, Mexico, Morocco, Poland, Spain, Switzerland, Tunisia.

3. The following States members of the Berne Union were represented in an observer capacity: Brazil, Chile, Costa Rica, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Holy See, Israel, Japan, Libyan Arab Jamahiriya, Madagascar, Netherlands, Niger, Norway, Pakistan, Philippines, Portugal, Senegal, Sweden, Thailand, Togo, Turkey, United Kingdom, Yugoslavia (27).

4. The Committee held some of its meetings jointly with the Intergovernmental Copyright Committee established under the Universal Copyright Convention. The representatives of Andorra, Angola, Ghana, Soviet Union, Sudan, United States of America (6), who participated in the current session of the said Intergovernmental Copyright Committee, also attended the meetings of the Committee.

5. Five intergovernmental organizations and twenty international non-governmental organizations were represented by observers.

6. The list of participants is annexed to this Report.

7. The session was opened by the Chairman of the Committee, Mr. Bogomil Todorov (Bulgaria), who presided over the proceedings of the Committee.

8. The Director General of WIPO welcomed the delegates and warmly greeted the presence of Mr. Federico Mayor, Deputy Director General of Unesco. He said that the presence of the second highest official of Unesco in a meeting of the Berne Union was an evidence of the importance that Unesco attaches to cooperation with WIPO. WIPO felt very strongly that this cooperation was of utmost importance.

9. Mr. Federico Mayor, Deputy Director General of Unesco, addressed the Intergovernmental Copyright Committee and the Executive Committee of the Berne Union at the opening meeting on February 5. After having thanked WIPO for its hospitality, he laid emphasis on the very special importance attached by Unesco to its constitutional mission in the copyright field and pointed out that the Organization's policy in that area was defined bearing in mind the importance assumed by that right in achieving its major objectives in the context of the right to education, the right to culture and the right to information. With this in view, Unesco placed the accent on the social significance of intellectual property and on the interdependence existing between the legitimate protection of works of the mind and their dissemination, on the one hand, and development policies in the fields of education, science, culture and information, on the other hand. The Deputy Director General of Unesco concluded by stressing the need to permit copyright to play fully the roles falling to it within the overall context of development, that is to say, its role as a stimulator of creation, its role in the transfer of intellectual knowledge and its role in relation to the interests of the industries disseminating the works.



## Part I: Items concerning the Committee alone

### Adoption of the agenda

10. Discussions were based on document B/EC/XIV/1. Rev.

11. The delegation of France, on behalf of countries members of the European Economic Community (EEC), requested that discussions of the matters dealt with in items A and B of the Annex to document B/EC/XIV/2 and document B/EC/XIV/3 should be dealt with only after the representatives of the said countries will have had the occasion of separately meeting for a mutual exchange of views on the said matters.

12. The agenda proposed in document B/EC/XIV/1. Rev. was adopted, subject to the understanding that the said request will be complied with.

### Advice on WIPO's triennial (1980 to 1982) program as far as the Berne Union is concerned

13. Discussions were based on document B/EC/XIV/2.

### General debate

14. The said document was introduced by the Director General. He said that, in his view, all activities of WIPO and Unesco in the field of copyright should be carried out jointly except where legal reasons made it necessary that the two Organizations act separately or where the desired results could be obtained with more efficiency if the two Secretariats acted separately.

15. The Director General recalled the background leading to the presentation of WIPO's triennial (1980 to 1982) program in its draft stage for the consideration of the Committee and for seeking its advice. He referred to the resolution adopted by the Committee and the WIPO Coordination Committee at their sessions held in September/October 1978, and to the favorable response of the Director General of Unesco and the Chairman of the Intergovernmental Copyright Committee established under the Universal Copyright Convention (UCC) which made it possible to convene the two Copyright Committees at the same time so that the members of the said Intergovernmental Committee and representatives of Unesco might also actively and fully participate in the discussion on this item. The Director General pointed out that the budget cycles of WIPO and Unesco do not coincide and, consequently, as far as 1980 was concerned, every effort was made in the proposed draft program of WIPO to be in harmony with the Unesco program already fixed; for the years beyond 1980 neither organization had yet a program and thus the possibility for coordination was complete.

16. The Deputy Director General of Unesco informed the Committee that a better coordination also of budgetary provisions not hindered by the different budgetary periods of the two Organizations will be possible following the decision taken by the General Conference of Unesco in 1978, to extend the next budgetary period of Unesco to three years from 1981 to 1983. In general he expressed the wish of developing further cooperation within the framework of different terms of references and referred to comments on the WIPO draft program already made by Unesco in writing.

17. Several delegations welcomed the initiative taken by WIPO, and Unesco's positive attitude towards that initiative, namely that an occasion is given to the members of the UCC Committee and to Unesco to comment, at a preliminary stage and in a meeting of the Committee, on the plans of WIPO's Director General as to WIPO's proposed program in the field of copyright and neighboring rights. In this connection, the delegation of the Federal Republic of Germany also stressed the importance by such joint cooperative endeavor between the two Organizations of keeping expenses at a reduced level, which would be in the better interests of all member States of both the Berne Union and the Universal Copyright Convention. The delegation of France emphasized the importance of better coordination of budgetary schedules as also stated by the Deputy Director General of Unesco. The delegation of Israel esteemed cooperation of the two Organizations essential also in order to avoid duplication of activities and was in favor of continuing the joint sessions of the respective Committees. The delegation of the United Kingdom noted that the advice sought was in respect of the program and not of costs, while in its view the two were inevitably linked. It stressed the need to concentrate in the ensuing triennium on consolidation and rationalization, on promoting increased membership of existing conventions, and on the effective implementation of such conventions. It regarded the assistance given to States, particularly through the projects in the development cooperation program, as a vital enterprise, and confirmed its full support for such activities. The delegation of Portugal spoke in favor of a common policy of WIPO and Unesco regarding the use of various languages. The delegation of the United States of America pointed out that improved cooperation between WIPO and Unesco through such advanced program planning could help to make program implementation more efficient and cost effective. The delegation of India expressed the hope that closer collaboration of WIPO and Unesco would result in expeditious formulation of both model provisions for national legislation in the field

of folklore and an international instrument providing for speedy remedies against infringements of copyright, as well as against unauthorized exploitation of folklore. The delegation of the German Democratic Republic felt that it would be useful to identify the program items that are likely to continue beyond 1982 so that this could be taken into consideration at the national level. The delegation of Spain pointed out the importance of coordination in the field of publications, to avoid overlaps. The delegation of Hungary also stressed the importance of close cooperation between WIPO and Unesco in order to promote the protection of folklore and of computer software. The delegation of Sweden laid stress on cooperation in promoting practical implementation of conventions, especially in the field of neighboring rights. The delegations of Austria, Belgium and Mexico also appreciated the initiative of having the WIPO program submitted in advance for comments. The delegation of Senegal and Ghana emphasized the importance of cooperation in respect of programs designed to assist developing countries.

18. The representative of the International Labour Office (ILO) welcomed, on behalf of her Organization, collaboration concerning problems related to the Rome Convention; such collaboration, however, would be determined by the relevant budgetary limitations of her Organization.

**Item by item discussion of the program items contained in the Annex to document B/EC/XIV/2**

*Items C and D: Promotion of the acceptance of the Rome and the Geneva (Phonograms) Conventions*

19. The delegation of the Federal Republic of Germany drew attention to the fact that the draft program provided for two seminars concerning piracy of phonograms in connection with the promotion of the acceptance of the Phonograms Convention, whereas no seminar was planned at all as regards the Rome Convention; it suggested to hold one seminar for the promotion of this Convention and one concerning questions of phonogram piracy; alternatively, to organize a seminar concerning all neighboring rights covered by various conventions.

20. The delegations of Denmark, Ghana, France, Israel, Spain, Austria, Niger, Yugoslavia, Sweden and the United Kingdom were in favor of organizing seminars dealing with the whole range of neighboring rights and promoting adherence to the Rome Convention which, in their view, was the main convention in this field.

21. The delegation of Austria felt that neighboring rights could also be dealt with in copyright seminars. The observer of the International Confederation of Societies of Authors and Composers (CISAC) was not in favor of such a combination, due in his view to

the shortage of time available at such seminars to deal with a wide range of complex problems involved.

22. The delegation of Niger expressed its preference for organization of seminars for specific purposes separately.

23. The Deputy Director General of Unesco emphasized that a special seminar concerning the Phonograms Convention appeared to be advisable not only from a budgetary point of view but also in order to avoid dispersion of efficacy. He stated that the part played by phonograms as vehicles for intellectual knowledge was the reason for Unesco's special interest in their protection. He further said that, because of its "unfair competition" aspects and its essentially economic impact in so far as the Geneva (Phonograms) Convention was concerned, Unesco preferred to limit its activities to the spirit and the letter of Article 8 of that Convention which confers on WIPO the responsibility for activities concerning the application of the said Convention, while Unesco furnishes its collaboration in questions belonging in its jurisdiction. The representative of the Director General of Unesco added that Unesco could perhaps extend by a few days the regional seminar already approved on copyright in Africa in 1980 also to neighboring rights, subject to the agreements of WIPO and ILO.

24. The representative of ILO welcomed seminars on the Rome Convention, reserving, however, its position conditional on the budgetary possibilities of ILO. Noting that while it may be wise to envisage a provision for a committee of governmental experts or a subcommittee of the Intergovernmental Committee of the Rome Convention, as provided for in the draft program of WIPO, to examine problems arising from the application and operation of the Rome Convention in the light of new communication techniques, she suggested that the need for such a meeting should be determined by the Intergovernmental Committee of the Rome Convention at its next session in October 1979, when this Committee will examine various relevant subcommittee reports. The extent of ILO's particular participation in meetings organized in 1980 and 1981 would be examined at the appropriate time in the context of its budgetary position.

25. The need for seminars dealing with different aspects of piracy was highlighted by some delegations and observers.

26. The delegation of the United States of America supported the planning of a seminar specifically directed to record piracy, not opposing, however, other more general seminars.

27. The delegation of the United Kingdom referred to the special problem of record piracy and stressed the necessity of separate seminars on this topic; this

should not, in its view, mean that the related problems should be treated only under the heading of the Geneva (Phonograms) Convention.

28. The delegation of Spain emphasized the importance of seminars concerning phonograms piracy in the context of promoting both the Rome and the Geneva Conventions.

29. Concerning piracy, the delegation of Sweden stressed the difference between dealing with the Rome Convention from the point of view of its practical application through an administrative machinery, as against the examination of the possibilities of the enforcement of the rights covered.

30. The observer from the International Federation of Producers of Phonograms and Videograms (IFPI) pointed out that a possible solution would be to arrange seminars covering both the Rome and Geneva Conventions. She mentioned that piracy was an urgent problem which needs not only rights but remedies for protection against it. The problem is the enforcement of rights, and this aspect needs to be highlighted and discussed in separate seminars. In addition to this, however, whenever general seminars are organized, attention should also be paid to phonogram piracy which equally concerns the authors and performers. In many countries, phonograms are protected under copyright. In view of the various aspects of phonogram piracy, it would perhaps be useful to arrange for joint meetings of subcommittees of the Berne, Universal and Rome Conventions.

31. Several delegations emphasized the fact that phonogram piracy does not merely concern the producers of phonograms. The delegation of France stressed the necessity of concentrating on anti-piracy measures, but drew attention to the fact that piracy violates the interests of authors and performers and is closely related with piracy of broadcasts as well; it suggested seminars being held in 1981 and in 1982 concerning all the related aspects of piracy covered under conventions, covering phonograms and broadcasts, as also all audiovisual piracy; budgeting considerations should not dominate over substance.

32. The delegations of Belgium and Italy were in favor of more specific seminars, focusing on one topic; this, however, in its global context, includes copyright.

33. The observer from the International Literary and Artistic Association (ALAI) expressed the view that piracy concerns more than one convention, and therefore all aspects thereof should be covered.

34. The observer from the European Broadcasting Union (EBU) informed the Committee on the recent developments in the sphere of radio piracy, which during the last two years had become an increasing problem; phonogram piracy was based in certain regions on broadcast piracy.

35. The delegation of the Federal Republic of Germany was of the opinion that a seminar intended to promote measures against phonogram piracy should cover all aspects and not be restricted to aspects dealt with by the Phonograms Convention.

36. The observer from the International Federation of Film Producers' Associations (FIAPF) similarly preferred to treat piracy in its global context.

37. The observer from the International Federation of Actors (FIA) suggested developing efficient technological means to counter piracy, besides appropriate legal protection.

38. Some delegations emphasized the global importance of organizing universal seminars on the piracy of phonograms (Australia, Belgium, Israel) and on piracy in general (the observers from the International Publishers Association (IPA) and the International Federation of Film Producers' Associations (FIAPF)).

39. Regarding the promotion of acceptance of the Rome Convention, a separate regional seminar was suggested by the Federal Republic of Germany in the framework of development cooperation in order to promote adherences to that Convention; the delegation of Niger also underlined the need for such a seminar being held in an African country.

40. The Deputy Director General of Unesco suggested that the item in the program concerning the committee of governmental experts to examine problems arising from the application of the Rome Convention in the light of the new communication techniques could perhaps be replaced by a seminar. The delegation of Austria, however, suggested this item be retained as it was.

41. The delegation of Hungary suggested provision of a regional seminar dealing with all aspects of neighboring rights, and for a global meeting of governmental experts concerning all aspects of piracy. The delegations of Czechoslovakia and Italy supported this proposal.

42. The Deputy Director General of Unesco referred to a seminar on copyright included in their program for Africa. He suggested this might be extended to neighboring rights, in addition to a meeting to be provided for in the program of WIPO as regards piracy.

43. In conclusion, the Committee recommended that the program under item C provide also for a regional seminar on neighboring rights in Africa in 1980 and that, in item D, sub-items (ii) for 1981 and 1982 be omitted; furthermore, that an independent program item provide for the holding of global (rather than regional) meetings on piracy, one in 1981 and the other in 1982, one of them dealing with piracy in the field of phonograms, the other with piracy in other fields.

*Item E: Promotion of the acceptance of Type Faces Agreement*

44. The Committee recommended that this item be maintained as proposed.

*Item F: Promotion of the acceptance of the Brussels Convention*

45. Concerning the publication of the guidelines facilitating the application of the said Convention, since Unesco did not have a budgetary provision for the purpose in 1980, the Director General of WIPO informed the Committee that the costs involved will be supported by WIPO in 1980 and by Unesco in 1981. The Deputy Director General of Unesco agreed to the proposal.

46. The Committee recommended that this item be maintained as proposed.

*Item G: Promotion of the acceptance of the treaty on the avoidance of the double taxation of copyright royalties*

47. After a thorough discussion in which several delegations expressed the view that the seminar proposed for 1982 would be premature, the Committee recommended that no such seminar be envisaged in the program for 1982 and that the rest of the item be maintained.

*Item H: Audiovisual cassettes and discs*

48. On a proposal by the delegation of the Federal Republic of Germany, supported by France, the Committee recommended that this item be omitted.

*Item I: Distribution by cable of television programs*

49. On a proposal of the delegation of the Federal Republic of Germany, supported by the delegation of the Netherlands, the Committee recommended that this item be omitted.

*Item J: Electronic computers*

50. After the delegation of Sweden expressed its interest in the study on the copyright impact of computers, particularly in view of the increasing computer storage of scientific data, the Committee recommended that this item be maintained as proposed.

*Item K: Protection of works of folklore*

51. The Director General of WIPO said that Unesco was engaged in a study of all aspects — cultural, social, legal, etc. — of folklore and that it was originally envisaged that Unesco and WIPO would carry out a joint study of the protection of works of folklore against unauthorized exploitation once the general study has at least led to the definition of folklore. Since the said global study seemed to require still

some time, the International Bureau of WIPO has prepared a first draft of copyright-like but *sui generis* model provisions for national protection of works of folklore, which, if Unesco agrees, it intends to submit for information to the WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights during its forthcoming session in March 1979 at Dakar. The International Bureau has sent to Unesco the text of the said draft model provisions.

52. The representative of the Director General of Unesco said that the global study should first arrive at the definition of folklore since such definition was a prerequisite of drafting provisions concerning the exploitation of works of folklore. Unesco was willing to undertake a joint study with WIPO in 1979 to lay down the guiding principles for such provisions. However, the General Conference of Unesco is expected to deal with all aspects of folklore at the same time in one single global instrument.

53. The delegation of Mexico expressed its interest in having this matter progressed expeditiously for elaborating a system of legal protection of works of folklore, and inquired whether the program provided for in this item could not be accomplished in less than three years. While supporting the program of WIPO, it also requested elaboration of standards of bilateral or multilateral international protection. In its view the legal approach should not necessarily be retarded by the equally important overall global study of the problems related to folklore.

54. The delegation of Spain supported the stand taken by the delegation of Mexico.

55. The delegations of Niger and Portugal supported the opinion expressed by the delegation of Mexico and urged concrete steps being taken expeditiously in this regard.

56. The delegation of Costa Rica was grateful to WIPO and Unesco for the efforts already taken. It stressed — together with the delegations of Portugal and Ghana — the importance of having folklore protected also internationally.

57. The delegation of Australia was concerned about the long delay in the preparation of the necessary instruments. It emphasized that the elaboration of any international instrument should not delay the drafting of national model provisions. It suggested that the draft model provisions already prepared by WIPO should form the basis of joint study planned with Unesco for 1979.

58. The delegation of India was concerned about the efforts made to have folklore protected nationally and internationally, and looked forward to closer co-operation between WIPO and Unesco in this field. In view of the urgency of the matter, it suggested that the model provisions already prepared by WIPO

should be submitted to the WIPO Permanent Committee in March.

59. The delegation of Israel called for special efforts to solve the difficulties in respect of the definition of folklore.

60. The delegations of Germany (Federal Republic of) and Hungary were of the opinion that a precise definition of folklore was important in the context of any international instrument. However, in respect of model provisions for national legislations, the definition could be more flexible.

61. The delegation of Portugal supported the view that definitions could be left to the respective national legislations.

62. In the view of the delegation of France, the only possibility of having folklore internationally described was to prepare a list of relevant types of works of folklore. Folklore as the property of a nation could hardly be subjected to specific limitations.

63. Regarding an international instrument to be established, the delegation of France raised the question whether it is the right way to place the question of the protection of folklore in the program under the heading "III. Promotion of protection outside of Treaties." It suggested that this item be placed under a new title which should read as "Promotion of the protection of different subjects through copyright."

64. The delegation of Yugoslavia supported the proposal of the delegation of France.

65. On a question of the Director General of WIPO, the representative of the Director General of Unesco said that Unesco had no objection to WIPO's submitting the draft model provisions prepared by the International Bureau to the forthcoming session (Dakar, March 1979) of the WIPO Permanent Committee, it being understood that the observations formulated by Unesco on this draft are maintained. Regarding the problem of definition, the representative of the Director General of Unesco explained that at national level there is no incompatibility with solutions to be found internationally. At the international level however, since it has been decided to follow a global approach, aspects of legal protection must be adopted through joint efforts of the two Organizations, in order to avoid the coming into existence of two different instruments.

66. In conclusion, the Committee noted that the draft model provisions for national protection of folklore prepared by the International Bureau would be submitted for information to the forthcoming session of the WIPO Permanent Committee and recommended that this item be maintained. The Committee also noted that it would be convenient to proceed with the preparation also of a draft of model provisions concerning the international protection, without

prejudice to the measures that Unesco could adopt concerning all aspects of folklore.

*Item L: Survey of the practical administration of laws on copyright*

67. The Director General of WIPO said that the survey would deal with such matters as the governmental institutions responsible for copyright questions, official or private authors' organizations, publishers' associations, activities of other organized groups, various activities promoting the interests of creators, standard contracts, statistics of literary and artistic productions, etc. The purpose of carrying out the survey is to indicate the comparative position in each country, which would provide a base of improvements. He offered to Unesco the possibility of carrying out the survey jointly if Unesco so desired.

68. The representative of the Director General of Unesco said that Unesco would pronounce itself later on this offer in the light of information received.

69. In conclusion, the Committee recommended the maintenance of this item.

*Item M: Authors' societies*

70. The delegation of Portugal asked whether the new model statute for authors' organizations would be published also in Portuguese. If so, it offered to have the translation provided for. The delegation of the Libyan Arab Jamahiriya inquired whether Arabic translation was also planned. The Director General of WIPO confirmed that translation is planned to be undertaken in both languages and thanked the delegation of Portugal for the offer of assistance.

71. The Committee recommended that this item be maintained as proposed.

*Item N: Collection of laws and treaties in the field of copyright*

72. Responding to written remarks of Unesco, the Director General of WIPO said that although *Copyright Laws and Treaties of the World* is presently showing Unesco and the Bureau of National Affairs (Washington, D. C.) as co-publishers, in view of WIPO's cooperation in establishing the manuscript, WIPO would in the future like to appear also as a co-publisher. As far as the French edition of the same collection is concerned, he did not wish to continue the cooperation since the publication in the past took place with several years of delay which diminished the practical value thereof. The same applied to the Spanish edition. Furthermore, most of the material published in the French edition was published, much more promptly, in WIPO's monthly review *Le Droit d'auteur*.

73. The representative of the Director General of Unesco said that Unesco was considering the publication of the French edition in loose leaf form which

would make the new texts available much sooner than hitherto. She also mentioned that the Spanish edition was effected in cooperation with the Ministry of Education of Spain. In any case, she would refer WIPO's explanations to the competent services of Unesco.

74. The Committee recommended that this item be maintained as proposed.

*Item O: Collection of laws and treaties in the field of neighboring rights*

75. The representative of the Director General of Unesco informed the Committee that in view of the fact that an increasing number of national legislations are incorporating the rules on neighboring rights in their copyright laws, which are regularly published already in English, French and Spanish, it was the intention of Unesco to include any text dealing with neighboring rights in the supplements to the collection of laws on copyright rather than publish separate supplements for the texts dealing with neighboring rights.

76. The Committee recommended that this item be maintained as proposed.

*Item P: Computerized legal data base*

77. The representative of the Director General of Unesco noted with appreciation the offer of cooperation by WIPO and said that the modalities of such possible cooperation could have to be worked out by the two Secretariats in due course.

78. The Committee recommended that this item be maintained as proposed.

*Item Q: The periodicals "Copyright" and "Le Droit d'auteur"*

79. The delegation of Canada asked whether it would not be advisable to change the present monthly periodicity to bimonthly periodicity.

80. The Director General of WIPO said that the savings resulting from such a change would be minimal since they would practically affect only the mailing costs. Monthly issues have the great advantage that they convey information when it is still new. The only double issue would be the one for the months July/August, and possibly January/February.

81. The Committee recommended that this item be maintained as proposed.

*Item R: Glossary of terms used in copyright law and the law on neighboring rights*

82. The Director General of WIPO said that a preliminary version of the Glossary would be presented to the forthcoming session (Dakar, March 1979) of the WIPO Permanent Committee.

83. The Committee recommended that this item be maintained as proposed.

*Item S: Guide to the Rome and Geneva (Phonograms) Conventions*

84. The representative of the Director General of Unesco indicated that in the opinion of Unesco that Organization cannot interpret the said Conventions and consequently did not wish to participate in the writing and publication of such a Guide. A note indicating that Unesco declined any responsibility as to the contents of the Guide should appear in the Guide. When the time comes for it, the two Secretariats should agree on the text of such a note and on its place.

85. The Director General of WIPO said that those wishes of Unesco would be fulfilled.

86. The representative of ILO informed the Committee of her organization's not having given consideration to this matter as yet; they would, in due course, consult with WIPO on the matter in regard to the form of the publication.

87. The Committee recommended that this item be maintained as proposed.

*Item T: Introduction to the law of copyright*

88. The representative of the Director General of Unesco wondered whether there would not be overlapping with the Copyright Manual being prepared by Unesco alone, as agreed upon with WIPO; in her opinion, consultation seemed to be necessary between the two Secretariats in order to determine whether or not there is duplication, since the Manual was also intended for developing countries.

89. The Director General of WIPO said that he did not think that the proposed small brochure of WIPO and the Manual of Unesco would duplicate each other. As soon as Unesco would let WIPO see the manuscript of its Manual, the answer to the question would become clear. If there would be overlap, the item would be omitted from WIPO's program.

90. The Committee noted with approval the course of action indicated by the Director General of WIPO.

*Item U: Development in developing countries of general awareness and knowledge of the law, and practical implications, of copyright and neighboring rights (training)*

91. The Director General of WIPO thanked the Governments of Hungary and Sweden for their cooperation in organizing training courses; he also thanked the countries which are prepared to accept the WIPO trainees.

92. The delegation of the United States of America expressed its appreciation of WIPO's training pro-

gram and said that the US Copyright Office was glad to receive trainees in Washington. Since the visit of Mrs. Liguier-Laubhouet, Deputy Director General of WIPO, in Washington in 1978, there is renewed interest in participating in WIPO's training program. She wondered whether combined forms of training could not be organized between Unesco and WIPO.

93. The Director General of WIPO said that the administrative part of training was complex enough for one organization and would be impractical if two would have to organize training together. Each organization has its own procedures regarding applications for training and agreements with host countries. However, Unesco and WIPO mutually kept each other informed so that the same persons should not be offered training by both Organizations.

94. The representative of the Director General of Unesco agreed with the foregoing.

95. The Committee recommended that this item be maintained as proposed.

*Item V: Development in developing countries of legislative activities in the field of copyright and neighboring rights*

96. The Committee recommended that this item be maintained as proposed.

*Item W: Development in developing countries of the effective use of the copyright system for protection of authors in their own country and in foreign countries*

97. The representative of the Director General of Unesco asked whether this item concerned the activities of authors' societies and said that Unesco might make proposals in the light of the information received.

98. The Director General of WIPO said that the item concerned authors' societies only incidentally, and where it did, due respect would be paid to the program contained in item L.

99. The observer from the International Confederation of Societies of Authors and Composers (CISAC) offered all assistance of his Federation in this activity.

100. The representative of the International Publishers Association (IPA) also offered assistance to WIPO on this program item.

101. The representative of the International Federation of Translators (FIT) mentioned the increasing needs for translations in developing countries. It also offered to collaborate with WIPO.

102. The Director General of WIPO thanked CISAC, IPA and FIT for their cooperation and expressed his hope for their continued assistance.

103. The Committee recommended that this item be maintained as proposed.

*Item X: Development, in developing countries, of easier access to works protected by copyright owned by foreigners*

104. The Director General of WIPO said that this item was of special interest to developing countries because its effect should be easier access to works protected by copyright owned by foreigners. In order to assure complete cooperation with Unesco, it would be useful if the two Organizations would jointly administer the service, and Unesco's related activities, known today under the name of Unesco's "International Copyright Information Centre." If Unesco would not agree, the activity proposed in this item would, in important respects, be carried out by WIPO on its own. Joint administration of the Copyright Information Centre may be hindered for Unesco until the end of 1980 since such a possibility is not foreseen in its program, but thereafter no provisions seem to impede the joint administration of the Centre.

105. The Deputy Director General of Unesco emphasized the importance Unesco attaches to fostering contacts with foreign authors in developing countries. It was for this reason that Unesco established the International Copyright Information Centre which is assisting developing countries not only in matters suggested by its name, but also in making bibliographical selections for them to identify the owner of copyright, if they so request. In conformity with the desire for increasing cooperation between WIPO and Unesco and in order to more efficiently assist developing countries, Unesco is prepared to carry out in future all activities directly concerned with copyright within the sphere of competence of the International Copyright Information Centre jointly with WIPO. The joint administration of the Centre, however, raised a series of legal, administrative and structural problems which render difficult such a solution. However, these problems will have to be investigated with greater care before the decision-making bodies of Unesco can adopt a final resolution on joint administration. He assured WIPO, however, that henceforth Unesco would be willing to have all activities directly concerned with copyright of the Centre pursued jointly with WIPO. Finally, he drew the attention of the Committee to the links which exist between the activities of the Unesco Centre and of the WIPO Permanent Committee and, consequently, to the possibility that Unesco request WIPO for being associated with these activities according to the modalities corresponding to those of the association of WIPO with the activities of the Centre.

106. The Director General of WIPO appreciated this announcement and expressed his hope that this Centre could be administered from 1981 under the joint financial and administrative responsibility of the two Organizations since it would not be quite logical



that joint activities be carried out under the directives and the emblem of a Centre which would refer, in its name, only to Unesco.

107. The delegations of Tunisia, Ghana and the Philippines stressed the necessity of harmonizing the activities of the two Organizations in other fields of assistance to developing countries before reaching an agreement on the question of the International Copyright Information Centre.

108. The delegation of the United States of America recalled the Washington recommendations which initiated the establishment of the Copyright Information Centre, and thanked Unesco for its realization.

109. The delegation of Spain found the proposals made concerning the study of the possibilities of joint administration of the Centre encouraging.

110. The delegations of Belgium and Germany (Federal Republic of) pointed out that the final decision should be dependent on the outcome of such a study.

111. The delegation of France felt that the intended joint administration of the International Copyright Information Centre would be a special kind of cooperation, on account of the fact that the Centre was set up and has so far been well operated unilaterally. The study to be undertaken by the two Secretariats may probably result in a different approach to the problem than provided for in the present draft program; cooperation with Unesco should be planned also in other respects of the matter in order to facilitate access to works in developing countries.

112. The delegation of the United Kingdom called for further study of the possibility of joint administration of the International Copyright Information Centre. Only if it would lead to increased efficiency, should joint administration be envisaged.

113. The delegation of Canada said that joint management would be preferable but, if that cannot be achieved, WIPO should abstain from dealing with matters dealt with by the Unesco Centre.

114. The delegation of India hoped that the envisaged study would contribute in solving the problem of joint administration.

115. The delegation of Mexico felt that the activities of WIPO should not be made conditional on joint administration of the International Copyright Information Centre, although the joint management of the activities in question would certainly be preferable, because of the importance of these activities for the developing countries and the necessity for optimal utilization of resources.

116. The delegation of the Federal Republic of Germany pointed out that two parallel services for the same purpose must be avoided; as much cooperation as is possible should be ensured; one should wait for the study before making any decision on this item.

117. The delegation of Austria agreed upon this statement.

118. In conclusion, the Director General of WIPO stated that he would continue the discussions with Unesco on the question of joint administration of the International Copyright Information Centre; if those negotiations are completed within the next few weeks the new draft of this item would reflect the results; otherwise the new draft would omit proposing activities which would duplicate the main activities of the Unesco Copyright Information Centre.

119. The Committee noted with approval the plan of the Director General indicated in the preceding paragraph.

*Item Y: WIPO Permanent Committee (copyright and neighboring rights)*

120. The Committee recommended to maintain this item as proposed.

*Item Z: Cooperation with United Nations bodies in matters concerning copyright and neighboring rights*

121. The Director General of WIPO said that this item would be revised to the extent necessary to reflect the recommendations of the Committee.

122. The Committee noted with approval the statement of the Director General of WIPO reflected in the preceding paragraph.

*Item ZZ: Contacts with States and organizations*

123. The Director General of WIPO informed the Committee about the useful meeting he had recently with international non-governmental organizations to discuss questions of common interest.

124. The observer from the International Confederation of Societies of Authors and Composers (CISAC) said that his Confederation greatly appreciated the meeting organized last month by WIPO. He expressed the hope that meetings of a similar kind would be organized also in the future.

125. The observer from the International Federation for Documentation (FID) likewise expressed the opinion that the said meeting had been useful. He proposed that in future the following three interested organizations may also be invited to similar meetings: International Federation of Library Associations (IFLA); International Council of Archives (ICA); International Federation for Information Processing (IFIP).

126. The Director General of WIPO stated that the said three organizations could be invited only if first they applied for and obtained observer status with one or more of the Governing Bodies of WIPO or the Unions administered by WIPO.

127. The Committee recommended that this item be maintained as proposed.

**Consideration of the question of a possible Protocol  
to the Berne Convention intended to enable  
the United States of America to accede to that Convention**

128. Discussions were based on document B/EC/XIV/3.

129. The delegation of the United States of America said that it appreciated the opportunity to open the discussion on this important question. At the time when the Berne Convention was adopted as well as when it was first revised in 1908, there were sharply divided attitudes towards authors' rights in the United States and these were reflected in that country's attitudes towards international copyright and in the 1909 Law. As time passed, the Law had become fairly firmly fixed, and on some points was incompatible with the Berne Convention. For more than a generation, throughout the 1920s and the 1930s, there were a number of efforts in the United States to try to revise the 1909 Law and to gain adherence to the Berne Convention, but without result. After the second World War, the situation took a different turn. There was a decision to approach the problem in a different manner, i. e., to try to establish a new multilateral copyright arrangement as a first step towards something more definite. The first phase was the program for the adoption of the Universal Copyright Convention. That phase was completed in 1955. The second phase was a revision of the Law to try to get it improved as much as possible and only then to consider adherence to the Berne Convention in the light of what had happened. The second phase took longer than anyone could have conceivably considered — it took 21 years: from 1955 to 1976. It ended with the enactment of a new Copyright Law. There were literally hundreds, perhaps thousands of separate issues, there were literally hundreds of special interests, competing over individual sections, individual provisions, in some cases, individual words. As a result, an entire legal system was substituted for another. A single federal copyright system was created. A substantially longer term of protection was provided (life plus 50 years), and other aspects of the length of the term, which were compatible with the Berne Convention. The scope of copyright was substantially broadened, particularly in the area of the rights protected. The formalities were substantially liberalized and the manufacturing clause will disappear in 1982. There may be some minor differences, but the level of protection overall is close to that of the Berne standard, and in some areas probably exceeds it. The United States is now approaching the third phase of this long-range program. It has to consider whether there is a possibility of its joining the Berne Convention. The attitude in this connection is reflected in the communication from the Department of State to the Director General which, in June 1978, informed the Director General that the United

States was interested in pursuing the matter. Just before and since that communication there have been intensive concentrated studies and discussions of this problem in the Government and to some extent in the private sector. The Government of the United States of America is in favor, if it is possible, and in principle, of going forward, with explorations for joining the Berne Convention. As the discussions in the private sector have proceeded, there has been a growing support for the program. Interests groups such as the motion picture industry, that at one time was the leading opponent of United States adherence to the Berne Convention, because it perceived itself as user of copyright works, now perceives itself as owner of copyrighted works and that brings about a drastic shift in attitudes. Many people in the United States do not see possible US membership in the Berne Union as something that would entail any major practical gain in the short run. But it is generally recognized that the Berne Convention is a high level convention and that it is time the United States takes its place with the nations that have that level of protection, in other words, that it is time that the United States becomes part of the Berne community. There is now a feeling that, if the United States were able to join the Berne Convention eventually, it would be able to continue to improve its law in the long run. There is no thought to require anyone to accept any provisions of the United States Law that they feel are completely incompatible with the level of protection of the Berne Convention. There is certainly no thought at all of even suggesting amending the Berne Convention on any such point. There is only one thought and that is to strengthen copyright law, domestically and internationally, and it is believed that the adherence of the United States to the Berne Convention would have that effect. There is, however, no point in considering going forward to Congress in the immediate future with major substantive amendments to the new Copyright Law. The fact is that the new Law has come about as far as it was possible to come, at present, towards the spirit and level of protection of the Berne Convention, given the starting point and the difficulties that had been encountered. Now the question is whether or not the members of the Berne Union could work together with the United States to try to find a way to cross this bridge at long last. Other countries may be in a similar situation. The Berne Convention would be strengthened if by accommodation to special situations of one sort or another, not by lowering of standards but by accommodation, additional countries could be given the opportunity to adhere to the Berne Convention.

130. The delegation of Hungary made a statement in which it expressed the opinion that the adoption of a Protocol would be tantamount to a revision of the Convention, which — in terms of Article 27(1) — is supposed to be designed to improve the system of the

Berne Union; the adoption of such Protocol would however, in its view, not improve that system, but could create a precedent for the future. The delegation of Hungary was not opposed to the setting up of a working group with the purpose of examining in depth the differences which exist between the United States Law and the provisions of the Berne Convention, and exploring the possibilities of the accession of that country to the Berne Convention without lowering the existing level of international protection. In conclusion, it considered that other ways — such as a further modification of the United States copyright legislation — should be sought to remove the obstacles which still stand in the way of the accession of the United States of America.

131. The delegation of the Federal Republic of Germany mentioned that provisions of the United States Law on formalities were not the only obstacle to the accession of that country to the Berne Convention. It was in favor of setting up a working group whose task would be to ascertain problem areas, to discuss them and to examine the interpretation of various Berne Convention provisions in such areas. Any follow-up procedure might be decided only after the meeting of such working group.

132. The delegation of Poland stated that, in its opinion, a Protocol would result in a lower level of protection than provided for in the Berne Convention; it shared the views expressed by Hungary and the Federal Republic of Germany.

133. The delegation of the German Democratic Republic was opposed to the idea of a Protocol, which in its view would be contrary to the spirit of the Berne Convention. It was also not in favor of the convening of any working group for the task of drafting such Protocol, but did not have objection concerning a further study being conducted.

134. The delegation of Spain did not object to the convening of a working group, but emphasized the need for deep reflection on this matter. As far as Spain is concerned, its final position with regard to a possible Protocol could be made known after consultation with the Spanish speaking countries members of the Berne Union.

135. The delegation of Mexico supported the view expressed by the delegation of Spain. It expressed its preference for a small study group the composition of which would be representative and well-balanced.

136. The delegation of France drew the Committee's attention to the fact that the purpose of the Berne Convention was to unify as far as possible the national provisions of private law that demarcate literary property; it involved only private interests and, in very exceptional cases, the interests of States as such. The standards of that Convention are somewhat high, but this is for the specific purpose of making

countries raise the level of their domestic legislation if they wish to join the Berne Union. Arguments put forward in favor of a Protocol were not unknown: (i) that would be an exceptional and temporary procedure; (ii) such Protocol would be an inducement for the United States to align its domestic law fully on the provisions of the Convention; (iii) the accession of the United States would strengthen the Berne Union; and (iv) there would be mutual benefit for both domestic and foreign authors. These arguments, whether pragmatic or juridical in nature, cannot be accepted for various reasons as stated by the delegation. That is why France cannot agree even on the principle of the method contemplated in the Protocol because, by lowering the level of protection under the Convention, albeit temporarily, to the level of a State wishing to join the Berne Union, one negates utterly the very spirit of the Union and introduces a germ that would erode the level of protection and grow all the faster for being associated with the situation of a developed country. In the opinion of the delegation of France, a country can only achieve protection under the Convention by bringing its domestic law up to the level of that Convention, and not by any supposedly temporary lessening of protection.

137. The delegation of Israel expressed the opinion that, in terms of practice, copyright enjoyed a high level of protection in the United States of America, as jurisprudence in that country is of considerable importance. It supported the idea of a working group whose terms of reference would not be limited and whose task would be to propose ways and means of making the United States copyright legislation compatible with the Berne Convention.

138. The delegation of Canada did not consider the problems raised by the incompatibility of the United States Law with the Berne Convention as insurmountable. It supported the general views expressed by the delegation of the Federal Republic of Germany and emphasized the importance that the momentum of the initiative taken should not be lost. A more realistic timetable would, however, have to be established.

139. The delegation of Austria expressed the opinion that, while the accession of the United States would be a step forward, it would be unrealistic to expect the United States Law to be amended in the near future. It also considered that the terms of reference of the suggested working group at the level of governmental experts should include proposals for the follow-up procedure.

140. The delegation of Czechoslovakia, while being opposed to the idea of convening a working group, otherwise supported the views expressed by the delegation of Hungary.

141. The delegation of the United Kingdom said that, in its opinion, a Protocol was not the right answer to the question. It felt that the proposed working group would be an expression of the wish of the international community to see the United States of America joining the Berne Union. It was, however, opposed to any such group which might be assumed to have the task of drafting a Protocol.

142. The delegation of Bulgaria stated that it did not favor the idea of a Protocol, which in its opinion would create a precedent and was unnecessary and premature, nor did it favor the convening of a working group for that purpose.

143. The delegation of Italy was in favor of a study aimed at comparing in greater detail the United States Law with the principles incorporated in the Berne Convention. This would make it possible to throw more light on questions such as the moral rights, compulsory licenses, and the like.

144. The delegation of India stated that it had always supported efforts that would encourage continuous growth of membership and had stated this at earlier forums. It was glad to note the possibility of some important countries, which for various historical reasons had not so far joined the Berne Convention, now being enabled to do so. It welcomed that possibility and recommended that, in the long-term interests both of the Berne Convention itself and of developing countries which need access to works protected by copyright, a constructively flexible attitude be adopted, and the matter of engendering and encouraging increased and wider membership in this oldest Convention be given the importance it deserved. It hoped that the Convention would in time embrace not only some of the important countries outside the Berne Union, but also an increasing number of developing countries. It would, therefore, support measures for working towards any procedure designed to facilitate such possibility.

145. The delegations of Czechoslovakia, Ghana and Niger generally supported the view expressed by the delegation of India, in particular in regard to the desirability of increasing membership of the developing countries.

146. The delegation of Ghana was also of the opinion that the efforts of WIPO aimed at increasing the membership of the Berne Union should not be confined to the case of large States, but should also be extended to smaller States.

147. The delegation of Niger emphasized the need to increase the number of developing countries party to the Berne Convention, by studying the case of such developing countries as might have difficulties in joining the Convention, and stressed the importance of such countries being represented on the working group proposed to be convened. It was also of the

opinion that any measures to be taken should not be limited to the possibility of adherence by one single country.

148. The delegation of the Libyan Arab Jamahiriya expressed the hope that an increasing number of developing countries would also be enabled and encouraged to join the Berne Convention.

149. The delegation of Portugal emphasized the importance of the composition of the working group, which should include both exporting and importing countries represented in a well-balanced proportion.

150. The delegation of Australia expressed the view that the task of the group should be to identify incompatibilities which exist between the United States Law and the Berne Convention, and in addition to advise generally on measures which might be adopted.

151. The delegation of Sweden was of the opinion that the group should be composed of government representatives and that its task should consist in studying all aspects of the problem, including transitional measures.

152. The Director General of WIPO said that, although no delegation referred by name to the Soviet Union, he was convinced that most of them had also the Soviet Union in mind. Membership of the Soviet Union in the Berne Union was very important and, in his view, the reason for which the discussions concentrated on the United States of America was that the questions which were to be resolved were more difficult in the case of the United States than of the Soviet Union.

153. The delegation of the Soviet Union stated that, although it was highly appreciative of the Berne Convention, it was for the time being not planning to accede to it. In case, however, it were to contemplate doing so in the future, it would first modify its national legislation.

154. In conclusion, the Committee decided to recommend to the forthcoming session of the Assembly of the Berne Union that the matter of the possibilities of accession by the United States of America to the Berne Convention should be further studied by a Committee of Experts whose members would be representatives of governments and to whose deliberations international organizations would be invited as observers. A draft of the exact terms of reference of the Committee of Experts will be prepared by the Director General, sent in due course to States members of the Assembly, and submitted to the said session of the Assembly. To prepare the deliberation of the Assembly on the said draft terms of reference, a group of consultants consisting of representatives of the following five countries members of the Committee will meet with the Director General for one day

on September 21, 1979: Australia, Bulgaria, India, Spain and Tunisia. The Committee noted that the Director General would, in the meantime, go on a brief mission to the United States of America in order to further ascertain the present thinking there about the matter.

155. It was noted that items A and B in the Annex of document B/EC/XIV/2 would be changed accordingly.

**Developments regarding the Paris Act (1971) of the Berne Convention and legal assistance to States**

156. The Secretariat introduced document B/EC/XIV/4 according to which the Berne Convention has of now a membership of 71 States, 43 of which had so far ratified or acceded to the latest Paris Act of 1971. The latter figure includes seven States that had limited the effect of their ratification or accession to Articles 22 to 38 of the Convention. The current situation of the member States not bound by the Paris Act either in whole or in part is given in paragraph 8 of the said document.

157. The delegation of Sweden informed the Committee on behalf of the absent delegate of Denmark that Denmark is in the process of ratifying the Paris Act of the Berne Convention, as well as the Universal Copyright Convention as revised in 1971.

158. The delegation of Italy stated that the ratification procedure had been completed and the instrument of ratification of the Paris Act would be deposited in the near future.

159. In view of that situation, the Executive Committee agreed to adopt a recommendation to the States concerned drawing their attention to the advantage of unifying as far as possible the protection of literary and artistic works in the framework of the Berne Union and to that end of joining, as soon as possible, those States that have already ratified or acceded to the Paris Act (1971). The text of the recommendation is the following:

The Executive Committee of the International Union for the Protection of Literary and Artistic Works (Berne Union), meeting in Geneva from February 5 to 9, 1979 (fifth extraordinary session),

*Having considered* the report submitted to it by the International Bureau of WIPO on the current situation of the member States of the Berne Union with respect to their adherence to the various Acts of the Berne Convention,

*Noting* that, with respect to the substantive provisions of the Convention (Articles 1 to 21), 35 of the 71 countries at present members of the Berne Union are still bound by Acts earlier than the most recent revised text of the Convention, that is, the Paris Act (1971),

*Noting further, however,* that acceptance of the substantive provisions of the Paris Act (1971) requires, in a certain number of countries, amendments to the national law in order to comply with the provisions of Article 36 of the Convention concerning its application under domestic law,

*Draws the attention* of the member countries of the Berne Union to the importance of harmonizing, as far as possible, the protection of literary and artistic works within the framework of the Union;

*Strongly recommends* the member countries of the Union that have not yet done so to join as soon as possible the countries that have already ratified or acceded to the Paris Act (1971);

*Recommends* that, failing acceptance of the said Act in its entirety, ratification of or accession to the administrative provisions of the Convention (Articles 22 to 38) be effected as soon as possible in order to enable interested countries to become full members of the bodies of the Union.

160. The Committee was also informed by the Secretariat about the Regional Seminar on Copyright and Neighboring Rights for Asian and Pacific States and territories convened by Unesco and WIPO at the kind invitation of the Government of India, which met in New Delhi from December 18 to 22, 1978. Specialists from 15 Asian and Pacific States and territory participated, in addition to 19 observers from seven States, two observers from an intergovernmental organization and observers representing seven international non-governmental organizations. Introductory lectures were delivered on various multilateral conventions in the field of copyright and neighboring rights by representatives of WIPO, Unesco and ILO, while six guest speakers delivered lectures on a number of specific subjects. At the end of the discussions, the Seminar adopted a number of recommendations. The Secretariat thanked the Government of India for having kindly hosted the Seminar and for its hospitality.

161. The delegations of Australia and Germany (Federal Republic of) joined in expressing thanks to the Government of India.

## Part II: Items concerning the Committee and also the Intergovernmental Copyright Committee

### Application of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention)

162. The Committees noted the information on developments regarding the Rome Convention (document B/EC/XIV/5 - IGC(1971)/III/7). They also noted the results of the deliberations of the sixth ordinary session held in Geneva in December 1977 by the Intergovernmental Committee established under Article 32 of the Rome Convention, and were informed that a Subcommittee of that Intergovernmental Committee had met in Geneva from January 29 to February 2, 1979, to study the problems arising from the administration of rights under the Rome Convention (document B/EC/XIV/6 - IGC(1971)/III/8).

163. The delegation of Belgium informed the Committees that the Belgian Parliament would shortly be deciding on the adoption of new legislation on neighboring rights to enable Belgium to ratify the Rome Convention.

### Application of the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (Phonograms Convention)

164. The Committees noted the information on developments regarding the Phonograms Convention (document B/EC/XIV/7 - IGC(1971)/III/9).

### Application of the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (Satellites Convention)

165. The Committees noted the information on developments regarding the Satellites Convention (document B/EC/XIV/8 - IGC(1971)/III/10). They also noted the results of the deliberations of a Working Group that had met in Geneva in April 1978 and had prepared model provisions for the implementation of the Satellites Convention (document B/EC/XIV/9 - IGC(1971)/III/11). The model provisions in question would be considered by a committee of governmental experts which was to meet in Paris in June 1979.

166. The delegation of the Federal Republic of Germany informed the Committees that the parliamentary procedure for the adoption of a law on the subject had been completed. The legislation in question was due to be promulgated shortly, whereupon the instrument of ratification of the Satellites Convention by the Federal Republic of Germany would be deposited.

### Application of the revised Paris texts of 1971 of the Berne Convention and the Universal Copyright Convention regarding special provisions for developing countries: Working Group on the Overall Problems Posed for Developing Countries Concerning Access to Works Protected under those Conventions

167. The Committees noted the progress of work on this item of their agendas (document B/EC/XIV/10 - IGC(1971)/III/12). The Secretariats also informed the Committees that since December 15, 1978, when that document had been written, further replies to the questionnaire on the access by developing countries to protected works of foreign origin had reached them, bringing the number of replies received to date up to 19. The Committees noted that a Working Group would meet in Paris in July 1979 to examine those replies.

### Problems arising from the use of electronic computers

168. The Committees noted the progress of work on this item of their agendas (document B/EC/XIV/11 - IGC(1971)/III/13), and the fact that the convening of a Working Group in Geneva to go into the various ramifications of the problems arising from the use of computers was scheduled for the end of May 1979.

### Problems arising from the use of audiovisual cassettes and discs

169. The Committees had before them the report adopted by their respective Subcommittees, which had met in Paris in September 1978 to consider the problems in question (document B/EC/XIV/12 - IGC(1971)/III/14). A discussion took place on the procedure to be followed. Since that discussion concerned also the item on the agendas of both Committees relating to the transmission by cable of television programs, it is dealt with below.

### Problems arising from the transmission by cable of television programs

170. The Committees had before them the report adopted by their respective Subcommittees, which had met in Geneva in July 1978 to deal with the problems in question (document B/EC/XIV/13 - IGC(1971)/III/15).

171. The delegation of the Federal Republic of Germany raised the question whether the reports of the Subcommittees in July and September 1978 on the

transmission by cable of television programs and on videocassettes, respectively, should be purely and simply noted, or whether the Committees should discuss them in depth. The delegation considered it advisable, in the latter case, to postpone such a discussion until the second part of the Committees' sessions, which they planned to hold in Paris in October 1979. If the Committee decided to note the reports, the delegation had to express a reservation regarding certain points of the report on audiovisual cassettes and discs.

172. The delegation of Austria said that it considered the suggestion wise, but that, if the Committees decided to note the reports of their respective Subcommittees at the current session, it would have to express reservation on certain points in the report on videocassettes.

173. The delegation of Italy pointed out that the report of the Subcommittees on audiovisual cassettes and discs had not reached its government authorities until very recently and that rather more time was required to consider it.

174. The Secretariats suggested that the discussion of the reports of the Subcommittees on videocassettes and on the transmission by cable of television programs should be postponed until October 1979, and that in the meantime States party to the Berne Convention or to the Universal Copyright Convention should be given the opportunity to submit comments on those reports.

175. The latter suggestion was supported by the delegations of Austria, Germany (Federal Republic of), Italy, the Netherlands, Spain and the United States of America.

176. Consequently, the Committees, each as far as it was concerned, asked their Secretariats to send Notes to the States party to the Berne Convention or to the Universal Copyright Convention, and to interested international organizations, stating that, at their current sessions, the Committees had expressed the desire for a period of reflection in order that they might study the reports of their Subcommittees on the problems arising from the use of audiovisual cassettes and discs on the one hand and on the problems arising from the transmission by cable of television programs on the other, and asking them to submit, by a date to be specified, any comments they might wish to make on those reports, with a view to their consideration by the Committees at their October 1979 meetings.

**Application of the Berne Convention  
and of the Universal Copyright Convention  
to material intended specially for the blind**

177. The Committees noted the report prepared by the World Council for the Welfare of the Blind (WCWB) on the above subject. The report, which appears in document B/EC/XIV/14 - IGC(1971)/III/16, reviews the problems posed by international copyright legislation in connection with the production and distribution of publications printed in raised characters or in large print, sound recordings and radio broadcasts, for the benefit of the blind and the visually handicapped. The Committees gave the observer from the World Council for the Welfare of the Blind (WCWB) the opportunity to comment in detail on the Council's report.

178. The delegations of Austria, Brazil, France, Germany (Federal Republic of), Ghana, Israel, Italy, Portugal, the Soviet Union, the United Kingdom, the United States of America and Yugoslavia all laid stress on the importance of such problems and on the pressing need to take whatever action was appropriate, whether legislative — if such action had not already been taken — or in the field of contracts, in order to solve those problems and facilitate the circulation of publications for the visually handicapped. Some delegations expressed the view that similar studies should be undertaken on the problems encountered in the same connection by the aurally handicapped. Some of them also thanked the delegation of Brazil for having brought the matter before the Committees at their sessions in December 1977.

179. The Committees, each as far as it was concerned, asked their Secretariats to transmit the report prepared by the World Council for the Welfare of the Blind (WCWB) to the States party to the Berne Convention or to the Universal Copyright Convention, and also to interested international organizations. They were of the opinion that the transmittal of the report might induce the responsible authorities or the organizations of copyright owners to take appropriate action. Moreover, the States and organizations would be asked to send their comments on the report to the Secretariats. Those comments would then be evaluated by the Secretariats with the aid of a consultant and submitted to the next sessions of the Committees. Finally, the Committees expressed the desire that the problems facing the hard of hearing be investigated also.

**Protection of folklore**

180. See paragraphs 51 to 66 above.



### Part III: Other items concerning the Committee alone

#### Date and place of the next session to be held jointly with the Intergovernmental Copyright Committee

181. The representative of the Director General of Unesco recalled that in the absence of a formal invitation from any State, the said Intergovernmental Copyright Committee as well as the Executive Committee of the Berne Union held their sessions alternately at the headquarters of their respective Secretariats. Consequently, the Committee was informed that its next extraordinary session could take place at the headquarters of Unesco in Paris in October 1979, when the Intergovernmental Copyright Committee will hold the second part of its current session.

182. At the proposal of the Chairman, the Committee then accepted the suggestion.

#### Adoption of the Report

183. The Committee unanimously adopted this Report.

#### Closing of the session

184. After the usual thanks, the Chairman declared the session closed.

### List of Participants

#### I. States Members of the Committee

##### (a) Ordinary Members

**Australia:** J. H. Greenwell; R. A. Gelski; D. C. Pearce; H. Freeman. **Austria:** R. Dittrich. **Belgium:** G. L. de San. **Bulgaria:** B. Todorov; T. Ivanov; V. Dimitrova. **Canada:** D. E. Bond; M. R. Leir. **Hungary:** M. Ficsor; G. Pálos. **India:** D. N. Misra; S. Singh. **Ivory Coast:** C. Bouah. **Mexico:** J. M. Teran Contreras; N. Pizzaro; M. F. Ize de Charrin; V. Blanco Labra. **Morocco:** A. Kandil. **Spain:** M. Corral Beltran; E.-J. Marinas-Otero; S. Diez-Picazo. **Switzerland:** J.-L. Marro; K. Govoni. **Tunisia:** R. Saïd; R. Ben Ahmed; A. Ben Jeddou; S. Zarrouk.

##### (b) Associate Members

**Argentina:** F. Jiménez Dávila; J.-F. Gomensoro. **Italy:** G. Aversa; G. Catalini; M. Fabiani. **Poland:** E. Szelchauz.

#### II. Observer States Members of the Berne Union

**Brazil:** C. F. Mathias de Souza. **Chile:** P. Oyarce. **Costa Rica:** M. Quiros-Guardia; C. Arguedas. **Czechoslovakia:** J. Matuš; M. Jelínek; J. Čížek. **Denmark:** W. Weincke. **Finland:** R. Meinander. **France:** A. Kerever; A. Françon; A. Bourdalé-Dufau; A. Tramoní-Venerandi; A. Nemo. **German Democratic Republic:** B. Haid. **Germany (Federal Republic of):** E. Steup; J. Reinbothe. **Holy See:** O. Roulet. **Israel:** M. Gabay. **Japan:** H. Hayashida. **Libyan Arab Jamahiriya:** O. M. T. Shebani. **Madagascar:** O. Raveloson. **Netherlands:** E. Lukács; M. Reinsma; J. M. Felkers. **Niger:** M. Ali Toumani; A. Bonkaney. **Norway:** T. Saebø. **Pakistan:** A. A. Hashmi. **Philippines:** J. L. Palarca; C. C. Sexton. **Portugal:** A. M. Pereira. **Senegal:** A. Sene; B. P. Crespin. **Sweden:** A. H. Olsson; C. Berg. **Thailand:** S. Aswasansophon. **Togo:** C. A. Johnson. **Turkey:** K. Targay. **United Kingdom:** I. J. G. Davis; A. Holt. **Yugoslavia:** M. Janjić.

#### III. Other States

**Andorra:** M.-A. Canturri Montanya; A. Pintat Santolaria. **Angola:** A. Fernandes Jr. **Ghana:** J. B. Amissah; E. B. Odoi Anim. **Soviet Union:** B. Pankine; N. Voschinin; R. Gorelik. **Sudan:** C. Manyang D'Awol. **United States of America:** B. Ringer; H. J. Winter; J. Baumgarten; P. R. Keller.

#### IV. Intergovernmental Organizations (Observers)

**International Labour Office (ILO):** S. Cornwell. **United Nations Educational, Scientific and Cultural Organization (UNESCO):** F. Mayor; M.-C. Dock; A. Amri. **Arab Educational, Cultural and Scientific Organization (ALECSO):**

M. Ben Amor. **Council of Europe:** H. P. Furrer. **Organization of American States (OAS):** O. Godoy Arcaya; F. Hurtado de Mendoza.

#### V. International Non-Governmental Organizations (Observers)

**European Broadcasting Union (EBU):** M. Cazé; W. Rump-horst. **Interamerican Copyright Institute (IIDA):** W. Moraes; F. M. de Mattia. **International Alliance for Distribution by Wire (AID):** G. Klemperer. **International Association of Conference Interpreters (AIIC):** A. Chaves. **International Bureau of Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM):** J.-A. Ziegler. **International Confederation of Professional and Intellectual Workers (CITI):** A.-L. Dupont-Willemin. **International Confederation of Societies of Authors and Composers (CISAC):** J.-A. Ziegler. **International Copyright Society (INTERGU):** G. Halla. **International Federation of Actors (FIA):** G. Croasdel. **International Federation for Documentation (FID):** H. Arntz. **International Federation of Film Producers Associations (FIAPF):** A. Brisson; T. Rose. **International Federation of Musicians (FIM):** R. Leuzinger. **International Federation of Producers of Phonograms and Videograms (IFPI):** G. Davies; E. Thompson; C. de Souza Amaral. **International Group of Scientific, Technical and Medical Publishers (STM):** P. Nijhoff Asser. **International Literary and Artistic Association (ALAI):** R. Fernay; P. C. Banki. **International Publishers Association (IPA):** J. A. Koutchoumow. **International Union of Cinematograph Exhibitors (UIEC):** J. Handl. **International Writers Guild (IWG):** R. Fernay.

#### VI. Other International Non-Governmental Organizations

**International Federation of Translators (FIT):** P.-F. Caillé. **World Council for the Welfare of the Blind (WCWB):** D. de G. Nowill.

#### VII. World Intellectual Property Organization

A. Bogsch (*Director General*); K.-L. Liguier-Laubhouet (*Deputy Director General*); C. Masouyé (*Director, Copyright and Public Information Department*); S. Alikhan (*Director, Copyright Division*); M. Stojanović (*Head, Legislation and Periodicals Section, Copyright Division*); G. Boytha (*Head, Section for Copyright Development Cooperation Projects, Copyright Division*).

#### VIII. Officers

**Chairman:** B. Todorov (Bulgaria); **Vice-Chairmen:** A. Kandil (Morocco); D. Bond (Canada); **Secretary:** S. Alikhan (WIPO).

## International Activities

### Council of Europe

#### Committee of Experts on Legal Protection in the Media Field

(Strasbourg, January 15 to 19, 1979)

Under the statutory reform carried out within the Council of Europe as regards the various committees of experts convened by that intergovernmental organization, a committee of experts has been set up, reporting to the Committee on the Mass Media, which has adopted the title "Committee of Experts on Legal Protection in the Media Field." This Committee replaces the former Legal Committee on Broadcasting and Television whose last meeting took place in 1977.<sup>1</sup>

The Committee of Experts on Legal Protection in the Media Field met at the Council of Europe headquarters in Strasbourg from January 15 to 19, 1979. Experts appointed by the Governments of the following 21 States took part in the work of the Committee: Austria, Belgium, Cyprus, Denmark, France, Germany (Federal Republic of), Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom. WIPO was represented in an observer capacity by Mr. Claude Masouyé, Director, Copyright and Public Information Department. A number of interested international non-governmental organizations also sent observers.

The Committee elected the following officers: Chairman, Mr. Torwald Hesser, Justice of the Supreme Court, Stockholm, Sweden; Vice-Chairmen, Mr. André Kerever, Maître des Requêtes at the Council of State, Paris, France, and Mrs. Elisabeth Steup, Ministerialrätin, Federal Ministry of Justice, Bonn, Federal Republic of Germany.

The Committee resumed the examination, begun by the above-mentioned former Legal Committee, of the problems raised by a possible revision of the 1960 European Agreement on the Protection of Television Broadcasts as supplemented by its 1965 Protocol and its 1974 Additional Protocol. The examination mainly concerned the protection of television broadcasts against cable distribution and protection where direct broadcasting satellites were used.

As regards cable distribution, the experts had at their disposal the reports reflecting the work carried out over the last two years at world level by WIPO

and Unesco (June 1977 Working Group,<sup>2</sup> Subcommittees of the Berne Union Executive Committee and the Intergovernmental Copyright Committee of July 1978,<sup>3</sup> Subcommittee of the Intergovernmental Committee of the Rome Convention of July and September 1978<sup>4</sup>).

In conclusion to their exchange of views on the problems arising from cable distribution at European level, the experts considered that the proposals put forward at the last meeting of the above-mentioned Legal Committee in respect of a new reservation clause, based on the notion of service area or the criterion on the direct reception area for foreign broadcasts, would have to be abandoned. Noting that it was not currently possible to achieve a final solution in terms of revision of the 1960 European Agreement, the experts felt that further consideration should be given to the question whether the existing reservation clauses (total reservation and so-called 50 percent reservation) could be maintained or should be deleted, or whether substitute measures should be sought. The experts further noted the need to work out guidelines, by looking at certain concepts relating to cable distribution operations, that would make it possible to bring into line or harmonize the interpretation and application of the provisions of that Agreement, concerning the right of broadcasters to distribute their broadcasts by cable. It was after investigation of those questions that the Committee would again be able to deal with the question whether the 1960 Agreement and its 1965 and 1974 Protocols should be revised in connection with cable distribution, and if so how.

The Committee also agreed to embark upon the study of the problems arising from cable distribution in connection with the protection of copyright and neighboring rights other than broadcasters' rights. The possibilities offered by collective management of all the rights involved were emphasized in this context.

<sup>2</sup> *Ibid.*, 1977, pp. 246 *et seq.*

<sup>3</sup> *Ibid.*, 1978, pp. 203 *et seq.*

<sup>4</sup> *Ibid.*, 1978, pp. 347 *et seq.*

<sup>1</sup> See *Copyright*, 1977, pp. 79 and 80.

With a view to the preparation of its work, the Committee requested the Secretariat of the Council of Europe to invite the experts and the interested organizations to submit observations on the following items:

1. the nature and scope of the reservation clauses contained in the European Agreement;
2. the criteria for making a possible distinction between distribution systems and equipment to facilitate reception;
3. as regards the exercise of rights, the distinction to be made between services having a commercial aim and non-profit-making services, the implementation of the 1965 Protocol as regards the setting up of a body to which certain special cases can be referred, and the possibilities as regards non-voluntary licenses.

A questionnaire covering the various items is to be drawn up by the Secretariat of the Council of Europe with the assistance of the International Bureau of WIPO.

Secondly, the international organizations representing the various categories of right holders are to be invited to submit to the Secretariat of the Council of Europe information on the progress of their efforts towards grouping and organization for the purpose of collective management of the rights affected by cable distribution.

Thirdly, the International Bureau of WIPO was requested to carry out a comparative study of the legislation of the member States of the Council of Europe relating to the implementation of Article 11<sup>bis</sup> of the Berne Convention in the field of cable distribution.

As regards the use of direct broadcasting satellites, the Committee confirmed the amending text to Article 1 of the Agreement, that had been drawn up in 1977 and which provided for the application of the

Agreement to the use of terrestrial transmitters and to the use of satellites permitting direct reception of broadcasts by the general public. The Committee felt, however, that revision of this point was not urgent and could therefore be delayed until such time as final conclusions had been reached concerning possible revision of the Agreement in connection with cable television.

The Committee then held an exchange of views and information on the following two matters:

- (a) the possibilities of ratification of the 1965 European Agreement for the Prevention of Broadcasts transmitted from Stations outside National Territories;
- (b) the current status of acceptances of the 1974 Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite, and problems arising from its implementation; reference was made in this context to the work carried out under the aegis of WIPO and Unesco with a view to drawing up model provisions to facilitate the implementation of the Convention (April 1978 Working Group <sup>5</sup> and June 1979 Committee of Experts).

The Committee concluded with an exploratory exchange of views on the problems within its competence on which it might be desirable and possible to seek common solutions for the member States of the Council of Europe. In addition to the items mentioned above, the Committee also discussed in this context the problems arising from the use of video-cassettes, those arising in connection with reprographic reproduction, and public lending rights in libraries.

The Committee's next meeting is to be held from May 5 to 9, 1980.

<sup>5</sup> *Ibid.*, 1978, pp. 151 *et seq.*

## Calendar

### WIPO Meetings

(Not all WIPO meetings are listed. Dates are subject to possible changes.)

#### 1979

- April 25 to May 1 (Geneva) — Patent Cooperation Treaty (PCT) — Assembly**
- April 30 to May 3 (Geneva) — Budapest Union (Microorganisms) — Interim Committee**
- May 1 to 4 (Geneva) — WIPO Budget Committee**
- May 7 to 11 (Rijswijk) — Permanent Committee on Patent Information (PCPI) — Subgroup on IPC Class 23**
- May 28 to June 1 (Geneva) — Berne Union — Working Group on Problems Arising from the Use of Electronic Computers**  
(convened jointly with Unesco)
- June 11 to 15 (Paris) — Satellites Convention — Committee of Experts on Model Provisions for the Implementation of the Convention**  
(convened jointly with Unesco)
- June 11 to 15 (Geneva) — Nice Union — Preparatory Working Group**
- June 11 to 15 (Washington) — Permanent Committee on Patent Information (PCPI) — Subgroup on IPC Class A 01, etc.**
- June 18 to 29 (Geneva) — Revision of the Paris Convention — Working Group on Conflict Between an Appellation of Origin and a Trademark**
- June 25 to 29 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on General Information, and ICIREPAT Technical Committee for Standardization (TCST)**
- July 2 to 6 (Paris) — Berne Union and Universal Copyright Convention — Working Group on the overall problems posed for developing countries concerning access to works protected under copyright conventions**  
(convened jointly with Unesco)
- July 2 to 6 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Search Information**
- July 9 to 12 (Geneva) — Paris Union — Meeting of Experts on Industrial Property Aspects of Consumer Protection**
- September 4 to 6 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Patent Information for Developing Countries**
- September 10 to 14 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Planning**
- September 24 to October 2 (Geneva) — Governing Bodies (WIPO General Assembly, Conference and Coordination Committee; Assemblies of the Paris, Madrid, Hague, Nice, Lisbon, Locarno, IPC, PCT and Berne Unions; Conferences of Representatives of the Paris, Hague, Nice and Berne Unions; Executive Committees of the Paris and Berne Unions; Committee of Directors of the Madrid Union; Council of the Lisbon Union)**
- October 15 to 26 (Geneva) — Nice Union — Committee of Experts**
- October 18 and 19 (Geneva) — ICIREPAT — Plenary Committee**
- October 22 to 26 (Geneva) — Permanent Committee on Patent Information (PCPI), and PCT Committee for Technical Cooperation (PCT/CTC)**
- October 22, 23 and 30 (Paris) — Rome Convention — Intergovernmental Committee**  
(convened jointly with ILO and Unesco)
- October 24 to 26 and 31 (Paris) — Berne Union — Executive Committee**  
(sitting together, for the discussion of certain items, with the Intergovernmental Committee of the Universal Copyright Convention)
- November 26 to December 13 (Madrid) — Diplomatic Conference on Double Taxation of Copyright Royalties**  
(convened jointly with Unesco)
- November 27 to 30 (Geneva) — Paris Union — Group of Experts on Computer Software**
- December 10 to 14 (Geneva) — International Patent Classification (IPC) — Committee of Experts**

#### 1980

- February 4 to March 4 (Geneva) — Revision of the Paris Convention — Diplomatic Conference**

## **UPOV Meetings**

### **1979**

**April 24 and 25 (Geneva) — Administrative and Legal Committee**

**April 26 and 27 (Geneva) — Consultative Committee**

**May 21 to 23 (La Minière, France) — Technical Working Party for Agricultural Crops**

**June 5 to 7 (Avignon) — Technical Working Party for Vegetables**

**July 17 to 19 (Hanover) — Technical Working Party for Ornamental Plants**

**September 18 and 19 (Geneva) — Administrative and Legal Committee**

**September 25 to 27 (Wageningen) — Technical Working Party for Forest Trees**

**October 16 and 19 (Geneva) — Consultative Committee**

**October 17 to 19 (Geneva) — Council**

**November 12 to 14 (Geneva) — Technical Committee**

**November 15 and 16 (Geneva) — Administrative and Legal Committee**

## **Other Meetings in the Field of Copyright and/or Neighboring Rights**

### **1979**

#### **Non-Governmental Organizations**

##### **European Broadcasting Union (EBU)**

Legal Committee — April 18 to 20 (Monte Carlo)

Legal Committee — September 25 to 28 (Bergen)

##### **International Confederation of Societies of Authors and Composers (CISAC)**

Executive Board and Administrative Council — April 2 to 4 (Paris)

Legal and Legislation Committee — May 8 and 9 (Madrid)

##### **International Federation of Actors (FIA)**

Congress — September 25 to 29 (Budapest)

##### **International Federation of Library Associations (IFLA)**

Congress — August 27 to September 1 (Copenhagen)

##### **International Federation of Producers of Phonograms and Videograms (IFPI)**

Council — May 14 and 15 (Palma de Mallorca)

##### **International Organization for Standardization (ISO)**

General Assembly — September 17 to 21 (Geneva)

##### **International Writers Guild (IWG)**

Congress — June 21 to 25 (Helsinki)

### **1980**

##### **International Confederation of Societies of Authors and Composers (CISAC)**

Congress — November (Dakar)

##### **International Publishers Association (IPA)**

Congress — May 18 to 22 (Stockholm)