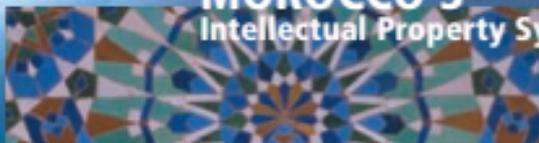


Geneva, April 2001

## TRADEMARKS AND DESIGNS: A Record Year



## MOROCCO'S Intellectual Property System



## CARIBBEAN MUSIC: Building Opportunities



# A note to readers

*With this issue the WIPO Magazine takes on a new, updated look.*

*While we have changed our appearance, our goal at the Magazine remains the same: to provide readers with an interesting and attractive publication that provides comprehensive news and features on the Organization's activities, events and programs in member States, and trends in the global intellectual property arena.*

*WIPO works consistently to improve and expand the coverage of these areas in the Magazine, and to better respond to the needs of its readers. Your comments and suggestions are welcome; please send them, by post or email, to The Editor, WIPO Magazine, at the address on the back cover.*

*In the meantime, we hope you enjoy this new version of the WIPO Magazine.*

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Geneva, April 2001

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April 26 is World Intellectual Property Day.  
Visit [www.wipo.int/world-ipday](http://www.wipo.int/world-ipday)



### WIPO'S MISSION STATEMENT

*To promote through international cooperation the creation, dissemination, use and protection of works of the human spirit for the economic, cultural and social progress of all mankind.*

# INTELLECTUAL PROPERTY ASPECTS OF ccTLDs

Administrators of country-code top level domains (ccTLDs) and intellectual property experts discussed the need to step up measures to curb cybersquatting in ccTLDs at a WIPO conference on intellectual property questions relating to ccTLDs on February 20 in Geneva. The problem of cybersquatting – abusive registration of domain names – has until now been most prevalent in

PHOTO: ANDREW HARRIS



WIPO Assistant Director General Francis Gurry.

generic top-level domains (gTLDs) such as .com or .org, but is becoming more common with ccTLDs, of which there are some 240. A ccTLD bears the two-letter code corresponding to the name of the country or territory which it represents, for example BR for Brazil or CA for Canada.

The conference brought together some 500 representatives from government, ccTLD administrations, and other professional and business circles. Representatives from 66 ccTLDs attended the event, which also marked the publication of a set of draft guidelines to assist administrators in the management of intellectual property aspects in their domains. These WIPO Best Practices for Prevention and Resolution of Intellectual Property Disputes in ccTLDs will remain open for public comment until April 30.

The one-day conference explored the many different business models that characterize ccTLDs across the globe, many of which are run as private companies. The types of models range from closed domains, such as .SE in Sweden in which only Swedish citizens or companies may register a domain name, to .TV, a fully commercialized domain marketed for television or streaming media on the internet, leased to .TV Corporation by the government of Tuvalu.

"I think people were surprised to see the diversity of business models that exist for ccTLDs," said WIPO Assistant Director General Francis Gurry. "We have no position about the business model used to run a ccTLD. What we are interested in

is that there is an efficient means of dealing with cybersquatting in them."

## Liberalization and Internationalization of the System

The fact that many ccTLDs are considering liberalization of their registration conditions by allowing foreigners to register in their domains underlines the importance of establishing effective measures to curb abusive domain name registrations in ccTLDs. Under such circumstances, an internationally harmonized dispute resolution procedure becomes immediately attractive. This is particularly important because the number of domain names registered in the ccTLDs is growing at a rapid pace.

ICANN's Uniform Dispute Resolution Policy (UDRP), under which WIPO is an accredited service provider, currently handles cases of cybersquatting in the gTLD space. The WIPO Arbitration and Mediation Center has handled over 2000 domain name cases since the UDRP was launched in December 1999. At present, 18 ccTLD administrators have signed up to the UDRP. One of the main advantages of adopting the UDRP in both ccTLDs and the gTLDs is that if a cybersquatter has registered a domain name in a gTLD as well as in a ccTLD, then it is possible to consolidate a complaint against both registrations in one single case. To date, WIPO has handled four such cases.

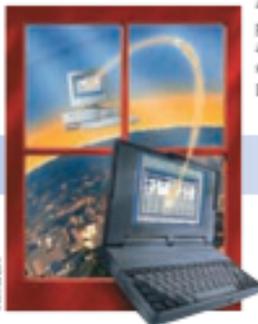


PHOTO: ANDREW HARRIS



The WIPO building

The conference further considered the intellectual property implications of non-roman script domain name registrations as a number of new technologies now exist which make it possible to register domain names in scripts such as Arabic, Chinese, Cyrillic, Japanese, and Korean.

Mr. Garry highlighted that this development had truly internationalized the domain name system. He noted, however, that it would create a new demand for domain names and a new possibility for cybersquatting as the risk of such abuses is magnified by the number of scripts added. "We are informed that the demand for registrations is to be measured in millions rather than hundreds of thousands," said Mr. Garry.

### WIPO Best Practices

The WIPO Best Practices for the Prevention and Resolution of Intellectual Property Disputes (<http://ecommerce.wipo.int/domain/ccTLDs/bestpractices/>) deals with the good administration of a domain from the point of view of intellectual property. The best practices have been formulated on the basis of the Report of the WIPO Internet Domain Name Process issued in April 1999, experience gained in the administration of the UDRP by the WIPO Arbitration and Mediation Center, and the needs identified through discussions with some 44 ccTLD administrators.

The draft guidelines set out minimum standards of intellectual property protection in ccTLDs by outlining a working framework that is sufficiently flexible to accommodate the different business models and circumstances surrounding ccTLDs. They cover three main areas:

- the need to ensure reliable registration contact details;
- the establishment of alternative dispute resolution procedures. In this regard, the UDRP – a proven model, resulting from broad-based consultation – offers a simple and cost-effective solution to the resolution of intellectual property disputes;
- the outline of best practices in relation to contractual matters involving registration agreements.

### The ccTLD Program

Recognizing the growing importance of ccTLDs, member States called upon WIPO last year to look into ways to curb abusive domain name registration and other intellectual property related questions within ccTLDs. Until then, WIPO had only

addressed issues relating to gTLDs. In response to the request from its member States, WIPO has been actively engaged in recent months with ccTLD administrators to develop appropriate intellectual property-related dispute resolution mechanisms and to provide its dispute resolution services to ccTLD administrators. WIPO organized the conference within the framework of this program of activities, known as the WIPO ccTLD Program. ◆

# REGIONAL CONSULTATIONS BEGIN

WIPO is inviting broad public participation at a series of regional consultations during April and May on policy issues aimed at reducing intellectual property-related conflicts in cyberspace. Participation is open to all interested parties at any of the following consultations:

- ▶ Brussels, Belgium, April 23
- ▶ Accra, Ghana, April 26
- ▶ Buenos Aires, Argentina, date to be announced
- ▶ Melbourne, Australia, May 24
- ▶ Valencia, Spain, May 30
- ▶ Washington, D.C., date to be announced

At the request of its member States, WIPO initiated last July the Second WIPO Internet Domain Name Process to study the abuse of certain identifiers in the Internet domain name system. The first such WIPO process (1998-1999) made recommendations targeting the abusive registration of domain names that infringe trademarks or service marks – known as cybersquatting. The second WIPO Process examines the bad faith, abusive, misleading, or unfair use of:

- ▶ personal names;
- ▶ International Nonproprietary Names (INNs) for Pharmaceutical Substances;
- ▶ names of international intergovernmental organizations;
- ▶ geographical indications, indications of source and geographical terms; and
- ▶ trade names.

Results of the regional consultations, along with on-line consultations, will form the basis of recommendations, which WIPO expects to publish in mid-2001. WIPO will also submit a final report to its member States and to the Internet community, including the Internet Corporation for Assigned Names and Numbers (ICANN).

"Many different groups use the addressing system of the Internet and are therefore potentially affected by the WIPO Process," said WIPO Assistant Director General Francis Garry. "We urge the broadest possible participation of those groups, whether public or private, in the consultations."

Participants can attend, free of charge, and join in the open discussions – or elect to give a prepared statement at the meetings. Prepared speakers are asked to register online at <http://wipo2.wipo.int/process2/consultations/register/index.html>.

More information about the second WIPO Process and these regional consultations is available at <http://wipo2.wipo.int>.



# RECORD YEAR FOR TRADEMARKS AND INDUSTRIAL DESIGNS

Record growth in the number of trademarks and designs registered with WIPO in 2000 reflects a greater recognition of the commercial importance of industrial property protection. WIPO registered almost 23,000 new trademarks under the Madrid Agreement and Protocol last year, representing an increase of 15 percent over the previous year. As each international registration contained on average 12 designations of the countries in which the registration is to have effect, the figure is equivalent to over 275,000 national trademark applications.

## Trends in Madrid System

The sharp increase in the use of the Madrid system is the result of several factors. First, there is an increasing awareness of the system in those member States that joined the Madrid Union after the Madrid Protocol came into operation in April 1996, such as the Scandinavian countries and the United Kingdom. WIPO expects the trend to continue. Secondly, the geographical coverage of the Madrid system continues to expand, due to increasing membership in the Madrid Union and Madrid Protocol.



The number of new designs protected under the Hague Agreement also set a new record, reaching 21,195, representing a 7.25 percent increase over figures for 1999. Under the Hague System, an applicant may submit up to 100 designs in a single international industrial design deposit. In 2000, the number of international deposits registered under the Hague Agreement rose by 6 percent to reach a total of 4,334. On average, each registration contained five designs and had effect in 11 countries.

The growth in trademark and industrial design registration activity reflects greater awareness of the need for wider protection of trademarks, industrial designs, and other intellectual property assets.

In 2000, nine additional states became bound by the Madrid Protocol, including Greece, Italy, Japan, and Singapore. This brings the membership of the Madrid Union to 67 and the number of states party to the Madrid Protocol to 49. This latter figure is particularly noteworthy considering that the Protocol had only nine member countries when it came into operation less than five years ago. The increased number of member States makes the system even more attractive for users who can now designate these new countries in their international applications.

The largest number of registrations under the Madrid system last year came from users in Germany, France, the Benelux countries, Switzerland, Italy, Austria, Spain, the United Kingdom, Sweden and the Czech Republic.

WIPO also initiated a review of the Madrid system in 2000 to make it more user-friendly and responsive to the needs of users and national administrations. This process will continue in 2001. Efforts to upgrade the use of information technology within the WIPO Trademark and Industrial Designs Registries to generate more efficiency gains also continued in 2000. The trademark registry operates in an automated paperless environment.

### Trends in the Hague system in 2000

The largest users of the Hague System in 2000 in terms of the number of industrial design applications deposited include: Interior's, Swatch, Sony Overseas, Daimler-Chrysler, Koninklĳke Philips Electronics, Salomon, Hermès Sellier, BMW, Koziol Geschenkartikel and Unilever.

The top ten users submitting the largest number of designs include: Escada AG, Mixoglio France SA, Swatch AG, Hermès Sellier, Interior's, Engles Urs, G.A. Automatische Verpackungsmaschinen GmbH, Hoyer Glass GmbH, Sattler GmbH, Printex S.p.a. and Tenax-Handels AG.

Increased use of the Hague system both in terms of the number of international deposits registered and the record number of designs is a reflection of the importance of this intel-

lectual property resource to businesses operating in a competitive commercial environment. Designs are valuable intellectual property resources, involving significant investment, which often determine the success of one product over a comparable one.

The international protection offered under the Hague Agreement is a cost-effective and user-friendly means by which creators may protect their industrial designs against unlawful imitation in any of the countries that adhere to the Agreement by filing a single application. A main advantage of the system is that users may include up to 100 designs in each international application, thereby keeping the average cost of protection per design low. Without the system, a designer would have to file separate applications in each country because industrial design protection is generally limited to the territory of the country where protection is sought and granted.



# VISITS

## Talks Held with Spanish Government Officials

WIPO Director General Dr. Kazuo Idris held an intensive round of talks with Spanish government officials in Madrid on January 30. Dr. Idris met with senior officials from the Ministry of Foreign Affairs, the Ministry for Education, Culture, and Sports, the Ministry for Science and Technology, the Spanish Patent and Trademark Office and the Ministry for Agriculture, Fishing, and Food.

Dr. Idris praised efforts by the Spanish Patent and Trademark Office (SPTO) to provide practical training programs for intellectual property professionals from Spanish-speaking countries responsible for patent application procedures. The SPTO is undertaking an initiative to fund the participation of patent examiners from Spanish-speaking Latin American countries in its on-the-job training programs. The SPTO project aims to promote use in Latin America of the WIPO international patent registration system – the Patent Cooperation Treaty (PCT). To this end, on-the-job training will focus on PCT procedures such as international search and receiving office functions, as well as the role of designated and elected offices.

The Director General welcomed this initiative designed to reinforce the human resource capacities of all Spanish-speaking countries and to encourage greater use of the international intellectual property system in Latin America.

Senior SPTO officials also announced plans to strengthen the position of the Spanish office to become a focal point in promoting technology transfer to the Latin American region. The SPTO will consolidate its position as a PCT International Search Authority in

order to become a PCT International Preliminary Examination Authority (IPEA) serving all Spanish-speaking countries by 2004. This initiative is in harmony with the project, outlined above, to foster training and participation of Latin American patent examiners in the PCT-related activities of the SPTO. The expected result is greater use of the PCT system by Latin American countries.

At the Ministry of Education, Culture, and Sports, officials underlined the commitment of the Spanish government to support WIPO's ongoing efforts to ensure entry into force of the WIPO Copyright Treaty (WCT) and the WIPO Phonograms and Performances Treaty (WPPT). Thirty countries need to ratify the two treaties, which set out minimum standards of copyright protection in cyberspace, before they become effective. At present, 21 countries have ratified the WCT and 18 countries the WPPT. Officials also voiced support for the Organization's efforts to work towards the successful adoption of an international instrument concerning the Protection of Audiovisual Performances.

### Meeting with SECIB

Dr. Idris also met with Ambassador Jorgo Alberto Luzoya, Secretary of the Secretariat for Ibero-American Cooperation (SECIB) to discuss WIPO-SECIB cooperation. In particular, Ambassador Luzoya outlined SECIB's plans to promote greater understanding of the role and importance of intellectual property among its members through the organization of workshops and seminars. These issues are also to be discussed at the next Summit of Heads of State and Government of SECIB members in Peru in early 2002.

WIPO and SECIB signed a cooperation agreement in November 2000 to enhance policy dialogue and foster closer collaboration in the field of



information exchange and technical cooperation. SECIB was created in 1999 during the IX Ibero-American Summit in Havana, to strengthen cooperation between its member countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Spain, Uruguay and Venezuela. SECIB has observer status within WIPO.

### Agreement with SGAE

The Director General's visit to Madrid was also marked by the signing of a cooperation agreement between WIPO and the Spanish Publishers' Society (SGAE) to foster the development of collective management societies in Latin America.



## Kyrgyzstan's President Discusses IP Promotion

At a meeting in Bishkek on February 21, President Askar Akaev of Kyrgyzstan and WIPO Director General Dr. Karim Idris discussed



Dr. Idris and President Akaev

the importance of intellectual property to the country's economic and cultural well-being.

Dr. Idris welcomed the President's personal commitment to promoting intellectual property and innovation in Kyrgyzstan. "I am here personally to support your vision and your efforts to strengthen the intellectual property system in Kyrgyzstan," Dr. Idris said. "It is a double pleasure for me because you are also a promoter of science and technology and an inventor." In recognition of these efforts, Dr. Idris presented President Akaev with a WIPO gold medal for his achievement as an inventor and for his substantive contribution to the establishment and development of the intellectual property system in Kyrgyzstan.

The Director General applauded President Akaev's initiative to merge the portfolios of the government authorities that deal with both science and intellectual property. "This is a marriage of intelligence and not a marriage of convenience," Dr. Idris commented. He stressed that by strengthening the intellectual property system, Kyrgyzstan would be better positioned to attract foreign direct investment and facilitate the transfer, development, and adaptation of technology. The Director General noted that Kyrgyzstan's greatest asset is its human capital and observed that the intellectual property system helps convert this into tangible commercial results.

President Akaev, noting the country's limited natural resources, agreed that intellectual property is at the heart of human capital. The President and Dr. Idris discussed new areas of relevance to intellectual property, namely traditional knowledge, genetic resources, and folklore. These issues are of direct relevance to Kyrgyzstan, which boasts a rich cultural heritage.

President Akaev accepted an invitation by Dr. Idris to become a member of the WIPO Policy Advisory Commission (PAC). The PAC, composed of eminent personalities from the fields of politics, diplomacy, law, and public administration, is mandated to enhance WIPO's strategic capacity to monitor and respond in a timely, informed, and effective manner to international developments in intellectual property.

During his two-day visit to Kyrgyzstan, the Director General also met with the First Vice Prime Minister, Mr. Nicolay Tanaev, with whom he signed a cooperation agreement. The agreement outlines a framework for WIPO's future cooperation with Kyrgyzstan in the field of intellectual property.

The Director General also visited the State Agency for Science and Intellectual Property and met with its Director, Dr. Roman Omurov, and other staff members who expressed their gratitude to WIPO for having donated computer equipment - both hardware and software. This has allowed the Agency to computerize its activities and increase efficiency.

The National University - where Dr. Idris addressed students and academics to highlight the importance of intellectual property in today's knowledge-driven societies - conferred an honorary professorship upon the Director General. The University also made a request for support from WIPO's Worldwide Academy to establish a distance learning program in intellectual property.

The Director General concluded his official visit to Kyrgyzstan with a meeting at the National Academy of Sciences, where he exchanged views with leading scientists about the importance of intellectual property in promoting innovation and invention.



## Cooperation Agreement Signed with Kazakhstan

WIPO Director General Dr. Kamil Idris and the Minister of Justice of Kazakhstan, Mr. Igor Rogov, signed a cooperation agreement on February 22 in Almaty. Prime Minister Kasymzhanom K. Tokaev and other senior officials witnessed the signing. The agreement outlines a framework for WIPO's future cooperation with Kazakhstan in the field of intellectual property.

The Kazakh officials affirmed their commitment to promoting intellectual property in their country. To this end, they expressed hope that relations with WIPO would continue to strengthen in the future. The Prime Minister said Kazakhstan is committed to furthering the cause of intellectual property. He expressed particular interest in WIPO's work relating to small- and medium-sized enterprises (SMEs). Noting that 1.5 million Kazakhs are involved in over 500,000 SMEs in the country, Prime Minister Tokaev suggested that Kazakhstan could serve as a location for a pilot project relating to SMEs.

The Director General welcomed the Prime Minister's interest in WIPO's new areas of activities, including electronic commerce, traditional knowledge, genetic resources, and folklore, in addition to SMEs. He said WIPO is looking forward to future collaboration with Kazakhstan in what he described as a "new chapter" in intellectual property, which builds on its conventional aspects, namely industrial property and copyright.

Work relating to both copyright and industrial property in Kazakhstan is under the authority of the Minister of Justice, so Mr. Rogov informed



The Kazakh Minister of Justice, Mr. Igor Rogov



Dr. Idris and Prime Minister Tokaev

the Director General about reforms within the government that have a direct bearing on structures dealing with intellectual property. Mr. Rogov said Kazakhstan is counting on WIPO's support to further develop its intellectual property structures. Dr. Idris assured the Minister of WIPO's continued support.

The meeting with Mr. Rogov also included the Acting Director of the Patent Agency, Mr. Tolech Kaadyrov and the Acting Director of the Copyright Office, Mr. Sultan Orszalimov.



## New Costa Rican IP Legislation

WIPO Director General Dr. Kamel Idris welcomed the adoption by the Costa Rican Legislative Assembly of eight legislative texts relating to intellectual property – covering both industrial property and copyright. The Secretary of the Commission on Intellectual Property, of the Legislative Assembly of the Republic of Costa Rica, Mr. Frantz Acosta Polonio, handed a compilation of these texts to the Director General at a meeting on February 19 in Geneva. Ambassador Nora Ruiz de Argalio, Permanent Representative of Costa Rica to the United Nations in Geneva, accompanied Mr. Acosta on his visit to WIPO.



The Costa Rican delegation at WIPO.

### The approved legislation includes:

- ▶ Law on enforcement procedures of intellectual property rights, approved on October 5, 2000;
- ▶ Law on undisclosed information, approved on December 22, 1999;
- ▶ Law on the protection of layout designs of integrated circuits, approved on November 30, 1999;
- ▶ Law on trademarks and other distinctive signs, approved on December 22, 1999;
- ▶ Amendments to the Law on copyright and neighboring rights (No. 6683), to the Law on patents, industrial designs and utility models (No.6867), and to the Code on Civil Law Procedures (No.7130) approved on December 22, 1999;
- ▶ Approval of the WIPO Performance and Phonograph Treaty on December 16, 1999;
- ▶ Approval of the WIPO Copyright Treaty on December 16, 1999;
- ▶ Approval of the PCT on September 24, 1998.

The Director General said these moves by the legislative assembly signaled Costa Rica's commitment to creating a robust intellectual property infrastructure which would foster creativity and innovation, and wealth and job creation.

Dr. Idris and Mr. Acosta.



# INTERNATIONAL LOGO COMPETITION

WIPO has launched an international competition to find a new logo that will better represent the image of WIPO as "an Organization for the future" following a decision taken by its member States last October to update the existing logo, which is 30 years old.

The competition is open to graphic designers in any of WIPO's 176 member States. A copy of the rules for the competition – drawn up with technical assistance from SGD Swiss Graphic Designers Association – is available at <http://www.wipo.int/news/en/logo/index.htm>.

WIPO will award prizes to the three best designs. The first prize winner will receive 25,000 Swiss Francs (CHF), the second 15,000 CHF and the third 10,000 CHF. Designs must reach WIPO by May 31 at 17:00 (CET) at the latest.

At their annual meeting last year, member States decided that the new logo should be a powerful symbol of the recent transformation and revitalization of the Organization. It must embody and project an organization that is dynamic, innovative, and future-oriented. The new emblem should be simple, memorable and distinctive, as well as suitable for use in print and in other media.

Before embarking on their work, participants should obtain the necessary documentation and information on the Organization either electronically at [www.wipo.int/publications](http://www.wipo.int/publications) or at the address on the back page of this magazine. The role and the activities of WIPO are described in the Annual Report and in the various publications issued by the Organization.

An international jury composed of representatives from WIPO member States as well as WIPO staff members will select the winning designs.



# FOCUS: Updating Morocco's Intellectual Property System

The intellectual property system of the Kingdom of Morocco is considered by many to be one of the strongest and most efficient in the Arab region. To help keep it up to date – and to meet the rapid changes taking place worldwide in the intellectual property arena – WIPO in 1996 began a three-year project to help reinforce and modernize the country's intellectual property institutions.

As one of the first countries to adhere to the Berne Convention for the Protection of Literary and Artistic

strong intellectual property institutions in sustained economic development, the Moroccan government has consistently set priorities for keeping its intellectual property system up to date. A previous project, conducted from 1990 to 1995, focussed on modernizing and expanding efficiency in the Moroccan Industrial and Commercial Property Office (OMPIC) to meet the demands of more commercial development, obligations under the Agreement On Trade-Related Aspects of Intellectual Property Rights (TRIPS), and to provide better service to users, especially small and medium-sized enterprises.

## Industrial Property & Copyright Legislation

In 1989 Morocco, which was soon to adhere to both the Patent Cooperation Treaty (PCT) and the Madrid Protocol, needed further assistance in modernizing its legislation. It also required qualified administrative staff and modern technological tools to provide reliable and easy access to intellectual property information. To meet these needs, WIPO and Morocco created a project aimed at improving and developing the services provided to users of the intellectual property system, promoting their innovation and competitiveness, and developing new legislation to respond to new areas of commercial growth in Morocco and changes in the global intellectual property arena.

The nationally focussed action plan for Morocco has the following goals:

- To provide OMPIC with the best, most reliable means of linking the 28 regional administrative centers with the central office in Casablanca using modern computer and telecommunication technology.
- To assist the Moroccan Copyright Office (BMDA) to develop human resources and the appropriate technological tools for the administration of copyright and related rights.
- To promote research and development in the Moroccan university system and to train university educators in international law and practice in order to build a center for intellectual property consultation and education.
- To update and modernize the intellectual property legislation in Morocco.

## Results of the Program

Today, three years after the start of the program, the 28 Moroccan registration centers are all linked on-line for trademark registration and search. OMPIC installed the *Système d'Information de la Propriété Industrielle et Commerciale* (SIPIC) to improve and modernize the



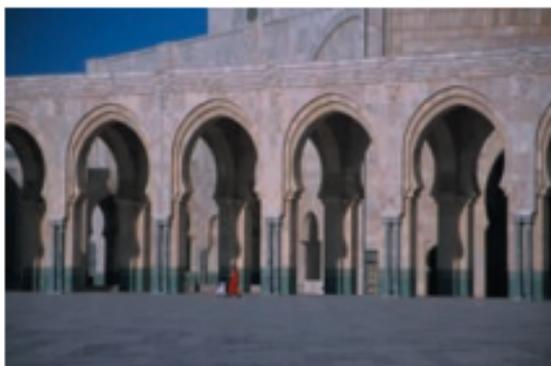
Works in 1889, Morocco has a long history in the promotion and protection of intellectual property. Well aware of the crucial importance of



Moroccan intellectual property system in 1998. SIPIC has allowed OMPIC to computerize its activities and to manage the intellectual property rights more efficiently and rapidly. OMPIC can now perform on-line searches, not only in the trade marks registry, but also in the registry of company names, eliminating potential conflict in the registration of marks. SIPIC also provides BMDA with an electronic archiving system for trademarks.

The intellectual property legislation has also been updated to conform to the PCT and the Madrid and Hague Systems. Having revised their intellectual property legislation, Moroccan legislation is undergoing review under the TRIPS Agreement at the World Trade Organization (WTO) in mid-2001. The intellectual property office is now also functioning as a training center for French-speaking African countries and the Arab Region and has, so far, trained some 100 individuals.

To help Morocco achieve these goals, WIPO has held 11 meetings and 13 expert missions in Morocco since 1998 and organized 11 study visits to WIPO and other organizations for Moroccan representatives. WIPO provided technical assistance for Moroccan legal experts in the modernization of the legal framework to update laws in order to meet international standards in both copyright and industrial property. The assistance and cooperation has allowed OMPIC staff to improve the quality of the services it provides to the users of the intellectual property system.



In developing SIPIC, WIPO and Moroccan officials aimed to develop a software package suitable to BMDA's needs that could be adapted to the needs of other offices for future projects. WIPO also contributed the hardware and trained staff to use SIPIC in the main OMPIC office and the 28 regional centers.

#### Future Development

The work carried out is showing results, such as a steadily growing number of trademark registrations in Morocco. As the Moroccan office modernizes and grows, cooperation with WIPO will continue. The office already has a project under way to provide an archiving system similar to that of the trademarks for patents. WIPO is also continuing to strengthen human resources in Morocco by staff development and training – OMPIC aims to serve as a regional training center and provide practical short-term training for university students.

Aware of the importance of sharing knowledge and experience with other offices, OMPIC plans to develop its Internet site in order to play a role in the promotion and diffusion of intellectual property knowledge in the Arab Region. The office also plans to give Internet users on-line access to search for bibliographic data. OMPIC has also expressed interest in the new and emerging issues in intellectual property such as electronic commerce, domain names, geographic indications, and traditional knowledge and folklore.



## ROVING SEMINARS

### Indonesia Collective Management - Musical Works

WIPO held national roving seminars on collective management of copyright and related rights in musical works in three Indonesian cities - Medan, Surabaya, and Makassar - from February 5 to 9. The seminars' objectives were to raise awareness of the importance of copyright protection, with special attention to collective management of such rights in the field of music, and to provide practical information on how collective management systems function.

The panelists at the Indonesian seminars.



WIPO co-organized the seminars within the framework of the Japan Copyright Fund-in-Trust 2000-2001, and in the context of the expansion of the activities of the Indonesian authors' society, Yayasan Karya Cipta Indonesia (KCI), outside the capital Jakarta.

Two different groups of audiences attended the two sessions, one aimed at law enforcement authorities - police officials, prosecutors, judges, and officials of the special civil forces - and the other aimed at users of protected copyright works, such as broadcasting organizations, owners of establishments such as shops, restaurants and hotels which disseminate works, as well as concert promoters. Many authors, composers, and performers also attended the sessions to gather information on their rights and on the units that KCI plans to open in Surabaya and Makassar. Overall attendance reached over 500.

WIPO invited a representative from the Asia-Pacific Office of the International Confederation of Societies of Authors and Composers (CISAC) and from the Japanese Society for Rights of Authors, Composers, and Publishers (JASRAC) to share their experience in this field. KCI Chairman Mr. Rinto Harahap and Secretary General Mr. Candia Darusman also participated.

## PCT in South Africa



Mr. Jozzo Barntz, WIPO, and Mrs. Cecilia Potlone, SAPIO.

An increase in patent applications in developing countries - last year patent applications using the Patent Cooperation Treaty (PCT) system grew by 80 percent in such countries - is a sign of increasing economic development. South Africa, with 386 international applications filed, had the third highest number of applications from a developing country, and was the leading PCT user in Africa. This is a result not only of increasing economic activity but also from the increasing number of PCT-related awareness building seminars and training programs conducted by WIPO. Two such seminars were held earlier this year in South Africa, one in Durban the other in Pretoria.

The two-day presentations covered all PCT procedures. Representatives of the South African Patents and Trademarks Office (SAPTO) also highlighted their experience as receiving office and a designated and elected office of the PCT. Mr. Lance

## Promoting Intellectual Property in Sudan

Abrahamson, Patent Attorney, Spoor & Fisher (Pretoria), recommended the PCT as an ideal and inexpensive route for seeking patent protection internationally. Discussions centered essentially on how to use the advantages of the PCT system for the benefit of inventors and patent applicants.

The seminar in Pretoria drew some 50 participants, mainly patent attorneys. The 30 participants in Durban, predominantly from universities, were attending the PCT seminar for the first time and frequently sought explanation of basic issues concerning patent protection and general industrial property matters. Both groups found the seminars informative, however the group of university representatives expressed the desire for a similar PCT seminar more specifically for their needs as potential inventors and innovators.

The participants also recommended that WIPO publish the list of the PCT member States that provide provisional protection for international applications after their international publication. WIPO is considering publishing this list in the monthly PCT Newsletter.

A WIPO mission to Sudan from February 18 to 25 carried a twofold purpose – to assist the local authorities in drafting a new copyright law and to conduct a workshop for lawyers on intellectual property rights.

### Legislative Assistance

Several meetings were held with the legislative drafting committee set up by the Sudanese authorities. The meetings reviewed the current copyright law and discussed the modifications that would be necessary in order for Sudan to comply with international treaty obligations and bring the legislation up to date. The aim is to bring the legislation in line with the Berne Convention, the TRIPS Agreement, the WIPO Copyright Treaty (WCT), and the WIPO Performances and Phonograms Treaty (WPPT).

In parallel with the drafting activities, the Ministry of Culture and Information organized a presentation by WIPO officials, attended by some 80 people, on the Berne Convention and what Sudan's adhesion to it would mean. They also organized an informal meeting with the Sudanese Association of Film and Sound Recording Producers, who put forth their concerns in light of possible revision of the Copyright Act. For the same purpose, a second informal meeting took place with a group of prominent poets and artists at the request of Mr. Ali El Mahdi, Secretary General of the General Association of Arab Artists.

### Seminar for Lawyers

In cooperation with the Commercial Registrar General and the Sudan Lawyers Union, WIPO organized a

seminar on the importance of intellectual property to economic development in Khartoum on February 24 and 25. Some 100 lawyers participated in the conference, which dealt mainly with intellectual property in the framework of international conventions and treaties, basic principles of protection in Sudanese laws, and WIPO's cooperation for development programs in the Arab countries and least developed countries.



Meeting participants in Sudan.

At the end of the seminar, participants made many recommendations regarding WIPO's involvement with the private sector in Sudan, in terms of training, as well as in reinforcing the capabilities of universities in the intellectual property field. They suggested that intellectual property be included in university curricula and that WIPO provide basic training on the international intellectual property systems and new intellectual property legislation in their country. Participants also recommended that WIPO continue its activities to non-governmental organizations such as inventors' associations, patent and trademark agents, and artists' and lawyers' unions.

# STRENGTHENING THE CARIBBEAN MUSIC SECTOR

An ongoing project at WIPO to promote the Caribbean music industry brings together key issues of importance to the Organization: the demystification of intellectual property, the strengthening of the intellectual property infrastructure, the encouragement and support of creativity, and the support of small and medium-size enterprises in developing countries.



The joint United Nations Conference on Trade and Development (UNCTAD)-WIPO Caribbean Music Industry Project provides assistance to Cuba, Jamaica, and Trinidad and Tobago to convert their creative assets into tangible economic benefits, through the use of a strong intellectual property system. In providing this technical assistance, the Organization seeks to demonstrate and promote understanding of the link between the intellectual property system and investment, development, and human resource development.

Both UNCTAD and WIPO have standing mandates to assist developing countries in their various initiatives to design and apply policies to help accelerate the process of development through international trade. In this context, in January 2000, the two organizations agreed to co-sponsor a project for the development of the Caribbean music sector in Cuba, Jamaica, and Trinidad and Tobago. The initiative was a response to requests from the governments of these countries. The new project went hand in hand with an ongoing WIPO project to develop the collective management of copyright and related rights in the Caribbean region (WIPO Magazine June, 2000).

Exploiting competitive advantages to develop new trading opportunities helps developing countries benefit from globalization. Activities that bring such competitive advantage often rely heavily on the effective use of the intellectual property system. The growing music industry, in particular, offers important new opportunities in which developing countries can have a specific advantage, in view of the industry's growing reliance on local music, culture and knowledge. Appropriate support to the music industry in the Caribbean, backed by a well-designed copyright system, can make a substantial contribution to national and regional development in a relatively short period of time.

The project focuses on the following activities to assist in the development of the recording and music sector in the Caribbean:

- strengthening the copyright and related rights' laws as well as of related institutions such as collective management institutions and capacity-building by training in entrepreneurship,
- provision of common business services,
- facilitation of access to finance and to new technologies,
- improving the decision-making process,
- investment and marketing assistance.

Intensive discussions and consultations in the region revealed that many leading industry participants and host government authorities are dissatisfied with the current earning levels of the music industry. The three Caribbean governments and other stakeholders have taken firm policy decisions to give priority status to the music industry and to implement decisions to make the music sector one of the pillars of national and regional industrial and export policy.

The lack of adequate data about the nature and role of the music industry in the domestic and international economy has hampered attempts by Caribbean countries to design and implement adequate economic

policies for the music sector. There is little information about the pricing of most professional services provided by musicians or the distribution of revenues from a recording between the various contributors. Mistrust often persuades the different interests in the private sector, especially between the musicians and the business community. Government agencies are often constrained in devising meaningful policies and measures, as most of the necessary data is in private hands.

### Strategic plan

In the development of this project, the general strategy of UNCTAD and WIPO is:

- ▶ to serve as facilitators of dialogue between all local constituencies;
- ▶ to offer policy support to the governments;
- ▶ to share information obtained by their ongoing research around the world; and
- ▶ to create focal points around which countries in the Caribbean region can develop networks to stimulate the music industry.

In preliminary case studies, a three-member team, comprised of WIPO and UNCTAD staff members and an international music industry specialist, visited Brazil, India, and Ireland to collect information on best practices in the highly successful music industries of those countries. The information gathered will be shared with the Caribbean countries.



Two three-member teams of national consultants are presently collecting and analyzing the available information and data about the music industry in Jamaica and Trinidad and Tobago. UNCTAD, WIPO, and an international consultant are supervising the work of the national teams. In addition, a national steering committee in the respective countries is providing guidance and support.

In Cuba, government agencies are collecting the data themselves. An international marketing expert will use the collected data for the preparation of a report on the music sector, laying the groundwork for market-oriented strategic planning.

The project activities are aimed at strengthening the participatory mechanisms of the countries involved and provide a firm base for sound policy choices and implementation. The results of the national studies, which will be available by mid-2001, will be available for policy formulation by the following:

- ▶ Government and other stakeholders in each country.
- ▶ UNCTAD, WIPO and other regional and international agencies, and multilateral agencies such as the Caribbean Community (CARICOM).
- ▶ Other member states of both WIPO and UNCTAD, especially in other developing countries and least developed countries, and other institutions and agencies, such as the European Union and the World Bank.



## INTERNET AU SUD

WIPO recently began distributing to universities a CD-ROM entitled *Internet au Sud*, a teaching tool containing information on the different aspects of building the Internet infrastructure. Developed by the United Nations Institute for Training and Research (UNITAR), the CD is aimed specifically at French-speaking developing countries.

The Internet is fast becoming a preferred means of communication today.

However, the digital age threatens to create a divide between countries that have the financial means, infrastructure, and knowledge necessary for Internet development and those that do not. UNITAR, with the cooperation of WIPO and various other international organizations, developed the *Internet au Sud* CD to help fill this gap. The CD contains a library of information on how to build networks, develop applications and search for information and documentation on the network, as well as details on copyright on the Internet and the economic, political, and social ramifications of the global network.

Legislative texts and information on conventions administered by WIPO that pertain to the Internet are also published on the CD, which the Organization will continue to distribute.

## CALENDAR of meetings

### APRIL 25 TO 27

GENEVA

Program and Budget Committee  
(Third session)

The Committee will consider and discuss proposals with regard to WIPO's Program and Budget for the 2002-2003 biennium.

Invitations: As members, the States members of the Program and Budget Committee, as observers, all Member States of WIPO which are not members of the Committee.

### APRIL 30 TO MAY 3

GENEVA

Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (First session)

The First Session of this Intergovernmental Committee Meeting is to provide a forum in which Member States can discuss three primary themes: intellectual property issues that arise in the context of (i) access to genetic resources and benefit-sharing; (ii) protection of traditional knowledge, whether or not associated with those resources; and (iii) the protection of expressions of folklore.

Invitations: State members of WIPO, and as observers, certain organizations.



**MAY 7 TO 11**

GENEVA

Standing Committee on Copyright and Related Rights (SCPR) (Sixth session)

The Committee will continue its work based on the results of its last session (April 11, 12 and 14, 2000) in particular, on matters concerning the protection of rights of broadcasting organizations.

Invitations: As members, the States members of WIPO and/or of the Berne Union, and the European Community; as observers, other States and certain organizations.

**MAY 14 TO 19**

GENEVA

Standing Committee on the Law of Patents (Fifth session)

The Committee will continue its work on further harmonization and other issues relating to patent law.

Invitations: As members, the States members of WIPO and/or of the Paris Union; as observers, other States and certain organizations.

**MAY 21 TO 25**

GENEVA

PCT Reform Meeting

The meeting will consider proposals for a reform of the Patent Cooperation Treaty (PCT) system.

Invitations: As members, the States members of the PCT Union and the International Searching and Preliminary Examining Authorities; as observers, the States members of the Paris Union that are not members of the PCT Union and certain organizations.

**MAY 31 AND JUNE 1**

GENEVA

Extraordinary Session of the WIPO Coordination Committee

The WIPO Coordination Committee will meet, in extraordinary session, to consider the appointment of senior officials.

Invitations: As members, the States members of the WIPO Coordination Committee; as observers, States members of WIPO and not members of the WIPO Coordination Committee.

**JUNE 11 TO 15**

GENEVA

Working Group on the Modification of the Common Regulations Under the Madrid Agreement and Protocol (Second session)

The Working Group will be presented with proposals for the modification of the Common Regulations Under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement, drawn up in light of the discussions that took place at the first session of the Working Group, with a view to those modifications being submitted for adoption by the Assembly of the Madrid Union at its next session.

Invitations: As members, the States members of the Madrid Union; as observers, the States members of the Paris Union that are not members of the Madrid Union, and certain organizations.

**JUNE 18 TO 21**

GENEVA

Working Group on Constitutional Reform (Fourth session)

The Working Group will continue its work based on the results of its third session (March 6 to 9, 2001).

Invitations: States members of WIPO and of the Paris and Berne Unions.

**JUNE 25 TO 29**

GENEVA

Advisory Committee on Enforcement of Industrial Property Rights (ACEIP) (Second session)

The Advisory Committee will review the work initiated subsequent to its first session, address certain issues which were raised but not discussed at its first session, and plan its long-term future work.

Invitations: As members, the States members of WIPO and/or of the Paris Union; as observers, other States and certain organizations.

**SEPTEMBER 10 TO 14**

GENEVA

Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) (Seventh session)

The Committee will continue its work based on the results of its sixth session.

Invitations: As members, the States members of WIPO and/or of the Paris Union; as observers, other States and certain organizations.



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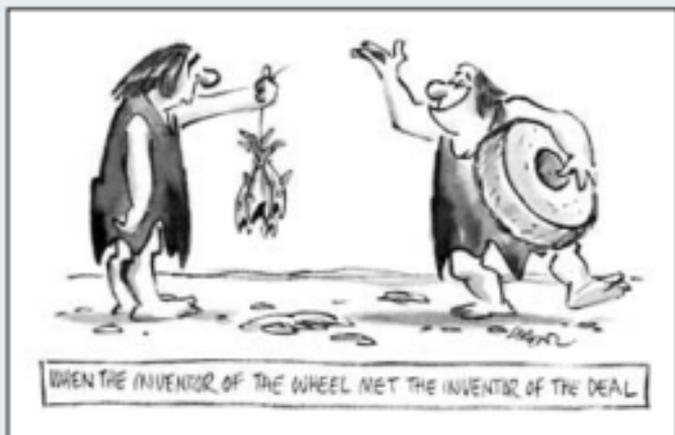
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