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CHANGES IN THE CONTENT OF THIS PERIODICAL

At their session in Geneva from September 23 to October 2, 1991, the Governing Bodies of WIPO adopted the Program and Budget of the Organization for the 1992-93 biennium. As regards the item "Periodicals and Other Publications," the Program as adopted provides that "the periodicals will no longer contain articles written by specialists in intellectual property but only material coming from official sources."

In implementation of the said decision, the periodicals will, as from January 1, 1992, contain only material concerning the activities of WIPO and accessions to treaties administered by it. They will provide comprehensive and up-to-date information about those activities, such as important working documents and reports of meetings organized by WIPO and information on WIPO's development cooperation and registration activities.

WIPO 1991

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Editor's Note

AUSTRIA

Federal Law of June 7, 1990, on the Protection of Designs (Design Law 1990) Text 4-001

Order of the Federal Minister for Economic Affairs of October 29, 1990, Concerning
Design Filing Offices of the Chambers of Commerce (Design Filing Office Order) Text 4-002**FRANCE**Law on the Protection of Appellations of Origin (of May 6, 1919, as last amended and
completed by Law No. 90-558 of July 2, 1990) (*Replacement sheet*) Text 5-001

Notifications Concerning Treaties

International Convention for the Protection of New Varieties of Plants

New Member of UPOV

CZECHOSLOVAKIA

The Government of Czechoslovakia deposited, on November 4, 1991, its instrument of accession to the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as revised at Geneva on November 10, 1972, and on October 23, 1978.

Czechoslovakia has not heretofore been a member of the International Union for the Protection of New Varieties of Plants, founded by the said International Convention.

The said International Convention will enter into force, with respect to Czechoslovakia, on December 4, 1991. On that date, Czechoslovakia will become a member of UPOV.

For the purpose of determining its share in the total amount of the annual contributions to the budget of UPOV, one half of one contribution unit is applicable to Czechoslovakia.

UPOV Notification No. 38, of November 8, 1991.

Activities of Other Organizations

International Association for the Protection of Industrial Property (AIPPI)

Council of Presidents

(Lucerne, September 15 to 19, 1991)

NOTE*

The International Association for the Protection of Industrial Property (AIPPI) held a meeting of its Council of Presidents in Lucerne (Switzerland) from September 15 to September 19, 1991. The Presidents of 40 national groups of AIPPI as well as the members of the Bureau of AIPPI, presidents and members of honor and chairmen of various program committees participated in the meeting, which was presided over by the Executive President of AIPPI, Mr. Masahiko Takeda (Japan) and other officers of AIPPI. The World Intellectual Property Organization (WIPO) was represented by its Director General, Dr. Arpad Bogsch, and by Mr. Ludwig Baeumer, Director, Industrial Property Division.

On September 16, 1991, the Director General of WIPO delivered an address which is reproduced below.

The Council of Presidents dealt with the following questions: harmonization of certain provisions of the legal systems for protecting inventions; UPOV Convention and biotechnology; negotiations within GATT on trade-related aspects of intellectual property rights; PCT matters; harmonization of trademark laws; formal requirements of trademark applications, registration and amendments thereof; restoration of patent rights; improvement of international protection of industrial designs; international protection of appellations of origin and indications of source; and the reorganization of working methods of AIPPI.

At the conclusion of the meeting, the Council of Presidents adopted the resolutions reproduced below.

Address by the Director General of WIPO

*"Distinguished Officers of the International Association for the Protection of Industrial Property,
Ladies and Gentlemen,*

It hardly seems necessary, in view of the long-standing and highly fruitful relationship between WIPO and AIPPI, to say how pleased I am to have this opportunity to address the Council of Presidents meeting here in Lucerne on behalf of WIPO.

There has always been, by design, a similarity between the work program of AIPPI and the activities of WIPO. One has only to look through the list of Working Committees of AIPPI and the questions which they treat to realize the extent of this similarity. (I exclude, of course, Question 94 on GATT.) I should like, therefore, to start my very brief resumé of the activities of WIPO that have taken place or have been planned since the AIPPI Executive Committee meeting last year in Barcelona by dealing first with those areas that are the subject of AIPPI Committees. I shall treat those areas in the order in which the questions before the Committees appear on the Working Program of this meeting.

Harmonization of Patent Laws (Question 89)

As you are no doubt aware, the first part of a diplomatic conference for the purpose of negotiating a Treaty Supplementing the Paris Convention as Far as Patents are Concerned (the 'Patent Law Treaty') was held at The Hague over the three weeks from June 3 to 21, 1991, with the participation of some 400 persons. As had been decided in advance of the Conference, no final decisions concerning the draft Patent Law Treaty were taken at the Conference. However, the three weeks of discussions assisted in crystallizing the positions being adopted by the various delegations and groups participating in the negotiations.

The draft Patent Law Treaty contains some 39 Articles and there are 13 accompanying Rules. The provisional summary minutes of the discussions at the Conference comprise some 400 pages. In the time available to me now, therefore, I shall desist from making any detailed observations, particularly as a full report will be given this morning by the AIPPI representative at the Conference. I will simply

* Prepared by the International Bureau of WIPO.

say that the question of reconvening the Conference for its second part will be kept under constant review. Dates are unlikely to be set, however, until more certainty emerges in relation to the fate of the negotiations on trade-related aspects of intellectual property rights within the context of the Uruguay Round and the position in the United States with respect to certain key issues, in particular the question of first-to-file, becomes clearer. In the interim, it is heartening to see that the harmonization process is already producing results, since an increasing number of new laws are drawing inspiration from the draft Patent Law Treaty. The laws or proposed laws of Chile, China, Mexico, Romania and the Soviet Union may, in particular, be mentioned in this regard.

Biotechnology and UPOV (Questions 51 and 93)

No meetings have been held within WIPO on biotechnology since September last year. However, the draft Program and Budget for the 1992-93 biennium envisages that either a session of the Committee of Experts on Biotechnological Inventions will be held to further consider and preferably complete advice on suggested solutions to questions concerning the patent protection of biotechnological inventions or a forum will be convened on topical questions of patent protection of biotechnological inventions.

I am happy to report that a diplomatic conference was held in March this year at which a new Act of the UPOV Convention was adopted. A number of significant changes were introduced by the 1991 Act which have the effect of strengthening the protection for plant varieties. Those changes include

- the removal of the so-called 'ban on double protection' so that UPOV member States are free, so far as the UPOV Convention is concerned, to grant patents in addition to plant breeders' rights for plant varieties;

- the establishment of the obligation for member States to grant plant breeders' rights for all plant species within a specified period; and

- the strengthening of the exclusive rights of the breeder, which extend to the production of propagating material of the variety and a list of specific acts of exploitation, as well as to acts of commercial exploitation of harvested material of the variety resulting from the infringing use of propagating material of the variety, 'unless the breeder had reasonable opportunity to exercise his right in relation to the said propagating material;'

- in contrast to the 1978 Act, under which any variety resulting from the plagiaristic reselection or manipulation of a protected variety that is clearly distinguishable from the protected variety falls outside the scope of protection of the protected variety, under the 1991 Act a variety resulting from

such plagiaristic activity will fall within the scope of protection given to the breeder of the protected variety if it is 'essentially derived' from the protected variety.

PCT (Question 109)

The steady increase in the use of the PCT has continued. Since September last year, the number of States party to the PCT has increased from 44 to 49, the latest adhesions comprising Poland, Côte d'Ivoire, Guinea, Mongolia and Czechoslovakia. The number of international applications has increased throughout 1991 at the rate of about 15%, and we expect to receive a total of some 22,000 international applications for the year (up from 19,159 in 1990).

The past year has also marked the completion of a major exercise in the revision of the PCT Regulations. At its July 1991 session, the PCT Assembly adopted a large package of amendments to the Regulations, including the substantive amendment of 122 of the 331 Rules presently in force and the addition of 18 new Rules. The changes are designed to streamline the procedures for filing and prosecuting an international patent application under the PCT, and to make the use of PCT procedures simpler, safer and more accessible to applicants. The amendments take into account 13 years' experience in the use and administration of the PCT.

Harmonization of Trademark Laws (Questions 92 and 92D) and Counterfeiting (Question 86)

No further meetings of the Committees of Experts dealing with the harmonization of trademark laws or the question of piracy and counterfeiting have been held since the meeting of the AIPPI Executive Committee last year. The matters remain, however, important items in our Program for the 1992-93 biennium but the dates of their implementation depend in part on the outcome of the Uruguay Round of GATT, since that Round deals with these two matters too.

The Possible Improvement of the System of International Deposit of Industrial Designs (Question 108)

The possibility of increasing the use of the Hague Agreement and of making it more attractive to more countries was the subject of a meeting of a Committee of Experts in April 1991. The Committee concluded that it was highly desirable that it should continue its work which, eventually, may lead to a new Act of the Agreement.

Geographical Indications (Question 62)

An international symposium on geographical indications will be held in Wiesbaden, Germany, on

October 17 and 18. In response to increasing interest in this area, national seminars on appellations of origin will also be held in November in Santiago, Chile and Lima, Peru.

Further meetings are also planned in the next biennium of the Committee of Experts that met in 1990 on the international protection of geographical indications. The Committee is investigating whether the formulation of a new treaty establishing minimum standards for the protection of geographical indications would be desirable.

The Madrid System (Question 88)

During the past 12 months, work has proceeded on an intensive basis on draft Regulations that will constitute a common set of Regulations under the Madrid Agreement and the Madrid Protocol when the Protocol comes into effect. The third session of a Working Group was held in Madrid in May and the fourth session is convened for November of this year. A complete draft of the Regulations now exists. It is pleasing to note the active participation in the work of the Working Group not only of the signatory States of the Madrid Protocol which, as you know, include several States not party to the Madrid Agreement, but also of the United States of America, where the United States Patent and Trademark Office has been working in close cooperation with the United States Trademark Association on investigating, with so far favorable conclusions, the possibility of becoming party to the Madrid Protocol.

At the same time, the International Bureau has been working on developing the computer facilities to make available the data of the International Registry through electronic access and on CD-ROM.

Copyright (Question 110)

Work commenced this year on what promises to be a very major exercise in the field of copyright, namely, a possible protocol to the Berne Convention. A first meeting of a Committee of Experts on this matter will be held in Geneva in November of this year. Among the very important and difficult questions which are to be addressed by the Committee of Experts are the following:

- the scope of works protected and, in particular, computer programs, data bases, expert systems and other artificial intelligence systems, and computer-produced works;
- the status of sound recordings (phonograms) and of the producers of sound recordings;
- the right of reproduction in respect of the storage of works in computer systems;
- the question of reprographic reproduction by libraries, archives and educational institutions;
- home taping and other private reproduction for personal use;

– the possible exclusion of the application of non-voluntary licenses for sound recordings and broadcasting;

- the right of public display;
- the right of rental and public lending;
- the right of importation;
- the right of broadcasting in respect of direct broadcasting by satellite;
- the definition of the notion of public use;
- the possible extension of the term of protection;
- certain aspects of collective administration.

You will observe that the scope of work in this area is extremely broad and that the nature of the questions to be dealt with is extremely challenging.

Settlement of Disputes Between States (Question 103)

The Committee of Experts on the Settlement of Intellectual Property Disputes Between States held its third session in Geneva at the beginning of this month. It considered a draft treaty and decided that one or possibly two further meetings were necessary before the draft could be considered to be reasonably final.

Arbitration and Other Means of Alternative Dispute Resolution Between Private Parties (Question 106)

Our work in this area is just commencing. An informal group of experts will meet on the question in October in Zurich. AIPPI has been invited to attend that informal working group in an observer capacity. Meetings of an expanded working group will be held during the next biennium.

Developing Countries

I should not like to conclude without mentioning, albeit very briefly, our extensive development cooperation activities. Over the past 12 months, more than 5,000 men and women from about 108 developing countries have received training at workshops, training courses and seminars organized by WIPO. Over the same period some 80 developing countries received WIPO missions and over 100 experts were sent to give specialized on-the-spot training. The International Bureau also continued, in cooperation with donor industrial property offices, technical information services for developing countries, pursuant to which over 500 search reports and copies of some 3,000 patent documents were furnished to developing countries.

Ladies and gentlemen, allow me to finish by reaffirming our conviction that the activities of WIPO that I have briefly described are vitally dependent on the support, interest, enthusiasm, knowledge and experience of the industrial, commercial and professional sectors throughout the world and, in partic-

ular, of specialized organizations bringing together expert practitioners in the field of intellectual property of which AIPPI is a preeminent example."

Resolutions Adopted by the Council of Presidents

QUESTION 62

International Protection of Appellations of Origin and Indications of Source

RESOLUTION

The International Association for the Protection of Industrial Property (AIPPI) wishes to solemnly protest against the Draft EC Regulation on the Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs (SEC (90) 2415 Final Brussels, January 21, 1991).

AIPPI is an international association with more than 6,500 members coming from more than 90 countries among which all member countries of the Community. Such members are owners or interested parties with respect to industrial property rights, which comprise among others trademarks and geographical indications (appellations of origin and indications of source).

AIPPI notes that this Draft Regulation does not take into consideration the existence, in all countries of the world, of legally acquired industrial property rights which are regularly used within the European Common Market and which could be expropriated in a manner which is all the more intolerable in that this could occur without compensation and for no legitimate reason.

The protection of such rights is guaranteed by international conventions which have been ratified many years ago by all or some of the Community member countries, in particular, the Paris Convention for the Protection of Industrial Property, the Madrid Agreement on the Repression of False or Deceptive Indications of Source on Goods and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration.

AIPPI recalls that the Treaty of Rome in Article 234 respects the obligations of member countries arising from international conventions which they have ratified.

AIPPI observes that the Draft Regulation is in obvious contradiction with the principle of free choice by enterprises for their distinctive signs, especially trademarks, including collective marks, and geographical indications and also in contradiction with the principle of free use of such signs without any preliminary control or authorization by government authorities, principles which are the basis of international conventions concerning industrial property and which represent a fundamental element of each free market economy.

Also, the Draft Regulation takes no account of the international discussions which have for many years taken place in the World Intellectual Property Organization (WIPO), supported by AIPPI, directed to the adoption of a treaty for the protection of geographical indications and which is to be applicable without exception to all products, agricultural and industrial.

Consequently, AIPPI asks that the Draft Regulation be abandoned or at least fundamentally changed.

QUESTION 89

Harmonization of Patent Laws

RESOLUTION

AIPPI

- *reaffirms* the importance which it attributes to the project of a treaty for the harmonization of patent laws;
- *expresses* with emphasis the wish that the Diplomatic Conference lead to the signature of the Treaty.

QUESTION 92D

Harmonization of Formal Requirements for Trademark Applications, Registrations and Amendments Thereof

RESOLUTION

1. AIPPI

(a) *notes* the extreme diversity among countries concerning the formalities for filing, transfer of trademarks and any later modification thereof, in particular, change of name and address;

(b) *notes* that this diversity constitutes a serious obstacle for the acquisition, the maintaining and even the exercise of the trademark right;

(c) *notes* that practitioners of industrialized and developing countries agree that a solution to this problem should be found by the international harmonization and standardization of certain formalities and documents;

(d) *expresses* the wish that trademark offices should be obliged to accept a universal and standard form both for the application of a trademark and the power of attorney without being excluded, however, from accepting the applications and powers of attorney in a different form;

(e) *considers* that an international agreement could be possible on the following points:

- goods and services (where applicable) should be classified in accordance with the Nice International Classification;

- the application should be filed by using a standard form;

- the application should be signed by the applicant or the duly authorized representative (at his option);

- foreign applicants should be represented by a person permitted to practice before the office or have an address for service in the territory of the contracting party;

- no authentication of signature (by a notary public or even signature before a notary public or legalization with a consulate, etc.) should be required;

- no certificate or extract from a Register of Commerce should be required;

- no evidence should be required that the trademark applied for is registered in another country;

- the office can be informed about a change of name or address by simple written communication of the owner, signed by him or his duly authorized representative;

- the information about change of name or address can be made by the owner in one single communication for all trademarks which are registered in his name at the office;

- the assignee can ask for registration of the assigned marks in his name submitting written evidence of the

assignment, duly signed by the assignor or his legal representative;

– the demand of the assignee must be signed by himself or his representative.

2. For these reasons, AIPPI *strongly recommends* that the member States of the Paris Convention for the Protection of Industrial Property initiate appropriate procedures to arrive as soon as practicable at the international harmonization of formalities in the field of trademarks.

It considers that this harmonization of formalities might constitute the first part of the trademark harmonization project presently studied by WIPO.

3. AIPPI *decides* to continue its studies concerning the harmonization of formalities concerning the following points:

– goods and services belonging to any number of classes of the International Classification may be covered by one and the same application and shall be covered by one and the same registration on such an application;

– the carrying on of an industrial or commercial activity by the applicant should be no requirement for trademark registration;

– the carrying on of an activity by the applicant corresponding to the goods or services listed in the application should be no requirement for registration;

– assignments can be made without goodwill and without transferring a business to which the trademarks are related;

– the assignment must be made in writing;

– no authentication of any of the documents of assignment is required;

– no certificate or extract from a Register of Commerce should be required;

– the carrying on of an industrial or commercial activity by the assignee should be no requirement for his registration as the new owner of the registered trademark;

– the carrying on of an activity by the assignee corresponding to the goods or services listed in the registrations should be no requirement for registration of the assignee as the new owner of the registered trademark.

QUESTION 93

Biotechnology (Relationship Between Patent Protection and Biotechnological Inventions and Plant Variety Protection; Patentability of Animal Breedings)

RESOLUTION

The Council of Presidents decides that the study of Question 93 on biotechnology and plant varieties will include in particular the following matters:

1. the total removal of the ban on double protection of plant varieties in national laws on plant breeders' rights;

2. the removal of all provisions relating to the unpatentability of plant and animal varieties in the patent laws;

3. the scope of patent protection for biotechnological product and process inventions concerning self-replicable material encompasses subsequent generations and material wherein the inventive characteristics are expressed, except when the reproduction is an inevitable consequence of the intended use of a material marketed by the patentee;

4. an invention should not be considered a discovery or lacking in novelty merely because it forms part of a preexisting material.

QUESTION 108

Improvements of International Protection of Designs and Models

RESOLUTION

1. The Council of Presidents *gives* to the Working Committee the additional assignment to study the modification of the Hague Agreement Concerning the International Deposit of Industrial Designs, with a view to the discussion to take place at the Tokyo Congress.

2. It *mandates* the Bureau to constitute a Special Committee to study the Regulation on the Community Design and Model prepared by the Commission of the European Communities in order to inform the competent Community authorities of the position of AIPPI on this matter in accordance with the appropriate procedures.

QUESTION 112

Restoration of Patent Rights

RESOLUTION

1. The Council of Presidents *declares* itself in favor of the principle of the restoration of patent rights, in the event of the omission of a formality or of the payment of a fee within the prescribed time limit, on conditions to be determined.

2. It *has also given* favorable consideration to the principle of the restoration of the priority right, but on rigorous conditions to be determined.

WIPO Meetings

Governing Bodies of WIPO and the Unions Administered by WIPO

Twenty-Second Series of Meetings
(Geneva, September 23 to October 2, 1991)

NOTE*

From September 23 to October 2, 1991, the Governing Bodies of WIPO and the Unions administered by WIPO held their twenty-second series of meetings in Geneva. Delegations from 93 States, 12 intergovernmental organizations and six non-governmental international organizations participated in the meetings.

The following 23 Governing Bodies met:

WIPO General Assembly, thirteenth session (10th ordinary);
WIPO Conference, eleventh session (10th ordinary);
WIPO Coordination Committee, twenty-eighth session (22nd ordinary);
Paris Union Assembly, eighteenth session (10th ordinary);
Paris Union Conference of Representatives, nineteenth session (10th ordinary);
Paris Union Executive Committee, twenty-seventh session (27th ordinary);
Berne Union Assembly, twelfth session (10th ordinary);
Berne Union Conference of Representatives, twelfth session (10th ordinary);
Berne Union Executive Committee, thirty-third session (22nd ordinary);
Madrid Union Assembly, twenty-third session (9th ordinary);
Hague Union Assembly, twelfth session (8th ordinary);
Hague Union Conference of Representatives, twelfth session (8th ordinary);
Nice Union Assembly, twelfth session (10th ordinary);
Nice Union Conference of Representatives, eleventh session (10th ordinary);
Lisbon Union Assembly, ninth session (9th ordinary);

Lisbon Union Council, sixteenth session (16th ordinary);
Locarno Union Assembly, twelfth session (9th ordinary);
IPC [International Patent Classification] Union Assembly, eleventh session (8th ordinary);
PCT [Patent Cooperation Treaty] Union Assembly, nineteenth session (8th ordinary);
TRT [Trademark Registration Treaty] Union Assembly, seventh session (6th ordinary);
Budapest Union Assembly, ninth session (6th ordinary);
Vienna Union Assembly, fifth session (4th ordinary);
FRT [Film Register Treaty] Union Assembly, second session (1st ordinary).

The main agenda items and the main decisions covered the following points:

Appointment of the Director General. On the basis of the nomination made by the WIPO Coordination Committee in 1990, the WIPO General Assembly appointed Dr. Arpad Bogsch, unanimously and by acclamation, as the Director General of WIPO for a further period ending November 30, 1995.

Activities from July 1, 1989, to July 15, 1991. The delegations expressed their entire satisfaction with the format and substance of the reports submitted by the Director General and, in particular, praised the comprehensiveness and clarity of those reports which made possible a full review of the activities undertaken by the International Bureau. In their view, those activities were impressive both in terms of quality, volume and variety, and they conformed to the plans laid down for the 1990-91 biennium and achieved the objectives set out therein. The delegations paid special tribute to the professionalism, competence and dedication of the staff of the International Bureau led by the Director General.

* Prepared by the International Bureau.

Most of the delegations singled out for special mention the development cooperation activities for the benefit of developing countries and, in particular, in the areas of human resource development or training, advice and assistance in legislative and legal drafting, the upgrading of administrative procedures and office management, computerization, patent information services (including the introduction of CD-ROM technology) and the teaching of intellectual property law in universities.

The delegations of the developing countries considered such activities as being of prime importance in WIPO's work program, and expressed their great satisfaction with the assistance that their countries had received from WIPO and also, through WIPO, from other countries, both developing and industrialized, as well as from certain organizations. Most of the delegations of the industrialized countries stressed the importance which their governments attached to WIPO's development cooperation program. They pledged to continue their participation in those activities and, whenever feasible, also to increase their share in such participation.

Many delegations expressed their satisfaction with the work the International Bureau had undertaken or was undertaking in the area of norm-setting, such as the progress achieved in the preparations for a Patent Law Treaty and in discussions on the settlement of intellectual property disputes between States. In addition, they noted with satisfaction the continuing growth in the international registration activities relating to patents, marks and industrial designs.

Program and Budget for the 1992-93 Biennium. The program and budget were adopted. The Assemblies of the PCT, Madrid and the Hague Unions approved the proposal of the Director General to have these three fee-financed Unions participate (for the first time), with an amount of 4.3 million Swiss francs, in the financing of certain activities (primarily development cooperation activities) in which they had not previously participated. The total of the contributions by the member States to the Paris and the Berne Unions will be the same for the 1992-93 biennium as it was for the 1990-91 biennium.

In the 1992-93 biennium, more emphasis will be placed on activities in the following areas:

(a) development cooperation, where a greater volume of activities is foreseen, particularly for encouraging adherence by developing countries to WIPO administered treaties, for facilitating the participation, by representatives of developing countries, in WIPO-organized meetings, for the computerization of the services of industrial property offices

of developing countries, and for the development of teaching of intellectual property law in developing countries;

(b) norm-setting, where it is envisaged to conclude the Treaty Supplementing the Paris Convention as Far as Patents Are Concerned (the first part of the Diplomatic Conference which has to adopt that Treaty took place in June 1991) and a treaty on the settlement of intellectual property disputes between States, as well as to continue preparations on a possible Protocol to the Berne Convention and a proposed treaty on the harmonization of the formalities and other aspects of the protection of trademarks;

(c) international registration services, where it is planned to continue the computerization of the operations of the PCT, the international registration of trademarks under the Madrid Agreement and the international deposit of industrial designs under the Hague Agreement with a view to providing ever better services to users.

Contribution System; Arrears of Contributions of the Least Developed Countries. Two new contribution classes representing one-half and one-quarter, respectively, of contribution class VII or class C, were created as from January 1, 1992. Forty-nine developing countries with low assessments in the United Nations system of contributions will benefit from these two new contribution classes which will reduce their present contributions by 50% or 75%, respectively.

The amount of the arrears of contributions of any least developed country (LDC) relating to years preceding 1990 are placed in a special account; their payment will not be claimed although some payments will be expected and encouraged ("frozen account").

Treaty Supplementing the Paris Convention as Far as Patents Are Concerned. The Assembly of the Paris Union decided that it would take a decision on the date of the second part of the Diplomatic Conference in an extraordinary session to be convened at the latest by September 1992. The Director General would convene the extraordinary session either at the request of member States or on his own initiative when he believed the time was ripe for making a decision.

Fee Increases. The Assemblies of the Madrid and the Hague Unions decided to increase their respective fees by 10%, effective from April 1, 1992. The Assembly of the PCT Union decided to increase the PCT fees by 8%, effective from January 1, 1992.

LIST OF PARTICIPANTS**

I. States

Algeria^{1, 2, 3, 4, 6, 10, 13, 15}: A. Semichi; F. Bouzid; H. Yahia-Cherif.

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Chile^{1, 2, 3, 4, 7, 9}: M. Artaza; M. Porzio; P. Romero.

** A list containing the titles and functions of the participants may be obtained from the International Bureau.

¹ WIPO General Assembly.

² WIPO Conference.

³ WIPO Coordination Committee.

⁴ Paris Union Assembly.

⁵ Paris Union Conference of Representatives.

⁶ Paris Union Executive Committee.

⁷ Berne Union Assembly.

⁸ Berne Union Conference of Representatives.

⁹ Berne Union Executive Committee.

¹⁰ Madrid Union Assembly.

¹¹ Hague Union Assembly.

¹² Hague Union Conference of Representatives.

¹³ Nice Union Assembly.

¹⁴ Nice Union Conference of Representatives.

¹⁵ Lisbon Union Assembly.

¹⁶ Lisbon Union Council.

¹⁷ Locarno Union Assembly.

¹⁸ IPC [International Patent Classification] Union Assembly.

¹⁹ PCT [Patent Cooperation Treaty] Union Assembly.

²⁰ TRT [Trademark Registration Treaty] Union Assembly.

²¹ Budapest Union Assembly.

²² Vienna Union Assembly.

²³ FRT [Film Register Treaty] Union Assembly.

China^{1, 2, 3, 4, 6, 10}: Gao Lulin; Bian Yaowu; Wu Xiangwen; Qin Xiaomei; Gao Hang; Wu Qun; Wu Zhengxiang; Lui Gao; Qiu Anman.

Colombia^{1, 2, 3, 7, 9}: J.M. Cano.

Costa Rica^{1, 2, 7}: R. Barzuna Sauma; R. Saborio Soto; H. Krygier de Przedborski; U. Alfú de Reyes.

Côte d'Ivoire^{1, 2, 3, 4, 7, 9, 19}: K. Koffi; N'C. N'Takpe.

Cuba^{1, 2, 3, 4, 6, 10, 15}: M. Fernández Finale; M. Jiménez Aday.

Czechoslovakia^{1, 2, 3, 4, 7, 9, 10, 13, 15, 17, 18, 19, 21, 23}: L. Jakl; P. Vrba; J. Kordač.

Democratic People's Republic of Korea^{1, 2, 3, 4, 6, 10, 19}: Ryu Song Gwang; Pak Chang Rim; Pak Chun Il.

Denmark^{1, 2, 4, 7, 13, 17, 18, 19, 21}: P.L. Thoft.

Ecuador^{1, 2, 7}: M.A. Guerrero Murgueytio.

Egypt^{1, 2, 3, 4, 6, 7, 10, 12, 18}: M. Zahran; N. Gabr; A.G.M. Fouad.

El Salvador²: C.E. Mendoza; B.F. Menjivar.

Finland^{1, 2, 3, 4, 6, 7, 13, 17, 18, 19, 21}: M. Enäjärvi; R. Paaermaa; J. Liedes; J. Rainesalo; M. Aalto-Setälä; S. Ruokola.

France^{1, 2, 3, 4, 6, 7, 10, 11, 13, 15, 17, 18, 19, 21, 22, 23}: B. Miyet; J.-C. Combaldieu; A. Chapard; J. Manent; H. de Montluc; S. Catta; M.-F. Carbon; P. Delacroix; B. Vidaud.

Gabon^{1, 2, 4, 7, 15, 19, 20}: R. Tchibota-Souamy; M. Nziengu.

Germany^{1, 2, 3, 4, 7, 9, 10, 11, 13, 17, 18, 19, 21}: A. Schäfers; A. von Mühlendahl; P. Voss; W. Milzow; M.H. Flügger; R. Osenberg.

Ghana^{1, 2, 3, 4, 6, 7}: K. Amoo-Gottfried; H.O. Blavo; F.W.Y. Ekar.

Greece^{1, 2, 4, 7, 19}: G. Koumantos; A. Cambitsis.

Guatemala²: F. Urruela Prado.

Holy See^{1, 2, 4, 7, 12}: O.J. Roulet.

Honduras^{1, 2, 7}: M. Fortin Midence; M.G. Carias.

Hungary^{1, 2, 3, 4, 6, 7, 10, 11, 13, 15, 17, 19, 21}: I. Iványi; G. Boytha; P. Gyertyánfy; E. Lontai; M.Z. Ficsor.

India^{1, 2, 3, 7, 9}: P. Shah; L. Puri; V.M. Kwatra.

Indonesia^{1, 2, 3, 4, 6, 12}: R.R. Siahaan; H.K. Priyo; E.D. Husin.

Iran (Islamic Republic of)⁵: S.R. Zavareie; K. Tabatabaee; M.-H. Bokaeian; M.-H. Moayedoddin; M. Zargar-Elahi; M. Mokhtari-Amin.

Iraq^{1, 2, 4}: A. Khalil.

Ireland^{1, 2, 3, 4, 7, 9, 13, 17, 18}: S. Fitzpatrick.

Israel^{1, 2, 4, 7, 13, 15, 18}: M. Ophir; R. Walden.

Italy^{1, 2, 3, 4, 7, 9, 10, 11, 13, 15, 17, 18, 19, 21}: M.G. Fortini; P. Iannantuono; M.G. Del Gallo Rossoni; G. Aversa; S. Abati.

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Jordan^{1, 2, 4}: F. Matalgah.

Kenya^{1, 2, 3, 4, 6}: T.A. Ogada; N.C. Cheluget.

Lebanon^{1, 2, 4, 8, 14}: A. El Khazen; H. Chaar; N. Owejdat.

Lesotho^{1, 2, 4, 7}: E.L. Motsamai; N.J. Khitsane.

Liberia^{1, 2, 7}: H.D. Williamson.

Libya^{1, 2, 4, 7}: S. Shaheen.

Luxembourg^{1, 2, 4, 7, 10, 11, 13, 18, 19, 22}: F. Schlessler.

Madagascar^{1, 2, 4, 8, 19}: P. Verdoux.

Malaysia^{1, 2, 4, 7}: M. Yusof Hitam; A.K. Zulkafli; V. Sudha Devi.

Malawi^{1, 2, 4, 7, 19}: J.B. Villiera; G.K. Chibesakunda; S.W.D. Chavula.

Mexico^{1, 2, 3, 4, 7, 9, 16, 23}: J.M. Morfín Patraca; D. Jiménez Hernández; A. Velez Salcedo; M. Velarde Mendez.

Monaco^{1, 2, 4, 7, 10, 11, 13, 18, 19}: J.-P. Campana.

Mongolia^{1, 2, 4, 10, 19}: J. Batsuuri; D. Demberel.

Morocco^{1, 2, 4, 7, 10, 12, 13}: E.G. Benhima; M. Laghmari; H. Abbar; F. Baroudi.

Namibia: B.C. Schutte; P. Shipoke.

Netherlands^{1, 2, 3, 4, 7, 9, 10, 11, 13, 17, 18, 19, 21, 22}: M.A.J. Engels; J. Nicaise; T.J.A.M. De Bruijn.

New Zealand^{1, 2, 4, 8}: H. Burton; D.J. Walker.

Nicaragua^{2, 3}: J. Alaniz Pinel; M. Moncada-Fonseca.

Nigeria⁵: E.A. Azikiwe.

Norway^{1, 2, 4, 7, 13, 17, 18, 19, 21}: J. Smith; K.A. Avjen.

Pakistan^{1, 2, 3, 7, 9}: F. Abbas; I. Baloch.

Panama^{2, 3}: R.-L. Ameglio.

Peru^{1, 2, 7}: J. Stiglich; R. Saif de Preperier.

Philippines^{1, 2, 4, 7, 21}: N.L. Escaler; D. Menez-Rosal; C.V. Espejo.

Poland^{1, 2, 3, 4, 7, 9, 10, 19}: W. Kotarba; B. Rokicki; A. Kowalski; A. Skrybant.

Portugal^{1, 2, 3, 4, 7, 9, 10, 13, 15, 18}: L.O. Roma de Albuquerque; J. Mota Maia; R.A. Costa Morais Serrão; P.J. da Costa Cordeiro; J. Mauricio; A. Queiros Ferreira.

Republic of Korea^{1, 2, 3, 4, 6, 19, 21}: S.H. Kim; J.-K. Kim.

Romania^{1, 2, 4, 7, 10, 19}: M. Rădulescu; V. Erhan; C. Stan; G. Istode.

Saudi Arabia²: I.S. Musalam; A.S. Al Yousef; A. Al-Rasheed; S. Al-Mubarak.

Senegal^{1, 2, 3, 4, 6, 7, 11, 19}: A. Sène; G. Diop.

Soviet Union^{1, 2, 3, 4, 6, 10, 13, 17, 18, 19, 20, 21}: Y.A. Besselov; V.N. Roslov; Y. Ustyugov; B.V. Smirnov; V. Matsarsky; K. Tihaze; P. Tchernikov.

Spain^{1, 2, 4, 7, 10, 12, 13, 17, 18, 19, 21}: F.M. Valenzuela; J. Delicado Montero-Ríos; P. Barrios; E. de la Puente; A. Casado Cerviño; F. Martínez Serrano; L. Martínez Garnica; J. Aljaro; M. Hidalgo Llamas.

Sri Lanka^{1, 2, 4, 7, 19}: W. Rasaputram; R.N. Abeyssekera.

Sudan^{1, 2, 4, 10, 19}: O. Alim; A.-R.I. El-Khalifa; A.A. Gubartalla; M.A. Elkarib.

Sweden^{1, 2, 3, 4, 7, 9, 13, 17, 18, 19, 21, 22}: B. Erngren; L. Björklund; U. Jansson; F. von Arnold.

Switzerland^{1, 2, 3, 4, 6, 7, 9, 10, 11, 13, 17, 18, 19, 21}: R. Grossenbacher; A. Bauty.

Syria^{3, 5, 6}: C. Kayali.

Thailand^{1, 2, 7}: T. Bunnag; S. Suntavaruk; S. Rattanasuwan; C. Sakolvari.

Trinidad and Tobago^{1, 2, 4, 7}: R. Permanand; A. Gonzales.

Tunisia^{1, 2, 4, 7, 12, 14, 15, 22}: M. Ennaceur; A. Azaiez; T. Ben Slama.

Turkey^{1, 2, 4, 8}: M. Onaner; E. Enç; E. Karaahmet; A. Karanfil.

Ukraine²: A.A. Ozadovski; S.V. Reva.

United Kingdom^{1, 2, 3, 4, 6, 7, 13, 18, 19, 21}: A. Sugden; P. Hartnack; J.S. Booth; E.C. Robson; H.M. Pickering.

United Republic of Tanzania^{1, 2, 4}: A.H. Jamal; M. Mangachi.

United States of America^{1, 2, 3, 4, 6, 7, 13, 18, 19, 21}: M.B. Abram; H.J. Winter; L.J. Schroeder; M.T. Barry; C.F. Rueben-saal.

Uruguay^{1, 2, 3, 4, 6, 7}: J.A. Lacarte-Muro; C. Amorin; M. Cassarino.

Venezuela^{1, 2, 3, 7, 9}: C.R. Pestana-Macedo.

Viet Nam^{1, 2, 4, 10}: Doan Phuong; Thanh Long Nguyen.

Yugoslavia^{1, 2, 4, 7, 10, 13, 17}: N. Calovski; M. Bijedić; B. Totić; O. Spasić.

Zaire^{1, 2, 4, 7}: K. Mutuale; M. Mutambula.

Zimbabwe^{1, 2, 4, 7}: N. Mvere.

II. Intergovernmental Organizations

United Nations Educational, Scientific and Cultural Organization (UNESCO): A. Amri. **United Nations Industrial Development Organization (UNIDO):** I. Lorenzo; D. Rakotopare. **General Agreement on Tariffs and Trade (GATT):** A. Otten; M.C. Geuze. **African Intellectual Property Organization (AIPO):** V. Efon; P.A. Thiam. **African Regional Industrial Property Organization (ARIPO):** A.R. Zikonda. **Agency for Cultural and Technical Cooperation (AGECOP):** C. Favart. **Benelux Designs Office (BBDM):** P. Rome. **Benelux Trademark Office (BBM):** P. Rome. **Commission of the European Communities (CEC):** B. Schwab; D. Franzone. **European Patent Organisation (EPO):** P. Braendli; R. Remandas; G.D. Kolle. **League of Arab States (LAS):** A. Harhuem; A. Ould Babakar; N. Chakroun. **Organization of African Unity (OAU):** N. Hached; M.H. Tunis.

III. International Non-Governmental Organizations

International Advertising Association (IAA): M. Ludwig. **International Association for the Protection of Industrial Property (AIPPI):** G.E. Kirker. **International Bureau of Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM):** N'D. Ndiaye. **International Chamber of Commerce (ICC):** J.H. Kraus. **International Confederation of Societies of Authors and Composers (CISAC):** N'D. Ndiaye. **International Literary and Artistic Association (ALAI):** E. Martin-Achard.

IV. Officers

WIPO General Assembly

Chairman: A. Semichi (Algeria). *Vice-Chairmen:* W. Kotarba (Poland); R. Grossenbacher (Switzerland).

WIPO Conference

Chairman: M. Porzio (Chile). *Vice-Chairmen:* O. Rafeiner (Austria); O. Alim (Sudan).

WIPO Coordination Committee

Chairman: M.A.J. Engels (Netherlands). *Vice-Chairmen:* I. Iványi (Hungary); F. Abbas (Pakistan).

Paris Union Assembly

Chairman: Gao Lulin (China). *Vice-Chairmen:* P.A.D. Smith (Australia); A.H. Jamal (United Republic of Tanzania).

Paris Union Conference of Representatives

Chairman: E.A. Azikiwe (Nigeria). *Vice-Chairmen:* S.R. Zavareie (Iran (Islamic Republic of)); C. Kayali (Syria).

Paris Union Executive Committee

Chairman: W. Fukasawa (Japan). *Vice-Chairmen:* K. Amoo-Gottfried (Ghana); Y.A. Bepalov (Soviet Union).

Berne Union Assembly

Chairman: G. Boytha (Hungary). *Vice-Chairmen:* J.H.A. Gariépy (Canada); C.R. Pestana-Macedo (Venezuela).

Berne Union Conference of Representatives

Chairman: C.A. El Khazen (Lebanon). *Vice-Chairmen:* P. Verdoux (Madagascar); M. Onaner (Turkey).

Berne Union Executive Committee

Chairman: F. Abbas (Pakistan). *Vice-Chairmen:* S. Fitzpatrick (Ireland); J.M. Morfin Patraca (Mexico).

Madrid Union Assembly

Chairman: J. Mota Maia (Portugal). *Vice-Chairmen:* M. Fernández Finale (Cuba); M. Radulescu (Romania).

Hague Union Assembly

Chairman: M.G. Del Gallo Rossoni (Italy). *Vice-Chairmen:* J.-P. Campana (Monaco); (Suriname).

Hague Union Conference of Representatives

Chairman: J. Delicado Montero-Ríos (Spain). *Vice-Chairmen:* M. Omar (Egypt); H. Abbar (Morocco).

Nice Union Assembly

Chairman: (Benin). *Vice-Chairmen:* P.L. Thoft (Denmark); Y.A. Bepalov (Soviet Union).

Nice Union Conference of Representatives

Chairman: A. Azaiez (Tunisia). *Vice-Chairman:* C.A. El Khazen (Lebanon).

Lisbon Union Assembly

Chairman: K. Iliev (Bulgaria). *Vice-Chairmen:* R. Tchibota-Souamy (Gabon); J. Mota Maia (Portugal).

Lisbon Union Council

Chairman: (Haiti). *Vice-Chairman:* D. Jiménez Hernández (Mexico).

Locarno Union Assembly

Chairman: L. Jakl (Czechoslovakia). *Vice-Chairmen:* J. Smith (Norway); B. Totić (Yugoslavia).

IPC [International Patent Classification] Union Assembly

Chairman: H.J. Winter (United States of America). *Vice-Chairmen:* P.S. Tarrago (Brazil); M. Enäjärvi (Finland).

PCT [Patent Cooperation Treaty] Union Assembly

Chairman: A. Schäfers (Germany). *Vice-Chairmen:* L. Wuyts (Belgium); W. Rasaputram (Sri Lanka).

TRT [Trademark Registration Treaty] Union Assembly

Chairman: Y.A. Bepalov (Soviet Union). *Vice-Chairmen:* A.R. Palenfo (Burkina Faso); (Congo).

Budapest Union Assembly

Chairman: A. Sugden (United Kingdom). *Vice-Chairmen:* (Liechtenstein); N.L. Escaler (Philippines).

Vienna Union Assembly

Chairman: B. Erngren (Sweden). *Vice-Chairmen:* F. Schlessler (Luxembourg); A. Azaiez (Tunisia).

FRT [Film Register Treaty] Union Assembly

Chairman: B. Miyet (France). *Vice-Chairmen:* A.R. Palenfo (Burkina Faso); L. Jakl (Czechoslovakia).

V. International Bureau of WIPO

A. Bogisch (*Director General*); L. Kostikov (*Deputy Director General*); S. Alikhan (*Deputy Director General*); L. Baeurner (*Director, Industrial Property Division*); P. Claus (*Director-Advisor*); F. Curchod (*Director of the Office of the Director General*); T.A.J. Keefer (*Controller and Director, Budget and Finance Division*); G. Ledakis (*Legal Counsel and Director, General Administrative Services*); H. Olsson (*Director, Copyright and Public Information Department*); I. Thiam (*Director, Development Cooperation and External Relations Bureau for Africa*); B. Bartels (*Director, PCT Legal Division*); R. Beltrán (*Director, Development Cooperation and External Relations Bureau for Latin America and the Caribbean*); D. Bouchez (*Director, PCT Administration Division*); B. Dondenne (*Director, Languages*

Division); C. Fernández-Ballesteros (*Director, Developing Countries (Copyright) Division*); M. Ficsor (*Director, Copyright Law Division*); K. Idris (*Director, Development Cooperation and External Relations Bureau for Arab Countries*); B. Machado (*Director, Personnel Division*); J. Quashie-Idun (*Director, Developing Countries (Industrial Property) Division*); K. Suedi (*Director, Bureau for Relations with International Organizations*); G. Yu (*Special Assistant, Office of the Director General*); F. Gurry (*Special Assistant, Office of the Director General*); B. Hansson (*Head, International Classification Division*); P. Higham (*Head, Computerization Division*); N. Sabharwal (*Senior Counsellor, Development Cooperation and External Relations Bureau for Asia and the Pacific*); R. Sateler (*Assistant Legal Counsel, Office of the Legal Counsel*); C. Claa (*Head, Meetings and Documents Service*).

WIPO Coordination Committee

Twenty-Ninth Session (7th Extraordinary)
(Geneva, November 21 and 22, 1991)

NOTE*

The WIPO Coordination Committee held its twenty-ninth session (7th extraordinary) at the headquarters of WIPO in Geneva on November 21 and 22, 1991. The session was opened and presided over by its Chairman, Mr. Max A.J. Engels (Netherlands).

Thirty-eight of the 52 member States of the Coordination Committee were represented at the session: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Côte d'Ivoire, Czechoslovakia, Democratic People's Republic of Korea, Egypt, France, Germany, Ghana, Hungary, India, Italy, Japan, Libya, Mexico, Netherlands, Nicaragua, Norway, Pakistan, Poland, Portugal, Senegal, Soviet Union, Spain, Switzerland, Syria, United Kingdom, United States of America, Yugoslavia. Furthermore, the following 22 States were represented in an observer capacity: Ecuador, Finland, Gabon, Guatemala, Indonesia, Iran (Islamic Republic of), Jamaica, Madagascar, Malaysia, Mali, Mongolia, Morocco, Paraguay, Philippines, Romania, Rwanda, Sudan, Sweden, Thailand, Viet Nam, Yemen, Zaire. The list of participants follows this Note.

At its second session in November 1973, the WIPO General Assembly decided that there should be three posts of Deputy Director General of equal rank and equal remuneration, and that one should be occupied by a national of a developing country, one by a national of one of the other countries and one by a national of a socialist country.

In conformity with the proposals made by the Director General, the Coordination Committee approved

- the extension for a period of two years, that is, from December 1, 1991, to November 30, 1993, of the appointment of Mr. Shahid Alikhan as Deputy Director General, in the post of Deputy Director General to be occupied by a national of a developing country,

- the extension by three months (from December 1, 1991, to February 29, 1992) of the appointment of Mr. Lev Kostikov as Deputy Director General; the Committee came to the conclusion that that part of the 1973 decision of the WIPO General Assembly dealing with the post of Deputy Director General to be filled by a national of a socialist country should be referred to the General Assembly,

- the appointment of Mr. François Curchod to the post of Deputy Director General, to be occupied by a national of a country other than a developing country or a socialist country, for a period of four years (from December 1, 1991, to November 30, 1995).

* Prepared by the International Bureau.

LIST OF PARTICIPANTS**

I. States Members of the Committee

Algeria: A.H. Semichi; H. Yahia-Cherif. **Argentina:** A.G. Trombetta. **Australia:** P.A.D. Smith; J. Hannoush. **Austria:** H. Preglau; T.M. Baier. **Belgium:** M. Gedopt. **Brazil:** P. Tarrago. **Bulgaria:** P. Grozdanov. **Canada:** A. McCaskill. **Chile:** P. Romero. **China:** Ma Lianyuan; Li Jizhong; Liu Gushu; Wang Zhengfa; Wan Jiaqing; Wu Zhenxiang. **Colombia:** R. Salazar. **Côte d'Ivoire:** N.A. N'Takpe. **Czechoslovakia:** L. Jakl; V. Benisko. **Democratic People's Republic of Korea:** Ri Tcheul; Pak Chang Rim. **Egypt:** N. Gabr. **France:** P. Delacroix. **Germany:** A. Schäfers; P. Voss; M.H. Flügger. **Ghana:** H.O. Blavo; F.W.Y. Ekar. **Hungary:** E. Lontai. **India:** P. Shah; D. Chakravarty. **Italy:** M.G. Fortini. **Japan:** Y. Takagi. **Libya:** I.A. Omar; S. Shaheen. **Mexico:** M. Vargas Campos; D. Jiménez Hernández. **Netherlands:** M.A.J. Engels; W. Neervoort. **Nicaragua:** J. Gazol Salcedo. **Norway:** E. Liljegren. **Pakistan:** F. Abbas; I. Baloch. **Poland:** A. Skrybant. **Portugal:** J. Mota Maia; A. Queiros Ferreira. **Senegal:** B. Dia. **Soviet Union:** V.M. Oushakov; B. Smimov. **Spain:** P. Barrios, A. Casado Cerviño. **Switzerland:** R. Grossenbacher. **Syria:** C. Kayali. **United Kingdom:** A. Sugden; H.M. Pickering. **United States of America:** M. Kirk; M.T. Barry. **Yugoslavia:** O. Spasić.

** A list containing the titles and functions of the participants may be obtained from the International Bureau.

II. Observer States

Ecuador: M.A. Guerrero Murgueytio. **Finland:** S. Ruokola. **Gabon:** M. Nziengui. **Guatemala:** C. Rodriguez-Fankhauser. **Indonesia:** B. Kesowo; R.R. Siahaan; K.P. Handriyo; E.D. Husin; T. Maroef. **Iran (Islamic Republic of):** M. Mokhtari-Amin; M. Chitsaz. **Jamaica:** P. Coke. **Madagascar:** P. Verdoux. **Malaysia:** A.K. Zulkaffli. **Mali:** K.S. Diawara. **Mongolia:** G. Gongor. **Morocco:** F. Baroudi. **Paraguay:** R. Gauto. **Philippines:** D. Menez-Rosal. **Romania:** L. Bulgar; G. Istode. **Rwanda:** E. Nsabimana. **Sweden:** M. Lindstrom. **Sudan:** A.A. Gubartalla. **Thailand:** C. Sakolvari. **Viet Nam:** Luong Nguyen; Thanh Long Nguyen. **Yemen:** S. Mokbil. **Zaire:** M. Mutambula.

III. Officers

Chairman: M.A.J. Engels (Netherlands). *Secretary:* G. Ledakis (WIPO).

IV. International Bureau of WIPO

A. Bogisch (*Director General*); G. Ledakis (*Legal Counsel and Director, General Administrative Services*); F. Gurry (*Director-Counsellor, Office of the Director General*); B. Machado (*Director, Personnel Division*); G. Yu (*Director-Counsellor, Office of the Director General*).

WIPO Permanent Program for Development Cooperation Related to Industrial Property

Permanent Committee

Fourteenth Session
(Geneva, July 1 to 4, 1991)

NOTE*

The WIPO Permanent Committee for Development Cooperation Related to Industrial Property held its fourteenth session in Geneva from July 1 to 4, 1991. Sixty-eight member States of the Permanent Committee were represented at the session: Algeria, Argentina, Australia, Bangladesh, Benin, Brazil,

Burkina Faso, Burundi, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Democratic People's Republic of Korea, El Salvador, Finland, France, Gambia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Honduras, India, Indonesia, Italy, Japan, Kenya, Lesotho, Liberia, Libya, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Netherlands, Niger, Norway, Pakistan, Peru, Philippines, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Spain, Sri Lanka, Sudan, Swaziland, Sweden,

* Prepared by the International Bureau.

Switzerland, Tunisia, Uganda, United Kingdom, United States of America, Uruguay, Viet Nam, Yemen, Yugoslavia, Zaire. Two non-member States were also represented: Namibia, Nigeria. The following seven intergovernmental and four international non-governmental organizations were represented by observers: AIPPI, ARIPO, CEC, EPO, ESCWA, GATT, IAA, ICC, IFIA, SELA, UNCTAD. The list of participants follows this Note.

The Permanent Committee reviewed the development cooperation activities undertaken since its last session in May and June 1989. The scope and results of the said activities were noted with satisfaction. Many delegations praised the efficiency and effectiveness of the management of the Permanent Program for Development Cooperation Related to Industrial Property by the International Bureau. Numerous delegations expressed their gratitude to UNDP and the governments and organizations of the industrialized and developing countries that had cooperated in, and contributed to, the Permanent Program and for the assistance that their countries had received under the program. Delegations of the said countries and organizations expressed their willingness to continue and, in some cases, increase their contributions to such activities. As regards the development of human resources in the field of industrial property, all delegations emphasized the importance of training as a priority objective and expressed their satisfaction with the efforts of the International Bureau to meet the varying training needs of developing countries through a combination of training activities (national, subregional and regional courses, practical training attachments and on-the-job training) at the introductory, advanced and specialized levels. The organization of specialized training activities (with particular reference to licensing and other technology transfer arrangements, the industrial property implications of the protection of new technologies and the computerization of industrial property administrative procedures) were given special attention, as well as the promotion of teaching of intellectual property law at university level and the preparation of training material. With respect to strengthening the legal and administrative infrastructure in the field of industrial property, many delegations referred to the importance of the assistance provided by WIPO and requested that such assistance be continued, particularly in the framework of UNDP-financed country or regional projects. The importance of such projects for the automation of the operations of industrial property offices was particularly noted.

Most delegations expressed their desire that the Permanent Program continue to provide assistance for the revision or drafting of national and regional legislation, as well as the implementation of new or revised laws, once enacted. They also requested WIPO's assistance in examining the advantages of

adherence to a number of WIPO-administered treaties. Several delegations provided information on developments occurring in their countries with respect to the enactment or revision of industrial property legislation, and of the accession to WIPO-administered treaties. The Delegation of China informed the Committee that its country was in the process of revising its Patent Law and that it was considering accession to the Patent Cooperation Treaty (PCT). The Delegation of Cuba informed the Committee that its country had adhered to the Madrid Agreement Concerning the International Registration of Marks and that it was examining the possibility of accession to the PCT and the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. The Delegation of Guinea expressed its gratitude for the cooperation received under the Permanent Program, which had led to the accession of Guinea to the PCT and to OAPI. The Delegation of Mexico announced that a new industrial property law reflecting modern international standards had entered into force in Mexico on June 28, 1991, and expressed its gratitude to WIPO for its assistance in the drafting of that law. Continuous assistance was expected to be needed by Mexico in respect of the planned establishment of an autonomous industrial property institute as well as of the planned accession to the PCT, the Madrid Agreement Concerning the International Registration of Marks and the International Convention for the Protection of New Varieties of Plants (UPOV). The Delegation of Niger expressed its appreciation for the cooperation received under the Permanent Program and stated that its country was considering accession to the PCT. The Delegation of Peru referred to ongoing cooperation among Andean Pact Countries (Bolivia, Colombia, Ecuador, Peru, Venezuela) in relation to the revision of Decision 85 of the Cartagena Agreement and expressed its gratitude to WIPO for the assistance received in that respect as well as in the preparation of a note on the advantages for Peru to adhere to the Paris Convention for the Protection of Industrial Property. The Delegation also emphasized the importance of developing common strategies in the field of industrial property among developing countries.

With reference to patent information and documentation matters, several delegations expressed satisfaction with the promotion of the use of CD-ROM technology for the storage, retrieval and dissemination of patent information, especially in support of research and development activities in developing countries, and encouraged WIPO to continue its activities in this area. In this respect, particular appreciation was expressed for the preparation, by a joint WIPO-EPO Task Force, of guidelines on the advice to be given to developing countries on the collection and storage of patent docu-

mentation on CD-ROM. A demonstration on the utilization of CD-ROM technology for storage and retrieval of industrial property information was organized by the International Bureau of WIPO during the session of the Permanent Committee. Many delegations emphasized the major role of inventive and innovative activities in the process of technological, economic and social development, and expressed their satisfaction with the activities of WIPO in promoting inventive and innovative activities. Particular attention was paid to the WIPO award program and to the desirability of assisting developing countries in organizing exhibitions and competitions for inventions.

As decided at its eleventh session (May 1987), the Permanent Committee devoted part of its fourteenth session to a Symposium on the Promotion of Technological Innovation in Developing Countries. Presentations were made by specialist speakers from Brazil and France and by the President of IFIA. Following the discussions that took place at the Symposium, the Permanent Committee stressed the importance of the promotion of technological innovation for the economic and technological development of developing countries and supported the activities carried out under the Permanent Program in this area. Numerous delegations drew attention to the different modalities of technical cooperation among developing countries in the development cooperation activities under the Permanent Program, making special reference to the sharing of experience gained by other developing countries and the benefits of pooling resources through regional or subregional cooperation. In this respect, it was suggested that further modalities for promoting increased cooperation among developing countries in the field of industrial property be studied.

As regards orientations for the Permanent Program in 1992 and 1993, all those delegations that spoke expressed their full support of the proposals made by the International Bureau and stated that these responded to the needs of developing countries in the context of the present international economic situation. In this respect, special attention was paid, *inter alia*, to: the organization of regional evaluation and planning meetings; the involvement, in the activities of the Permanent Program, of officials from government departments which are becoming increasingly involved in industrial property operations; and the promotion of the teaching of industrial property law at university level, the training of trainers and the development of teaching material and curricula.

LIST OF PARTICIPANTS**

I. States

Algeria: M. Younsi; H. Yahia-Cherif. **Argentina:** A. Trombetta. **Australia:** I.W. McCay. **Bangladesh:** A.H. Pasha. **Benin:** J. Ayite. **Brazil:** P. Tarrago; A.R. de Holanda Cavalcanti. **Burkina Faso:** M.B. Bado. **Burundi:** M.G. Hicuburundi. **Canada:** M. Leesti. **Central African Republic:** M. Allendi. **Chad:** Y. Nadjitangar. **Chile:** P. Romero. **China:** Wu Xiangwen. **Colombia:** J. Montealegre. **Congo:** G.E. Yoka. **Costa Rica:** M. Nagel; J. Rhenan Segura. **Cuba:** M. Jiménez Aday. **Democratic People's Republic of Korea:** Pak Chang Rim. **El Salvador:** B.F. Menjivar. **Finland:** J. Rainesalo. **France:** M. Guerrini; P. Delacroix. **Gambia:** M. Denton. **Germany:** R. Osenberg. **Ghana:** D.M. Mills; F.W.Y. Ekar. **Greece:** A. Cambitsis. **Guinea:** F. Bangoura. **Guinea-Bissau:** J.A. Nosoliny. **Honduras:** M.G. Carias; M. Turcios Díaz. **India:** N.K. Sabharwal; V. Kwatra. **Indonesia:** E. Husin. **Italy:** M.G. Fortini; P. Iannantuono. **Japan:** N. Yoshikuni; S. Takakura. **Kenya:** N. Cheluget. **Lesotho:** E.L. Motsamai. **Liberia:** H.D. Williamson. **Libya:** L.H. Khalaf. **Malawi:** V.J. Mzumara. **Malaysia:** S. Kassim. **Mali:** S. Konate Diawara. **Mauritania:** S.O.O. El Hadrami. **Mexico:** J.A. Toledo Barraza. **Morocco:** F. Baroudi. **Namibia:**¹ B.C. Schutte; A.G. Snyders. **Netherlands:** W. Neervoort. **Niger:** B. Dia. **Nigeria:**¹ E.O. Jegede; F.J. Okono. **Norway:** K.A. Evjen. **Pakistan:** I. Baloch. **Peru:** R. Saif de Preperier. **Philippines:** D. Menez Rosal. **Portugal:** I. Afonso; P. Serrão. **Republic of Korea:** S.-H. Lee; T.-C. Choi; J.-K. Kim; J.-S. Lee. **Romania:** N. Nicola. **Rwanda:** J.M.V. Nyilimbilima. **Senegal:** A. Sène; G. Diop. **Spain:** J. Rujas Mora-Rey. **Sri Lanka:** R.N. Abeysekera. **Sudan:** A.I. El Khalifa. **Swaziland:** B.R. Mkwanazi. **Sweden:** B. Hallgren. **Switzerland:** Tran-Thi Thu-Lang. **Tunisia:** A. Azaiez. **Uganda:** R.C. Masika. **United Kingdom:** B.G.H. Ditcham. **United States of America:** J.D. Kushan. **Uruguay:** C. Amorin. **Viet Nam:** Vu Khac Trai; Nguyen Thanh Long. **Yemen:** A.M. Basha. **Yugoslavia:** I. Zupunski. **Zaire:** M. Mutambula.

II. Intergovernmental Organizations

United Nations Economic and Social Commission for Western Asia (ESCWA): A.J. Karmoul. **United Nations Conference on Trade and Development (UNCTAD):** K.T. Makhetha. **General Agreement on Tariffs and Trade (GATT):** M.C. Geuze. **African Regional Industrial Property Organization (ARIPO):** A.R. Zikonda. **Commission of the European Communities (CEC):** C. Bail. **European Patent Organisation (EPO):** J. Amand. **Latin American Economic System (SELA):** R. Maldonado.

** A list containing the titles and functions of participants may be obtained from the International Bureau.

¹ State not member of the Permanent Committee.

III. International Non-Governmental Organizations

International Association for the Protection of Industrial Property (AIPPI): G.E. Kirker. **International Chamber of Commerce (ICC):** J.H. Kraus. **International Federation of Inventors' Associations (IFIA):** F. Moussa. **International Advertising Association (IAA):** M. Ludwig.

IV. Officers

Chairman: A. Azaiez (Tunisia). *Vice-Chairmen:* I.W. McCay (Australia); M. Nagel (Costa Rica). *Secretary:* C. Graffigna-Sperling (WIPO).

V. International Bureau of WIPO

A. Bogsch (*Director General*); S. Alikhan (*Deputy Director General*); I. Thiam (*Director, Development Cooperation and External Relations Bureau for Africa*); K. Idris (*Director, Development Cooperation and External Relations Bureau for Arab Countries*); R. Beltran (*Director, Development Cooperation and External Relations Bureau for Latin America and the Caribbean*); S. Ramaiah (*Director, Development Cooperation and External Relations Bureau for Asia and the Pacific*); J. Quashie-Idun (*Director, Developing Countries (Industrial Property) Division*); K. Suedi (*Director, Bureau for Relations with International Organizations*); C. Graffigna-Sperling (*Head, Development Cooperation Program Support Unit*).

Studies

Renewal in the Public Sector— The Example of the Swedish Patent and Registration Office

S. NIKLASSON*

The New Austrian Design Law

O. RAFEINER, E. JAKADOFSKY, H. KNITTEL and G. KUCSKO*

**Legal Unity in the Field of Industrial Property in the
Federal Republic of Germany: The Draft Law on
the Extension of Industrial Property Rights**

A. SCHÄFERS*

News Items

ARGENTINA

Director of Technology, Quality and Industrial Property

We have been informed that Dr. Norma Félix de Sturla has been appointed Director of Technology, Quality and Industrial Property.

PAKISTAN

Controller, Patent Office

We have been informed that Mrs. Yasmeen Abbasi has been appointed Controller of the Patent Office.

SURINAME

Director, Bureau for Industrial Property

We have been informed that Mr. C.G. De Randamie has been appointed Director of the Bureau for Industrial Property.

Calendar of Meetings

WIPO Meetings

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

1992

February 10 to 18 (Geneva)

Committee of Experts on a Possible Protocol to the Berne Convention (Second Session)

The Committee will continue to examine whether the preparation of a protocol to the Berne Convention for the Protection of Literary and Artistic Works should start, and—if so—with what content.

Invitations: States members of the Berne Union, the Commission of the European Communities and, as observers, States members of WIPO not members of the Berne Union and certain organizations.

March 30 to April 3 (Geneva)

WIPO-IFIA Symposium on "Support to Inventors"

This Symposium, which is the fifth symposium organized jointly by WIPO and the International Federation of Inventors' Associations (IFIA) since 1984 on questions of topical interest to inventors, will examine the assistance and services offered to inventors (both individual and corporate) by industrial property offices, innovation centers and universities.

Invitations: States members of WIPO, inventors' associations and certain organizations (R&D institutions, innovation centers). The Symposium will be open to the public.

April 27 to 30 (Geneva)

N.B. New Dates

Committee of Experts on the Development of the Hague Agreement (Second Session)

The Committee will continue to consider possibilities for revising the Hague Agreement Concerning the International Deposit of Industrial Designs, or adding to it a protocol, in order to introduce in the Hague system provisions intended to encourage States not yet party to the Hague Agreement to adhere to it and to make it easier for applicants to use the system.

Invitations: States members of the Hague Union and, as observers, States members of the Paris Union not members of the Hague Union and certain organizations.

May 25 to 27 (Geneva)

Meeting of Non-Governmental Organizations on Arbitration and Other Mechanisms for the Resolution of Intellectual Property Disputes Between Private Parties

The Meeting will consider the desirability of establishing within WIPO a mechanism to provide services for the resolution of disputes between private parties concerning intellectual property rights, as well as the type of services that might be provided under such a mechanism.

Invitations: International non-governmental organizations having observer status with WIPO.

June 1 to 5 (Geneva)

N.B. New Dates

Committee of Experts on the Harmonization of Laws for the Protection of Marks (Third Session)

The Committee will continue to examine a draft trademark law treaty with particular emphasis on the harmonization of formalities with respect to trademark registration procedures.

Invitations: States members of the Paris Union, the European Communities and, as observers, States members of WIPO not members of the Paris Union and certain organizations.

June 15 to 19 (Geneva)

N.B. New Dates

Committee of Experts on a Model Law on the Protection of the Intellectual Property Rights of Producers of Sound Recordings

The Committee will consider a draft Model Law dealing with the protection of the rights of producers of sound recordings, which could be used by legislators at the national or regional levels.

Invitations: States members of the Berne Union or WIPO, or party to the Rome Convention or the Phonograms Convention, and, as observers, certain organizations.

September 21 to 29 (Geneva)

Governing Bodies of WIPO and the Unions Administered by WIPO (Twenty-Third Series of Meetings)

Some of the Governing Bodies will meet in ordinary session, others in extraordinary session.

Invitations: As members or observers (depending on the body), States members of WIPO or the Unions and, as observers, other States and certain organizations.

October 12 to 16 (Geneva)

Working Group on the Application of the Madrid Protocol of 1989 (Fifth Session)

The Working Group will continue to review joint Regulations for the implementation of the Madrid Agreement Concerning the International Registration of Marks and of the Madrid Protocol, as well as draft forms to be established under those Regulations.

Invitations: States members of the Madrid Union, States having signed or acceded to the Protocol, the European Communities and, as observers, other States members of the Paris Union expressing their interest in participating in the Working Group in such capacity and certain non-governmental organizations.

November 2 to 6 (Geneva)

WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (Tenth Session)

The Committee will review and evaluate the activities carried out under the WIPO Permanent Program for Development Cooperation Related to Copyright and Neighboring Rights since the Committee's last session (April 1991) and make recommendations on the future orientation of the said Program.

Invitations: States members of the Committee and, as observers, States members of the United Nations not members of the Committee and certain organizations.

November 9 to 13 (Geneva)

WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Fifteenth Session)

The Committee will review and evaluate the activities carried out under the WIPO Permanent Program for Development Cooperation Related to Industrial Property since the Committee's last session (July 1991) and make recommendations on the future orientation of the said Program.

Invitations: States members of the Committee and, as observers, States members of the United Nations not members of the Committee and certain organizations.

November 23 to 27 (Geneva)

Committee of Experts on a Possible Protocol to the Berne Convention (Third Session)

The Committee will continue to examine the question of the preparation of a possible protocol to the Berne Convention for the Protection of Literary and Artistic Works.

Invitations: States members of the Berne Union, the Commission of the European Communities and, as observers, States members of WIPO not members of the Berne Union and certain organizations.

UPOV Meetings

(Not all UPOV meetings are listed. Dates are subject to possible change.)

1992

April 8 and 9 (Geneva)

Administrative and Legal Committee

Invitations: Member States of UPOV and, as observers, certain non-member States and inter-governmental organizations.

October 26 and 27 (Geneva)

Administrative and Legal Committee

Invitations: Member States of UPOV and, as observers, certain non-member States and inter-governmental organizations.

October 28 (Geneva)

Consultative Committee (Forty-Fifth Session)

Invitations: Member States of UPOV.

October 29 (Geneva)

Council (Twenty-Sixth Ordinary Session)

Invitations: Member States of UPOV and, as observers, certain non-member States and inter-governmental and non-governmental organizations.

October 30 (Geneva)

Meeting with International Organizations

Invitations: International non-governmental organizations, member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.

Other Meetings Concerned with Industrial Property

1992

March 16 to 20 (Innsbruck-Igls)	International Federation of Industrial Property Attorneys (FICPI): Executive Committee
May 11 to 15 (Marrakesh)	International Chamber of Commerce (ICC): Conference on "Development Dimensions in the '90s"
October 7 to 10 (Amsterdam)	International League of Competition Law (LIDC): Congress