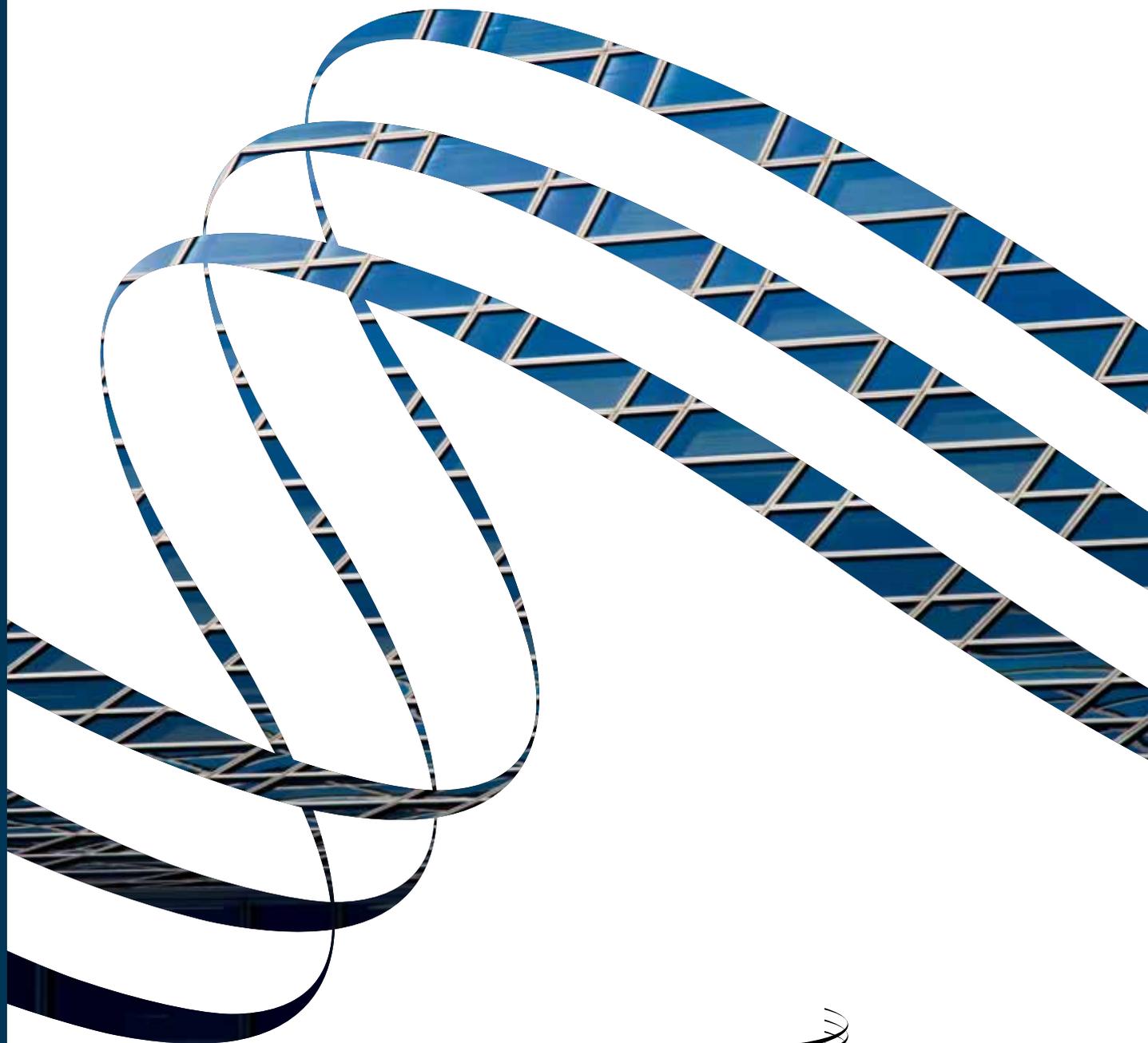


# Assemblies of the Member States of WIPO

Synthesis of Decisions

55<sup>th</sup> Series of Meetings



2015

## PREFACE

The Fifty-Fifth Series of Meetings of the Assemblies and other Bodies of the Member States of the World Intellectual Property Organization (WIPO) and of the Unions administered by WIPO, hereinafter “the 55<sup>th</sup> Assemblies”, was held in Geneva, from October 5 to 14, 2015.

The present document contains the synthesis of the decisions adopted at those meetings. Questions, comments or suggestions on this document can be addressed to [assemblies@wipo.int](mailto:assemblies@wipo.int).

### About the WIPO Assemblies

WIPO is a UN specialized agency composed of 188 Member States, serving as the global forum for intellectual property (IP) services, policy, information and cooperation. WIPO's mandate is set out in the WIPO Convention pursuant to which WIPO was established in 1970.

As established by the Convention, the main policy and decision making bodies of WIPO are the General Assembly and the Coordination Committee.

In addition to the WIPO Convention, WIPO administers another 25 IP treaties<sup>1</sup>, most with their own decision making bodies, such as the Paris Union Assembly, the Berne Union Assembly and the Patent Cooperation Treaty (PCT) Union Assembly.

The decision making bodies of the WIPO Convention and of the treaties administered by WIPO traditionally meet in joint sessions in autumn on the basis of a consolidated agenda. These meetings bring together WIPO's Member States, allowing them to take stock of the progress in the Organization's work and to discuss future policy directions.

Those are the “Meetings of the Assemblies and other Bodies of the Member States of the World Intellectual Property Organization (WIPO) and of the Unions administered by WIPO”, also known as the “WIPO Assemblies”.

At the 55<sup>th</sup> WIPO Assemblies, 20 bodies met in joint sessions. The list of those bodies appears in document *A/55/INF/1 Rev. (General Information)*.

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<sup>1</sup> The list of WIPO-administered treaties appears in: <http://www.wipo.int/treaties/en/>.

## ITEM 1: OPENING OF THE SESSIONS

Ambassador Päivi Kairamo (Ms.) (Finland), outgoing Chair of the General Assembly, opened the 55<sup>th</sup> Assemblies on October 5, 2015. The meeting took place in WIPO's Conference Hall.

Documents: A/55/INF/1 Rev. (General Information), A/55/INF/2 (List of Documents), A/55/INF/3 (List of Participants).

## ITEM 2: ELECTION OF OFFICERS

Document: A/55/INF/4 (Election of Officers)

Decision: Each of the Assemblies and other bodies concerned elected their respective officers, including Ambassador Gabriel Duque (Colombia) as Chair of the General Assembly and Ambassador François Xavier Ngarambé (Rwanda) as Chair of the Coordination Committee. The consolidated list of all officers of the WIPO Assemblies appears in document A/55/INF/4.

Additional Information: According to WIPO provisions, the officers of the WIPO Assemblies (i.e. the Chairs and Vice-Chairs of each WIPO body that meets at the WIPO Assemblies<sup>2</sup>) are elected once every two years, for a two-year mandate. Officers were elected at the October 2015 Assemblies and the next elections will take place at the October 2017 Assemblies. This is with the exception of the officers of the Coordination Committee, as well as the officers of the Paris Union and Berne Union Executive Committees, whose mandates are limited to one year. An election for these three bodies takes place every year.

## ITEM 3: ADOPTION OF THE AGENDA

Document: A/55/1 (Consolidated and Annotated Agenda), A/55/10 (Proposal by the United States of America Concerning the Draft Agenda of the Assemblies of the Member States of WIPO), A/55/12 (Recommendation by the Program and Budget Committee (PBC) Concerning the Convening of the Fee-Funded Unions during the 55<sup>th</sup> Series of the Assemblies of the Member States of WIPO).

Decision: The agenda was adopted "...on the understanding that, as recommended by the PBC, the "fee-funded" Unions (that is, Agenda Items 19 to 22) convene before the discussion on the proposed Program and Budget 2016/17 (that is, Agenda Item 11)".

## ITEM 4: DIRECTOR GENERAL'S REPORT

Document: Report of the Director General to the WIPO Assemblies 2015<sup>3</sup>.

Mr. Francis Gurry, Director General, introduced his annual report to the 55<sup>th</sup> Assemblies.

## ITEM 5: GENERAL STATEMENTS

At the 55<sup>th</sup> Assemblies, general statements were made by 118 States (10 on behalf of groups of States), 5 intergovernmental organizations, and 3 non-governmental organizations.

<sup>2</sup> More information about these bodies appears under "About the WIPO Assemblies"

<sup>3</sup> The report is available at: [http://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_1050\\_15.pdf](http://www.wipo.int/edocs/pubdocs/en/wipo_pub_1050_15.pdf)

## ITEM 6: ADMISSION OF OBSERVERS

Document: A/55/2 (Admission of Observers).

Decision: The 55<sup>th</sup> Assemblies decided to grant observer status to one Intergovernmental organization (IGO) and eight Non-governmental organizations (NGOs) as follows:

- IGO: European Public Law Organization (EPLO).
- International NGOs: Archives and Records Association (ARA); Confederacy of Patent Information User Groups (CEPIUG); European Association for Bioindustries (EUROPABIO); International Intellectual Property Commercialization Council Limited (IIPCC); and MALOCA *Internationale*.
- National NGOs: Association of Spanish Attorneys before International Industrial and Intellectual Property Organization (AGESORPI); The Finnish Copyright Society; and The Nest Foundation.

Additional Information: WIPO welcomes the inclusion of IGOs and NGOs as observers at the Assemblies and at formal meetings of Member States. WIPO also seeks to involve them as widely as possible in consultation processes and debates about current issues. Following this decision, WIPO has admitted 74 IGOs and 336 NGOs to attend, in an observer capacity, the WIPO Assemblies of Member States as well as their subsidiary bodies of interest. More information to obtain observer status is available at <http://www.wipo.int/about-wipo/en/observers/index.html>.

## ITEM 7: COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

Document: WO/GA/47/1 (Composition of the Program and Budget Committee).

Decision: "... the following States were unanimously elected by the General Assembly as members of the Program and Budget Committee for the period October 2015 to October 2017: Argentina, Armenia, Azerbaijan, Bangladesh, Belarus, Brazil, Cameroon, Canada, Chile, China, Colombia (2015/16), Congo, Czech Republic, Ecuador, Egypt, El Salvador, Estonia (2016/17), Ethiopia, France, Germany, Greece, Guatemala, Hungary, India, Iran (Islamic Republic of), Italy, Japan, Latvia (2015/16), Malaysia, Mexico, Morocco, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Romania, Russian Federation, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland (ex officio), Tajikistan, Trinidad and Tobago (2016/17), Turkey, Uganda, United Kingdom, United States of America, Viet Nam, Zimbabwe (53)

Additional Information: The membership of the WIPO Program and Budget Committee (PBC) is established once every two years. New PBC members will therefore be elected in October 2017.

## ITEM 8: COMPOSITION OF THE WIPO COORDINATION COMMITTEE, AND OF THE EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS

Document: A/55/3 (Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions).

Decision: "... the Paris Union Assembly unanimously elected the following States as *ordinary* members of the *Paris Union Executive Committee*: Angola, Argentina, Azerbaijan, Bahamas, Bangladesh, Burkina Faso, Cameroon, China, Colombia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Finland, Ghana, Guatemala, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Latvia, Mongolia,

Morocco, Nepal, New Zealand, Pakistan, Peru, Poland, Republic of Korea, Romania, Singapore, Sri Lanka, Sweden, Uganda, United States of America, Viet Nam (41);

“the Berne Union Assembly unanimously elected the following States as *ordinary* members of the *Berne Union Executive Committee*: Algeria, Australia, Austria, Barbados, Belgium, Brazil, Brunei Darussalam, Canada, Congo, Costa Rica, Côte d’Ivoire, Dominican Republic, El Salvador, Estonia, France, Gabon, Germany, India, Kyrgyzstan, Luxembourg, Malaysia, Mexico, Namibia, Netherlands, Nigeria, Norway, Panama, Paraguay, Portugal, Russian Federation, Rwanda, Senegal, South Africa, Spain, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, Zimbabwe (39);

“the WIPO Conference unanimously designated the following States as *ad hoc* members of the *WIPO Coordination Committee*: Ethiopia, Myanmar (2);

“the WIPO Conference and the Assemblies of the Paris and Berne Unions noted that Switzerland would continue to be an *ex officio* ordinary member of the *Paris Union Executive Committee* and of the *Berne Union Executive Committee*.”

“As a consequence, the WIPO Coordination Committee for the period October 2015 to October 2017 was composed of the following States: Algeria, Angola, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belgium, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, China, Colombia, Congo, Costa Rica, Cote d’Ivoire, Cuba, Czech Republic, Democratic People’s Republic of Korea, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia (*ad hoc*), Finland, France, Gabon, Germany, Ghana, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Luxembourg, Malaysia, Mexico, Mongolia, Morocco, Myanmar (*ad hoc*), Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Singapore, South Africa, Spain, Sri Lanka, Sweden, Switzerland (*ex officio*), Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Viet Nam, Zimbabwe (83).”

Additional information: The membership of the Coordination Committee (CoCo) is governed by Article 8 of the WIPO Convention, and is established once every two years. New CoCo members will therefore be elected in October 2017.

## **ITEM 9: APPROVAL OF AGREEMENTS**

Document: WO/CC/71/1 (Approval of Agreements).

Decision: “The WIPO Coordination Committee approved the Memorandum of Understanding (MoU) between WIPO and CERLALC and the MoU between WIPO and ESCAP (document WO/CC/71/1, Annexes I and II).”

Additional Information: The MoUs aim at strengthening the collaboration between WIPO and the respective organizations, usually *via* the implementation of joint activities and programs within the framework of the mandates assigned to each organization and for the benefit of their respective Member States. The Regional Center for Book Development in Latin America and the Caribbean (CERLALC) is an IGO gathering all Spanish or Portuguese-speaking Iberoamerican and Caribbean countries, under the auspices of the United Nations Educational, Scientific and Cultural Organization (UNESCO). CERLALC provides advice and technical assistance to the governments of its member states concerning the design and implementation of policies, projects and programs created in order to develop books, reading and copyright, as well as to promote international agreements. ESCAP is the United Nations Regional Commission serving the Asia-Pacific region, and has the mandate to promote inclusive and sustainable economic and social development in the region.

## ITEM 10: REPORTS ON AUDIT AND OVERSIGHT

### (i) Report by the WIPO Independent Advisory Oversight Committee (IAOC)

Documents: WO/GA/47/2 (Report by the WIPO Independent Advisory Oversight Committee (IAOC)), A/55/4 (Decisions taken by the Program and Budget Committee).

Decision: “The WIPO General Assembly took note of the “Report by the WIPO Independent Advisory Oversight Committee (IAOC)” (document WO/GA/47/2).”

Additional Information: In the document, the IAOC reported on the quarterly sessions it held during this period. Specific matters reviewed and addressed relate, *inter alia*, to discussions with the External Auditor; review of the Audited Financial Statements for 2014 and the Report of the External Auditor; Internal Oversight – follow-up on internal oversight recommendations and 2014 work plan results and the 2015 work plan; status of recruitment for the Director, IOD, and the Chief Ethics Officer; status of the New Construction Projects; status of various matters in the area of Administration and Management; and the work related to preparing and submitting the Proposed Revisions to the Terms of Reference of the IAOC.

### (ii) Report by the External Auditor

Documents: A/55/9 (Report by the External Auditor), A/55/4 (Decisions taken by the Program and Budget Committee).

Decision: “The Assemblies of the Member States of WIPO and of the Unions, each as far as it is concerned, took note of the “Report by the External Auditor” (document A/55/9).”

Additional Information: WIPO received an unqualified audit opinion on its financial statements from the External Auditor. Furthermore, the External Auditor provided a long form Report on the audit of WIPO, in accordance with Regulation 8.10 of the WIPO Financial Regulations and Rules.

### (iii) Report by the Director of the Internal Oversight Division (IOD)

Documents: WO/GA/47/4 (Annual Report by the Director of the Internal Oversight Division (IOD)), A/55/4 (Decisions taken by the Program and Budget Committee).

Decision: “The WIPO General Assembly took note of the “Annual Report by the Director of the Internal Oversight Division (IOD)” (document WO/GA/47/4).”

Additional Information: The Report contains information on, amongst other, significant internal oversight findings and recommendations, investigative activities, status of implementation of oversight recommendations, consultative and advisory oversight work, as well as IOD’s cooperation with the Ombudsman, the Ethics Office and with external oversight bodies.

## ITEM 11: REPORT ON THE PROGRAM AND BUDGET COMMITTEE

Documents: A/55/5 Rev. (Proposed Program and Budget for the 2016/17 Biennium), A/55/6 (Program Performance Report 2014), A/55/7 (Annual Financial Report and Financial Statements 2014), A/55/8 (Status of the Payment of Contributions as at September 1, 2015), A/55/11 (Progress Report on the New Construction Project and the New Conference Hall Project), A/55/4 (Decisions taken by the Program and Budget Committee), A/55/INF/10 (Understanding of the United States of America of the Unitary Contribution System and the Unitary Budget as they relate to the Lisbon Agreement).

Decision: In relation to all issues decided by the PBC (see document A/55/4), except those covered under Agenda Item 10 of the Assemblies and those that follow below (i.e. related to Construction, the Proposed Program and Budget, Lisbon-PBC related issues and External Offices), the 55<sup>th</sup> Assemblies:

- “(i) took note of the “List of Decisions” taken by the Program and Budget Committee (document A/55/4), and of the updated “Status of the Payment of Contributions as at September 1, 2015” (document A/55/8); and
- “(ii) approved the recommendations made by the PBC as contained in document A/55/4.”

In relation to the “Progress Report on the New Construction Project and the New Conference Hall Project” (document A/55/11), the 55<sup>th</sup> Assemblies:

- “(a) took note of the contents of the Progress Report on the New Construction Project and New Conference Hall Project (document A/55/11), including the fact that discussions were ongoing with the remaining three companies and three firms of specialists on their final accounts;
- “(b) took note that the Secretariat:
  - (i) made the utmost efforts to minimize, to the extent possible, the potential additional funding requirement for the completion and closure of all accounts related to the New Conference Hall Project;
  - (ii) had closed almost all (102 out of 108) accounts related to the New Conference Hall Project before the 2015 Assemblies, and that it would undertake every possible effort to close the remaining six accounts as soon as possible after the Assemblies; and
- “(c) exceptionally approved that potential additional expenses related to the completion and closure of the New Conference Hall Project, in excess of the 75.2 million Swiss francs approved budget for that Project, to a maximum of 3.5 million Swiss francs, be absorbed from the overall budgetary envelope contained in the approved 2014/15 Program and Budget.”

In relation to other issues, the 55<sup>th</sup> Assemblies:

- “(i) agreed to approve the Revised Proposed Program and Budget (A/55/5/Rev.), as amended during the General Assemblies (Program 6);
- “(ii) noted the decision of the Lisbon Union Assembly to adopt measures by the 2016 Assemblies to eliminate the Lisbon Union’s projected biennial deficit, as described in the 2016/17 biennium WIPO program and budget (1.523 million CHF); and
- “(iii) decided to approve a loan from the reserves of the Contribution-financed Unions to the Lisbon Union in order to fund the operations of the Lisbon System for 2016/17, in case such measures are not sufficient to cover its projected biennial deficit. Such loan shall be provided on the basis that no interest shall be payable and that it would be repaid when the Lisbon Union reserves would allow it to do so.”

“The WIPO General Assembly:

- “(i) recognized that the allocation methodology for the income and budget by Union is a cross cutting topic;
- “(ii) noted that some delegations are of the opinion that further discussion among the Member States would be needed;
- “(iii) requested the Secretariat to conduct a study on potential alternatives for an allocation methodology for the income and budget by Union for consideration at PBC 25.”

“The WIPO General Assembly takes note of the fact that all diplomatic conferences contemplated in the 2016-17 biennium, that may be held under the auspices of WIPO during the 2016/17 biennium and funded by the resources of the organization will be open to the full participation of all WIPO Member States.”

In relation to the issue of External Offices (EOs):

“The WIPO General Assembly decided:

- “1. To adopt the Guiding Principles annexed to this decision;
- “2. Recognizing the Organization’s limited capacity to open new EOs, and desirous to take a phased and prudent approach when establishing new EOs, to open not more than 3 EOs per biennium for the biennia, 2016-17, 2018-19, subject to approval by WIPO GA.
- “3. This decision is without prejudice to any decision by the PBC and the GA on opening new EOs pursuant to the guiding principles after an evaluation during 2021.
- “4. For the period mentioned in paragraph 2, priority should be given to Africa. For this purpose, Member States are encouraged to submit their hosting proposals to be considered under the guiding principles.

## ANNEX

### **GUIDING PRINCIPLES REGARDING WIPO EXTERNAL OFFICES**

1. The following principles shall guide the role of the WIPO Secretariat and the decision making by Member States on the establishment of a sustainable, adequately sized network of WIPO External Offices (EOs), that adds clear value, efficiency and effectiveness to program delivery in accordance with the results framework of the Program and Budget, in a coordinated and complementary way with WIPO HQ and in a way that may otherwise not be achieved through operations at WIPO HQ.

#### **A. Transparency of procedures and decision making by Member States for the establishment of new External Offices**

2. Any Member State wishing to host an EO, in its national capacity or on behalf of a group of countries or Regional Group if so agreed by its members, should notify the President of the General Assembly and Director General in writing. The President of the General Assembly shall inform the Member States of the receipt of the notification without delay. This paragraph does not apply to those Member States which have already presented the written notifications, in their national capacity or on behalf of a group of countries or Regional Group.

3. The Member State wishing to host an EO, in its national capacity or on behalf of a group of countries or Regional Group if so agreed by its members, should submit a proposal through the Director General for consideration by the Program and Budget Committee (PBC). In the preparation of this proposal the Member State may request the assistance of the Secretariat. The Secretariat shall submit to the PBC the notification and the proposal received from the Member State.

*3bis.* The Secretariat shall provide to the PBC a separate, factual and technical report on proposed new EO and its consistency with these guiding principles. The document should also contain information relevant to the consideration of paragraphs *10bis* and 17. The PBC will consider the proposal and the document in order to make any recommendation to the General Assembly.

4. The General Assembly will consider the report, including recommendations, of the PBC in order to take a final decision on the establishment of the new EO.

5. If the General Assembly approves the establishment of an EO, the Coordination Committee (CoCo) will consider the approval of a proposed agreement between the

Director General on behalf of WIPO and the host country, consistent with Article 12 of the WIPO Convention.

## **B. Rationale for External Offices**

6. The proposal referred to in paragraph 3 should provide the rationale and propose a mandate for the EO which reflects: any needs, the purposes, and the proposed scope of activities, including regional activities, if any; indicating the value added to the Organization's program delivery, with particular regard to the considerations set out in Sections D and E.

7. Recognizing that the mandate of each EO as decided by WIPO Member States might differ, the basic scope of activities in an EO may include:

- (i) Collaboration with the national IP office to support and advance the Organization's program delivery;
- (ii) Enhancement of innovation and creativity, including by promoting effective use of IP services;
- (iii) Raising awareness, understanding and respect for IP;
- (iv) The delivery of customer services to users of global IP services, including treaties and conventions administered by WIPO;
- (v) Assistance for using IP as a tool for promoting development and transfer of technology;
- (vi) The provision of policy and technical support to national IP offices to increase the use of IP;
- (vii) If approved by the PBC, WIPO may explore the possibility for an EO's delivery of other activities which are beneficial to WIPO Member States.

8. WIPO EOs will not conduct any activities related to processing<sup>4</sup> of international applications filed under the PCT, Madrid, and Hague systems, or any related financial transactions.

9. EOs can supplement the activities of, but not assume the duties which are primarily the responsibility of national IP authorities.

## **C. Regional Activity**

10. The mandate of an EO may include undertaking activities similar to the basic scope set out in paragraph 7 consistent with and in support of WIPO's approved program in a group of countries or regional group if those countries which are to be covered by the EO have so agreed.

*10bis.* Such activities shall not prejudice the rights of any other country in that same region with regard to regular WIPO program activity, especially at the national level, including the delivery of any legal or technical assistance to those countries directly from WIPO HQ.

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<sup>4</sup> For example: receipt, transmittal, review, search and examination, handling, publication, assignment on transfer of rights on licenses, renewal, and/or storage.

#### **D. Financial and Budgetary Sustainability**

11. Recognising the different levels of development among Member States, and the need to safeguard resources for regional bureaus without prejudice to Member States which opt to deal directly with WIPO HQ, the report under paragraph 3bis shall set out, based on facts, the technical feasibility of the proposed EO with respect to:

- (i) the budget implications of the establishment of the EO, including the financial and budgetary sustainability and its recurring costs;
- (ii) possible efficiency savings from the proposed activity of the EO.

The report under paragraph 3bis shall be without prejudice to the final political decision which Member States may take regarding any offer to host a WIPO EO.

11bis. Funding for EOs other than that provided by the host country or another country wishing to contribute to the functioning of the EO in question shall not impose any additional financial burden on Member States other than the approved regular budget allocation.

12. The ability to maintain the financial and budgetary sustainability of the WIPO External Offices network will depend on whether it contributes to the delivery of program results, the cost-effectiveness of its operation and the prevailing financial situation of the Organization, and the Secretariat should keep Member States adequately apprised of this consideration.

#### **E. Geographic / Locational Aspects**

13. Due consideration should be given to the principle of a sustainable, equitable, and efficient geographical network for the location of prospective EOs. Every EO should have a clearly defined geographical area of operation.

14. Due consideration should be given to developmental aspects, regions without an EO, or locations where the users of WIPO Premier Global IP Services are located.

15. The existence of an EO in a region, or even in a neighboring country, shall not by itself constitute a ground for denying a request put forward by a Member State in that same region to be considered and decided by the General Assembly.

16. The establishment of a new EO shall not prejudice the scope of an existing EO to conduct approved WIPO program activities in its host country or with a group of countries or Regional Group, as agreed by the Member States involved.

17. The establishment of an EO in one particular Member State shall not prejudice the rights and the conduct of relations by other Member States in the same geographical region with WIPO HQ.

#### **F. External Offices' Accountability / Reporting**

18. All EOs are an integral part of WIPO's results-based management and regulatory framework. Once the EO is established and operational, its performance and activities will be monitored and evaluated based on the performance indicators and targets, and reported to the PBC which will, in turn, transmit its recommendations to the General Assembly, as appropriate.

19. WIPO will directly procure the required IT equipment for all WIPO EOs through its normal processes.

## **G. Implementation and Review**

20. These guiding principles shall apply universally to existing and prospective EOs.

21. To allow for evolving circumstances in WIPO's operating environment, these guiding principles shall be reviewed and approved upon a decision of the General Assembly.

22. The size and performance of the entire EO network shall be evaluated every five years by the PBC, which may request the support of WIPO External Auditors or independent external evaluators, with due regard to the different mandates and functions performed by the EOs. The terms of reference of such evaluation shall be decided by the PBC."

Additional Information: The PBC is tentatively scheduled to meet from August 29 to September 2, 2016.

### **ITEM 12: REPORT ON THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)**

Document: WO/GA/47/5 (Report on the Standing Committee on Copyright and Related Rights (SCCR)).

Decision: The WIPO General Assembly took note of the "Report on the Standing Committee on Copyright and Related Rights (SCCR)" (document WO/GA/47/5) and directed the SCCR "to continue its work regarding the issues reported on in document WO/GA/47/5".

Additional Information: The report indicates that the SCCR addressed the following matters over the past year: (i) protection of broadcasting organizations, (ii) limitations and exceptions for libraries and archives, and (iii) limitations and exceptions for educational and research institutions and persons with other disabilities. The SCCR is tentatively scheduled to meet from December 7 to 11, 2015, from May 9 to 13, 2016 and from November 14 to 18, 2016.

### **ITEM 13: REPORT ON THE STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)**

Document: WO/GA/47/6 (Report on the Standing Committee on the Law of Patents (SCP)).

Decision: "The WIPO General Assembly took note of the "Report on the Standing Committee on the Law of Patents" (document WO/GA/47/6)."

Additional Information: The report indicates that the SCP addressed the following matters over the past year: (i) exceptions and limitations to patent rights, (ii) quality of patents, including opposition systems, (iii) patents and health, (iv) the confidentiality of communications between clients and their patent advisers, and (v) transfer of technology. The SCP is tentatively scheduled to meet from November 30 to December 4, 2015, from June 27 to 30, 2016 and from December 12 to 15, 2016.

### **ITEM 14: MATTERS CONCERNING THE STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)**

Documents: WO/GA/47/7 (Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)), WO/GA/47/10 (Matters Concerning the Work of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT): Proposal of the United States of America to the WIPO General Assembly).

Decision: The WIPO General Assembly took note of the “Report on the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)” (document WO/GA/47/7) and directed the SCT “to examine the different systems for protection of geographical indications, within its current mandate and covering all aspects”.

Additional Information: The report indicates that the SCT addressed the following matters over the past year: (i) protection of geographical indications and country names, (ii) trademark-related aspects of the expansion of the Internet Domain Name System (DNS), and (iii) design law treaty (for the latter, see also under Agenda Item 15.) The SCT is tentatively scheduled to meet from November 16 to 18, 2015, from April 25 to 27, 2016 and from October 17 to 19, 2016.

#### **ITEM 15: MATTERS CONCERNING THE CONVENING OF A DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A DESIGN LAW TREATY (DLT)**

Document: WO/GA/47/8 (Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty (DLT)).

Decision: “The WIPO General Assembly agreed:  
 “That the text of the basic proposal for the Design Law Treaty should be finalized by the SCT at its thirty-fourth and thirty-fifth sessions;  
 “(i) to convene a diplomatic conference for the adoption of a Design Law Treaty at the end of the first half of 2017, only if the discussions on technical assistance and disclosure have been completed during the thirty-fourth and thirty-fifth sessions of the SCT;  
 “(ii) that the text of the basic proposal for the Design Law Treaty should be finalized by the SCT at its thirty-fourth and thirty-fifth sessions;  
 “(iii) that, if a diplomatic conference is convened at the end of the first half of 2017, the date and venue of the diplomatic conference would be decided in a preparatory committee, to be held back to back with the thirty-fifth session of the SCT.”

Additional Information: The Preparatory Committee of the Diplomatic Conference to Conclude a Design Law Treaty (DLT) is tentatively scheduled to meet on April 28 and 29, 2016, back to back with the 35<sup>th</sup> session of the SCT, subject to the completion of the discussions on technical assistance and disclosure during the 34<sup>th</sup> and 35<sup>th</sup> sessions of the SCT.

#### **ITEM 16: REPORT ON THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP) AND REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS**

Documents: WO/GA/47/9 (Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations), WO/GA/47/11 (Decision on the Committee on Development and Intellectual Property (CDIP) Related Matters).

Decision: “The WIPO General Assembly:  
 (a) took note of the “Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations” (document WO/GA/47/9);  
 (b) with respect to document WO/GA/47/11 entitled “Decision on the Committee on Development and Intellectual Property (CDIP) Related Matters”, allowed the CDIP to continue, during its sixteenth and seventeenth sessions, the discussion on the decision on CDIP related matters adopted at the Forty-Third Session of the WIPO General Assembly (document CDIP/12/5) and to report back and make recommendations on the two matters to the WIPO General Assembly in 2016.”

Additional Information: Document WO/GA/47/9 contains the Summary by the Chair of the last two CDIP sessions and the Director General's Report on implementation of the Development Agenda (DA), presented at the April 2015 CDIP session. Document WO/GA/47/11 refers to the discussions concerning the implementation of the CDIP mandate and of the Coordination Mechanisms, which will continue after the 55<sup>th</sup> Assemblies. The CDIP is tentatively scheduled to meet from November 9 to 13, 2015, from April 11 to 15, 2016 and from October 31 to November 4, 2016.

#### **ITEM 17: MATTERS CONCERNING THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)**

Documents: WO/GA/47/12 (Matters Concerning the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)), WO/GA/47/16 (Conversion of WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) into a Standing Committee: Proposal by the African Group to the 2015 General Assembly), WO/GA/47/17 (Matters Concerning the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC): Proposal of the United States of America to the WIPO General Assembly), WO/GA/47/18 (Matters Concerning the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC): Proposal of the Holy See, Kenya, Mozambique, New Zealand, Norway and Switzerland to the WIPO General Assembly).

Decision: Bearing in mind the Development Agenda recommendations and acknowledging the progress made, the WIPO General Assembly agrees that the mandate of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (Committee) be renewed, without prejudice to the work pursued in other fora, as follows:

“(a) The Committee will, during the next budgetary biennium 2016/2017, continue to expedite its work, with a focus on narrowing existing gaps, with open and full engagement, including text-based negotiations, with the objective of reaching an agreement on an international legal instrument(s), without prejudging the nature of outcome(s), relating to intellectual property which will ensure the balanced and effective protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs).

“(b) The Committee's work in the 2016/2017 biennium will build on the existing work carried out by the Committee with a primary focus on reaching a common understanding on core issues, including definition of misappropriation, beneficiaries, subject matter, objectives, and what TK/TCEs subject matter is entitled to protection at an international level, including consideration of exceptions and limitations and the relationship with the public domain.

“(c) The Committee will follow, as set out in the table below, a clearly defined work program, based on sound working methods, for the 2016/2017 biennium. This work program will make provision for 6 sessions of the Committee in 2016/2017, including thematic, cross-cutting and stocktaking sessions. The Committee may decide to establish an expert panel(s) and hold further Ambassadorial/Senior Capital-Based Officials meetings during future Committee sessions.

“(d) The Committee will use all WIPO working documents, including WIPO/GRTKF/IC/28/4, WIPO/GRTKF/IC/28/5 and WIPO/GRTKF/IC/28/6, as well as any other contributions of member states, using an evidence-based approach, including studies and examples of national experiences, including domestic legislation and examples of protectable subject matter and subject matter that is not intended to be protected; and outputs of any expert panel(s) established by the Committee and IGC-related seminars and workshops conducted under Program 4. However, examples, studies, seminars or workshops are not to delay progress or establish any preconditions for the negotiations.

“(e) Taking note of the utility served by the 2015 WIPO seminars on IGC-related subjects, provision shall be made for the Secretariat, under Program 4, to organize inter-  
sessional seminars and workshops to build regional and cross-regional knowledge and  
consensus on issues related to IP and GRs, TK and TCEs with a focus on unresolved  
issues.

“(f) In 2016, the Committee is requested to provide, for information only, a factual report  
to the General Assembly on its work up to that time, and in 2017, submit to the General  
Assembly the results of its work on an international legal instrument(s) relating to  
intellectual property which will ensure the balanced and effective protection of GRs, TK and  
TCEs. The General Assembly in 2017 will take stock of progress made, and decide on  
whether to convene a diplomatic conference or continue negotiations. It will also consider  
the need for additional meetings, taking account of the budgetary process.

“(g) The Committee may also consider the conversion of the Committee into a Standing  
Committee and, if so agreed, make a recommendation in this regard to the General  
Assembly in 2016 or 2017.

“(h) The General Assembly requests the International Bureau to continue to assist the  
Committee by providing Member States with necessary expertise and funding, in the most  
efficient manner, of the participation of experts from developing countries and LDCs, taking  
into account the usual formula for the IGC.

#### Work Program – 6 Sessions

Indicative Dates	Activity
February/March 2016	(IGC 29)  Undertake negotiations on GRs with a focus on addressing unresolved issues and considering options for a draft legal instrument  Elaborate an indicative list of outstanding/pending issues to be tackled/solved at the next session on GRs  Duration 5 days.
May/June 2016	(IGC 30)  Undertake negotiations on GRs with a focus on addressing unresolved issues and considering options for a draft legal instrument  Duration 5 days.
September 2016	(IGC 31)  Undertake negotiations on TK with a focus on addressing unresolved issues and considering options for a draft legal instrument  Elaborate an indicative list of outstanding/pending issues to be tackled/solved at the next session on TK  Duration 5 days.

September 2016	WIPO General Assembly  Factual report
November/December 2016	(IGC 32)  Undertake negotiations on TK with a focus on addressing unresolved issues and considering options for a draft legal instrument  Duration 5 days.
March/April 2017	(IGC 33)  Undertake negotiations on TCEs with a focus on addressing unresolved issues and considering options for a draft legal instrument  Elaborate an indicative list of outstanding/pending issues to be tackled/solved at the next session on TCEs  Duration 5 days.
June/July 2017	(IGC 34)  Undertake negotiations on TCEs with a focus on addressing unresolved issues and considering options for a draft legal instrument  Stocktaking session and making a recommendation  Duration 5 days.
September 2017	WIPO General Assembly will take stock of and consider the text(s), progress made, and decide on whether to convene a diplomatic conference or continue negotiations. It will also consider the need for additional meetings, taking account of the budgetary process.

Additional Information: The IGC did not meet since the Assemblies 2014 and, therefore, a report on its activities was not submitted. The IGC is tentatively scheduled to meet from February 15 to 19, 2016, from May 30 to June 3, 2016, from September 19 to 23, 2016 and from November 28 to December 2, 2016.

#### **ITEM 18: MATTERS CONCERNING THE COMMITTEE ON WIPO STANDARDS (CWS)**

Document: WO/GA/47/13 (Matters Concerning the Committee on WIPO Standards (CWS)).

Decision: “The WIPO General Assembly took note of the “Matters Concerning the Committee on WIPO Standards” (document WO/GA/47/13).”

Additional Information: The CWS did not meet since the Assemblies 2014 and, therefore, a report on its activities was not submitted. Document WO/GA/47/13 contains information about informal consultations on pending matters of the Committee and a report of activities in relation to

WIPO Standards. In that respect, a number of CWS Task Forces (TFs) continued their work by using electronic fora and holding physical meetings. Nevertheless, in the absence of a regular session of the CWS, the results of those TFs cannot be formalized and, consequently, the relevant Standards cannot be fixed by publication. The CWS is tentatively scheduled to meet from March 21 to 24, 2016, subject to agreement on the agenda.

## **ITEM 19: PCT SYSTEM**

### **(i) Report on the PCT Working Group**

Document: PCT/A/47/1 (Report on the PCT Working Group).

Decision: “The Assembly:

“(i) took note of the Summary by the Chair of the eighth session of the Working Group contained in document PCT/WG/8/25; and

“(ii) approved the recommendation concerning the further work of the PCT Working Group set out in paragraph 5 of document PCT/A/47/1.”

Additional Information: The report indicates that the PCT addressed the following matters over the past year: PCT statistics, PCT online services, PCT fee income, coordination of technical assistance, training of examiners and appointment of international authorities. Paragraph 5 of document PCT/A/47/1 records the intention of the Working Group to hold one session over the next year and to provide financial assistance to enable the attendance of certain delegations, as in the past. The PCT Working Group is tentatively scheduled to meet from May 17 to 20, 2016.

### **(ii) Quality-Related Work by International Authorities**

Document: PCT/A/47/2 (Quality-Related Work by International Authorities).

Decision: “The Assembly took note of the report “Quality-Related Work by International Authorities” contained in document PCT/A/47/2.”

Additional information: The quality-related work by the International Searching and Preliminary Examining Authorities under the PCT (“International Authorities”) is pursued mainly through the work of the Quality Subgroup set up by the Meeting of International Authorities at its seventeenth session in 2009 (“the Subgroup”).

### **(iii) Review of the Supplementary International Search System**

Document: PCT/A/47/3 (Review of the Supplementary International Search System).

Decision: “The Assembly took note of the Review of the Supplementary International Search System contained in document PCT/A/47/3.”

“The Assembly, having reviewed the supplementary international search system three years after the date of entry into force of the system and again in 2015, decided:

“(a) to invite the International Bureau to continue to closely monitor the system for a period of a further five years, and to continue to report to the Meeting of International Authorities and the Working Group on how the system is developing;

“(b) to invite the International Bureau, International Authorities and national Offices and user groups to continue their efforts to raise awareness of and promote the service to users of the PCT system;

“(c) to invite the International Authorities which offer supplementary international searches to consider reviewing the scope of their services provided under the system and consequently the levels of fees charged for the services provided, which should be reasonable; and to invite

Authorities which currently do not offer the service to reconsider whether to offer the service in the near future;

“(d) to review the system again in 2020, taking into account further developments until then, notably in relation to developments in collaborative search and examination, and in relation to efforts to improve the quality of the ‘main’ international search.”

Additional information: The document contains information concerning how the supplementary international search system had been used and was perceived by Offices and users.

#### **(iv) Proposed Amendments to the PCT Regulations**

Document: PCT/A/47/4 Rev. (Proposed Amendments to the PCT Regulations).

Decision: “The Assembly:

“(i) adopted the amendments to the Regulations under the PCT set out in Annexes I and II to document PCT/A/47/9 Prov;

“(ii) decided that the amendments of Rules 9, 26*bis*, 48, 82*quater*, 92 and 94 set out in Annex I to document PCT/A/47/9 Prov. shall enter into force on July 1, 2016, and shall apply to any international application whose international filing date is on or after July 1, 2016;

“(iii) decided that the amendments of Rule 82*quater* shall also apply to international applications whose international filing date is before July 1, 2016, where the event referred to in Rule 82*quater*.1(a), as amended, occurs on or after July 1, 2016;

“(iv) decided that the amendments of Rule 92.2(d) shall also apply to correspondence received by the International Bureau on or after July 1, 2016, in respect of international applications whose international filing date is before July 1, 2016, to the extent provided at the time of promulgation of any Administrative Instructions made under that Rule;

“(v) decided that the amendments of Rules 12*bis*, 23*bis*, 41, 86 and 95 set out in Annex II to this report shall enter into force on July 1, 2017, and shall apply to any international application whose international filing date is on or after July 1, 2017;

“(vi) decided that the amendments of Rules 86 and 95 shall also apply to any international application whose international filing date is before July 1, 2017, in respect of which the acts referred to in Article 22 or Article 39 are performed on or after July 1, 2017;

“(vii) adopted the following Understanding concerning the provisions regarding the excuse of a delay in meeting a time limit due to a general unavailability of electronic communication services in accordance with the amended Rule 82*quater*:

“In adopting the amendments to Rule 82*quater*.1, the Assembly noted that the receiving Office, the International Searching Authority, the Authority specified for supplementary search, the International Preliminary Examining Authority or the International Bureau should, in considering a request under Rule 82*quater*.1 to excuse a delay in meeting a time limit that has not been met due to a general unavailability of electronic communication services, interpret general unavailability of electronic communications to apply to outages that affect widespread geographical areas or many individuals, as distinct from localized problems associated with a particular building or single user.”

(viii) adopted the following Understanding concerning the information which is to be provided in accordance with the amended Rules 86 and 95:

“In adopting the amendments to Rule 86.1(iv), the Assembly noted that the information concerning national phase entry will be made available to the public not only by way of inclusion in the Gazette on the PATENTSCOPE website but also as part of the bulk PCT bibliographic data offered to Offices and other subscribers to the PATENTSCOPE subscription data services.”

Additional information: The Assembly adopted a number of amendments to the PCT Regulations to provide greater accessibility and flexibility for applicants, to improve information concerning national phase processing and also to facilitate the sharing of results of work previously performed by Offices.

**(v) Proposed Modifications of the Directives of the Assembly Relating to the Establishment of Equivalent Amounts of Certain Fees**

Document: PCT/A/47/5 Rev. (Proposed Modifications of the Directives of the Assembly Relating to the Establishment of Equivalent Amounts of Certain Fees).

Decision: “The Assembly:

- “(i) took note of the contents of document PCT/A/47/5 Rev.;
- “(ii) invited the Secretariat to further analyze the issues regarding the implementation of a hedging strategy for PCT fee income set out in document WO/PBC/24/INF.3;
- “(iii) postponed any decision on the proposed modifications to the Directives of the Assembly Relating to the Establishment of Equivalent Amounts of Certain Fees, as agreed by the PCT Working Group, until such analysis had been undertaken; and
- “(iv) invited the Secretariat to submit a progress report to the 2016 session of the PCT Working Group.”

Additional information: The aim of the proposed modifications was to enable the International Bureau to commence hedging of international filing fees as far as the risk resulting from transactions in euro (EUR), Japanese yen (JPY) and United States dollar (USD) is concerned.

**(vi) Appointment of the Visegrad Patent Institute as an International Searching and Preliminary Examining Authority under the PCT**

Documents: PCT/A/47/6 (Appointment of the Visegrad Patent Institute as an International Searching and Preliminary Examining Authority under the PCT), PCT/A/47/6 Add. (Appointment of the Visegrad Patent Institute as an International Searching and Preliminary Examining Authority under the PCT - Update on Recent Developments).

Decision: “The Assembly, having heard the Representative of the Visegrad Patent Institute and taking into account the advice of the PCT Committee for Technical Cooperation set out in paragraph 5 of document PCT/A/47/6:

- (i) approved the text of the draft Agreement between the Visegrad Patent Institute and the International Bureau as set out in the Annex to document PCT/A/47/6; and
- (ii) appointed the Visegrad Patent Institute as an International Searching Authority and an International Preliminary Examining Authority with effect from the entry into force of the Agreement until December 31, 2017.”

Additional information: The Visegrad Patent Institute is an intergovernmental organization for cooperation in the field of patents among the Czech Republic, Hungary, the Republic of Poland and the Slovak Republic.

**(vii) Amendment of the Agreement Concerning the Functioning of the State Intellectual Property Service of Ukraine as an International Searching Authority and International Preliminary Examining Authority under the PCT**

Document: PCT/A/47/7 (Amendment of the Agreement Concerning the Functioning of the State Intellectual Property Service of Ukraine as an International Searching Authority and International Preliminary Examining Authority under the PCT).

Decision: “The Assembly:

- “(i) took note of the contents of document PCT/A/47/7; and
- “(ii) approved the amendments to the agreement between the State Intellectual Property Service of Ukraine and the International Bureau as set out in the Annex to document PCT/A/47/7.”

Additional Information: The document sets out non-substantial amendments to the agreement in order to reflect the change in name of the authority responsible for conducting international search and preliminary examination as an International Authority under the PCT.

**(vii) Matters Concerning the Lisbon Union: Proposal of the United States of America to the Patent Cooperation Treaty Assembly**

Document: PCT/A/47/8 (Matters Concerning the Lisbon Union: Proposal of the United States of America to the Patent Cooperation Treaty Assembly).

Decision: “The Assembly of the PCT Union considered document PCT/A/47/8 and did not reach consensus.”

**ITEM 20: MADRID SYSTEM**

**(i) Final Report on the Information Technology Modernization Program (Madrid International Registration System)**

Document: MM/A/49/1 (Final Report on the Information Technology Modernization Program (Madrid International Registration System)).

Decision: “The Assembly<sup>5</sup> took note of the “Final Report on the Information Technology Modernization Program (Madrid International Registration System)” (document MM/A/49/1).”

Additional information: The document reported the completion of all activities under Phase I, together with the reporting of the reception and installation for system and user testing, of the major deliverable of Phase II of the Program, namely the Madrid International Registration Information System (MIRIS) Beta 1 version, which had at that time, been subjected to a series of system test procedures.

**(ii) Progress Report on the Madrid Systems Goods and Services Database**

Document: MM/A/49/2 (Progress Report on the Madrid Systems Goods and Services Database).

Decision: “The Assembly:  
“(i) took note of the “Progress Report on the Madrid System Goods and Services Database” (document MM/A/49/2), including its paragraph 27 related to the remaining project funds; and,  
“(ii) requested the International Bureau to submit to the Assembly in 2016 a new Progress Report on the Madrid System Goods and Services Database, including the use of remaining project funds.”

Additional information: At the meeting, the Secretariat stated that the focus had been on the operational support of the *Madrid System Goods and Services Database (MGS)*, that the database was available in 16 languages, that a total of 19 IP participating national or regional Offices were present in the MGS-exclusive function called “Check acceptance by designated Contracting Party (dCP)”, that the MGS Database had been brought into line with the 2015 version of the tenth edition of the Nice Classification in January 2015, and that the remaining funds from the development project continued to be used for facilitating MGS translation activities.

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<sup>5</sup> Note: For Madrid matters, the competent WIPO governing body is the “Madrid Union Assembly”

**(iii) Proposed Amendments to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement**

Document: MM/A/49/3 (Proposed Amendments to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement).

Decision: “The Assembly adopted the amendments to Rules 5 and 36 of the Common Regulations, with a date of entry into force of April 1, 2016, and to Rules 9 and 24 of the Common Regulations, with a date of entry into force of November 1, 2017, as set out in the Annexes to the “Proposed Amendments to the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement” (document MM/A/49/3).”

Additional Information: The decision introduces procedural changes intended to make the Madrid System more user-friendly. The Madrid Working Group is tentatively scheduled to meet from June 13 to 17, 2016.

**(iv) Matters Concerning the Madrid and Lisbon Unions: Proposal of the United States of America to the Madrid Assembly**

Document: MM/A/49/4 (Matters Concerning the Madrid and Lisbon Unions: Proposal of the United States of America to the Madrid Assembly).

Decision: “The Assembly of the Madrid Union considered document MM/A/49/4 and did not reach consensus.”

**ITEM 21: HAGUE SYSTEM**

Document: H/A/35/1 (Final Report on the Information Technology Modernization Program (Hague International Registration System)).

Decision: “The Assembly<sup>6</sup> took note of the “Final Report on the Information Technology Modernization Program (Hague International Registration System)” (document H/A/35/1).”

Additional Information: The report outlines progress on the (i) Information Technology (IT) Modernization Program; (ii) updates members of the Assembly on the implementation of the Program; and (iii) states the International Bureau’s objectives of a better administration and wider usage of the Hague System. The Hague Working Group is tentatively scheduled to meet from June 20 to 22, 2016.

**ITEM 22: LISBON SYSTEM**

**(i) Outcome of the Diplomatic Conference for the Adoption of a New Act of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration**

Document: LI/A/32/1 (Outcome of the Diplomatic Conference for the Adoption of a New Act of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration)).

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<sup>6</sup> *Note: For Hague matters, the competent WIPO governing body is the “Hague Union Assembly”*

Decision: “The Assembly:

- “(i) took note of the content of the “Outcome of the Diplomatic Conference for the Adoption of a New Act of the Lisbon Agreement for the Protection of Appellations of Origin and Their International Registration” (document LI/A/32/1);
- “(ii) approved the establishment of a Working Group for the Preparation of Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement; and
- “(iii) designated Arabic, Chinese and Russian as languages in which official texts of the Lisbon Agreement and the Regulations thereunder had to be established.”

Additional Information: The Working Group for the Preparation of Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement is tentatively scheduled to meet from June 7 to 9, 2016.

**(ii) Proposal to Update the Fee Schedule under Rule 23 of the Regulations under the Lisbon Agreement**

Document: LI/A/32/2 (Proposal to Update the Fee Schedule under Rule 23 of the Regulations under the Lisbon Agreement).

Decision: “The Assembly:

- “(i) took note of the contents of document LI/A/32/2;
- “(ii) decided to modify the amounts of the fees mentioned in Rule 23 of the Lisbon Regulations with effect from January 1, 2016, as follows: (i) an international registration fee of 1,000 Swiss francs; (ii) a fee of 500 Swiss francs for the modification of an international registration; (iii) a fee of 150 Swiss francs for providing an extract from the International Register; (iv) a fee of 100 Swiss francs for providing an attestation or any other information given in writing concerning the contents of the International Register;
- “(iii) decided that it would continue to review fees on a regular basis.”

**(iii) Options for the Financial Sustainability of the Lisbon Union and the Proposal to Establish a Working Capital Fund for the Lisbon Union**

Documents: LI/A/32/3 (Options for the Financial Sustainability of the Lisbon Union), LI/A/32/4 (Proposal to Establish a Working Capital Fund for the Lisbon Union).

Decision: “The Lisbon Union Assembly, recognizing that the Lisbon Union has a deficit and that its receipts do not suffice to cover its expenses, decides that:

- “(i) in accordance with Article 11 of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the ‘Lisbon Agreement’) the Lisbon Union, as a fee-funded union, shall adopt measures by the 2016 Assemblies to eliminate its projected biennial deficit, as described in the 2016/17 biennium WIPO program and budget of the Lisbon Union (1.523 million CHF).
- “(ii) the Lisbon Union shall receive a loan from the Contribution-financed Unions if such measures are not sufficient to cover its projected biennial deficit as described in paragraph (i) at the Lisbon Union Assembly in 2016. Such loan shall be provided on the basis that no interest shall be payable and that it would be repaid when the Lisbon Union reserves would allow it to do so.
- “(iii) the Lisbon Union will take advantage of the meetings of the Working Group for the discussion relating to the Lisbon system in order to consider the financial sustainability of the Lisbon Union, including the options contained in document LI/A/32/3 or any other practical solution, and to present a proposal to the next session of the Assembly in 2016.”

**ITEM 23: ADVICE OF THE COORDINATION COMMITTEE TO THE LISBON UNION ASSEMBLY REGARDING THE PROPOSAL TO ESTABLISH A WORKING CAPITAL FUND FOR THE LISBON UNION**

Document: WO/CC/71/6 (Advice of the Coordination Committee to the Lisbon Union Assembly Regarding the Proposal to Establish a Working Capital Fund for the Lisbon Union).

Decision: “The WIPO Coordination Committee took note of the statements made and asked its Chair to make available the outcome of the discussion to the Chair of the Lisbon Union Assembly.”

**ITEM 24: WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES**

Document: WO/GA/47/14 (WIPO Arbitration and Mediation Center, Including Domain Names).

Decision: “The WIPO General Assembly took note of the document “WIPO Arbitration and Mediation Center, including Domain Names” (document WO/GA/47/14).”

Additional Information: The document contains an activity report of the Center as an international resource for efficient alternatives to court litigation of IP disputes, including an update of the WIPO Rules, and assistance requested by certain Intellectual Property Offices in offering alternative dispute resolution (ADR) options. The number of cases administered by the Center on the basis of the Uniform Domain Name Dispute Resolution Policy (UDRP) increased by 2 per cent, to a total of over 32,000 cases covering more than 60,000 domain names; 14 per cent of the cases involve registrations in newly-introduced Top-Level Domains.

**ITEM 25: PATENT LAW TREATY (PLT)**

Document: WO/GA/47/15 (Cooperation under the Agreed Statements by the Diplomatic Conference Regarding the Patent Law Treaty (PLT)).

Decision: “The WIPO General Assembly took note of the “Cooperation under the Agreed Statements by the Diplomatic Conference Regarding the Patent Law Treaty” (document WO/GA/47/15).”

Additional Information: The report indicates the WIPO activities which facilitated filing of communications in electronic form in developing and least developed countries (LDCs) and countries in transition over the past year, in particular: (i) development and deployment of the ePCT system, including the ePCT RO services, and (ii) technical assistance activities. In accordance with item 4 of the Agreed Statements by the Diplomatic Conference for the Adoption of the PLT, the WIPO General Assembly monitors and evaluates the progress of the cooperation under the referred Agreed Statements at each of its ordinary sessions.

**ITEM 26: SINGAPORE TREATY ON THE LAW OF TRADEMARKS (STLT)**

Document: STLT/A/8/1 (Assistance for the Implementation of the Singapore Treaty on the Law of Trademarks (STLT))

Decision: “The Assembly took note of the contents of the “Assistance for the Implementation of the Singapore Treaty on the Law of Trademarks” (document STLT/A/8/1).”

Additional Information: The report contains information on: (i) assistance in establishing the legal framework for the implementation of the Treaty, and (ii) activities relating to information, education, awareness raising and assistance in revising administrative practices and procedures.

## **ITEM 27: MATTERS CONCERNING THE ADMINISTRATION OF THE GENEVA ACT OF THE LISBON AGREEMENT**

Document: WO/GA/47/3 (Matters Concerning the Administration of the Geneva Act of the Lisbon Agreement: Proposal of the United States of America to the WIPO General Assembly).

Decision: “The WIPO General Assembly considered document WO/GA/47/3 and did not reach consensus.”

## **ITEM 28: REPORTS ON STAFF MATTERS**

### **(i) Report on Human Resources**

Documents: WO/CC/71/2, WO/CC/71/2 Rev. (Annual Report on Human Resources).

Decision: “The WIPO Coordination Committee:  
“(i) noted the information provided in paragraph 92 of document WO/CC/71/2 Rev. and approved the acceptance of the awards by the Director General;  
“(ii) noted the information provided in paragraphs 95 and 96 of document WO/CC/71/2 Rev.; and  
“(iii) noted that consultations shall take place under the guidance of the Chair of the WIPO Coordination Committee, to review the 1975 Principles of Geographical Representation, with a view of presenting a proposal to the Coordination Committee during the 2016 Assemblies of Member States.

Additional Information: Paragraph 92 of document WO/CC/71/2 Rev. refers to two honors awarded by France and Mongolia to the Director General. Paragraphs 95 and 96 refer to the reports of the International Civil Service Commission (ICSC) and the United Nations Joint Staff Pension Board (UNJSPB).

### **(ii) Report by the Ethics Office**

Document: WO/CC/71/3 (Report by the Ethics Office).

Decision: “The WIPO Coordination Committee took note of the “Annual Report by the Ethics Office” (document WO/CC/71/3 Rev.).”

Additional Information: The report indicates the activities of the Ethics Office related to: (i) promotional activities; (ii) confidential advice to senior management, managers and all staff members; (iii) norm-setting and policy development and (iv) implementation of policies assigned to the ethics office. At the meeting, the new Ethics Officer of WIPO was introduced.

## **ITEM 29: AMENDMENTS TO STAFF REGULATIONS AND RULES**

Document: WO/CC/71/4 (Amendments to Staff Regulations and Rules).

Decision: “The WIPO Coordination Committee:  
“(i) approved the amendments to the Staff Regulations, with the exception of Staff Regulation 3.25 (“Special Salary Increment”), as provided in detail in Annex I, as well as the special transitional measure mentioned in paragraph 9, noting that:

“(a) the Secretariat will undertake a study on the issue of staff mobility, including a review of other kind of incentives to promote mobility of professional staff. This study will be presented at the 2016 session of the Coordination Committee, for its consideration and for a decision on whether or not to accept the special salary increment; and

“(b) the Office of the Legal Counsel will present at the 2016 session of the Coordination Committee an analysis on the issue of staff members’ acquired rights to education grant, together with the relevant information on the financial impact, for its decision on whether to maintain or delete new Staff Regulation 3.14(f) on education grant.

“(ii) took note of the amendments to the Staff Rules as provided in detail in Annex II; and

“(iii) took note of the amendments to the Staff Rules as provided in detail in Annex III and invited the Director General to consider reducing the period of time during which candidates recommended by an appointment board, but not appointed, may be placed on a reserve list.”

Additional Information: The majority of the amendments aimed at correcting inconsistencies, clarifying a provision, or addressing a gap. Some of the amendments concerned staff benefits such as education grant, home leave and repatriation grant. The purpose of these amendments was to ensure consistency with the purpose of the entitlements which was to compensate internationally-recruited staff for the constraints related to expatriation, as defined by the (ICSC).

### **ITEM 30: DESIGNATION OF THE CHAIR AND DEPUTY CHAIR OF THE WIPO APPEAL BOARD**

Document: WO/CC/71/5 (Designation of the Chair and Deputy Chair of the WIPO Appeal Board).

Decision: “The WIPO Coordination Committee:

“(i) designated Mr. Norbert Wühler as Chair of the WIPO Appeal Board, for a term of five years from the date of such designation; and

“(ii) designated Mr. Michael Bartolo as Deputy Chair of the WIPO Appeal Board, for a term of five years from the date of such designation.”

Additional Information: In accordance with the WIPO Staff Regulations and Rules, the WIPO Appeal Board (WAB) is an administrative body with staff participation to advise the Director General on appeals by staff/former staff members. The WAB is composed by (i) a Chair and a Deputy Chair external to WIPO designated by the WIPO Coordination Committee; (ii) by two members designated by the Director General from among the staff members of the International Bureau; and (iii) by two members elected by the staff members of the International Bureau from among the staff members.

### **ITEM 31: ADOPTION OF THE REPORTS**

Documents: See Annex to the present document.

Decision: “The Assemblies of the Member States of WIPO and of the Unions administered by it, each as far as it is concerned, requested the Secretariat to finalize the draft reports, post them on the WIPO website and communicate them to Member States by November 2, 2015. Comments should be submitted to the Secretariat by January 4, 2016, after which the final reports would be deemed adopted by February 5, 2016.”

### **ITEM 32: CLOSING OF THE SESSIONS**

The 55<sup>th</sup> Assemblies were closed by the Chair of the WIPO General Assembly, Ambassador Gabriel Duque, on October 14, 2015. The 56<sup>th</sup> session will take place at WIPO headquarters from October 3 to 11, 2016.

**LIST OF REPORTS ADOPTED AT THE 55<sup>th</sup> ASSEMBLIES**

A/55/13	General Report of the 55 <sup>th</sup> Assemblies (173 pg.)
WO/GA/47/19	Report of the 47 <sup>th</sup> General Assembly (66 pg.)
WO/CF/36/1	Report of the Conference Assembly (1 pg.)
WO/CC/71/7	Report of the 71 <sup>st</sup> WIPO Coordination Committee (30 pg.)
PCT/A/47/9	Report of the 47 <sup>th</sup> Patent Cooperation Treaty (PCT) Union Assembly (37 pg.)
P/A/50/1	Report of the 50 <sup>th</sup> Paris Union Assembly (1 pg.)
P/EC/55/1	Report of the 54 <sup>th</sup> Paris Union Executive Committee (1 pg.)
B/A/44/1	Report of the 44 <sup>th</sup> Berne Union Assembly (1 pg.)
B/EC/61/1	Report of the 60 <sup>th</sup> Berne Union Executive Committee (1 pg.)
MM/A/49/5	Report of the 49 <sup>th</sup> Madrid Union Assembly (16 pg.)
H/A/35/2	Report of the 35 <sup>th</sup> Hague Union Assembly (2 pg.)
N/A/35/1	Report of the Nice Union Assembly (1 pg.)
LI/A/32/5	Report of the 32 <sup>nd</sup> Lisbon Union Assembly (16 pg.)
LO/A/35/1	Report of the Locarno Union Assembly (1 pg.)
IPC/A/36/1	Report of the IPC Union Assembly (1 pg.)
BP/A/32/1	Report of the Budapest Union Assembly (1 pg.)
VA/A/28/1	Report of the Vienna Union Assembly (1 pg.)
WCT/A/15/1	Report of the WIPO Copyright Treaty (WCT) Assembly (1 pg.)
WPPT/A/15/1	Report of the WIPO Performances and Phonograms Treaty (WPPT) Assembly (1 pg.)
STLT/A/8/2	Report of the Singapore Treaty on the Law of Trademarks (STLT) Assembly (2 pg.)
Total:	20 Reports containing 354 pages

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