

Assemblies of the Member States of WIPO

Forty-Eighth Series of Meetings Geneva, September 20 to 29, 2010

ADMISSION OF OBSERVERS

Memorandum of the Director General

- I. ADMISSION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS
 1. At their previous sessions, the Assemblies of the Member States of WIPO (Assemblies) adopted a set of principles to be applied in extending invitations to international non-governmental organizations (NGOs) to attend the meetings of the Assemblies concerned as observers (documents AB/X/32, paragraph 17, and AB/X/17, Annex V; documents BP/A/I/2 and 5, paragraph 5; documents V/A/I/1, paragraphs 25 to 29, and V/A/I/2, paragraph 7).
 2. The international NGOs admitted to attend the meetings of the Assemblies as observers, and which have been invited to attend the Forty-Eighth series of meetings of the Assemblies and the Unions administered by WIPO, are listed in Annex I to document A/48/INF/1.
 3. Once an international NGO is admitted to attend the meetings of the Assemblies as an observer, it is also invited to attend meetings of committees, working groups, or other bodies subsidiary to the Assemblies, as an observer, if their subject matter seems to be of direct interest to that NGO.

4. Since the Forty-Seventh series of meetings of the Assemblies, from September 20 to October 1, 2009, when decisions were last taken concerning the admission of international NGOs to attend the meetings of certain Assemblies as observers (document A/47/8, paragraphs 8 to 13, and document A/45/5, paragraph 151), the Director General has received requests, with the requisite information, from each of the following international NGOs for admission to attend the meetings of the Assemblies as an observer:
- (i) African Agricultural Technology Foundation (AATF)
 - (ii) Digital Europe
 - (iii) International Association of Lawyers (UIA)
 - (iv) Internet Society (ISOC)
 - (v) *Latín Artis*
 - (vi) Motion Picture Association (MPA)
 - (vii) *Organización de Asociaciones y Empresas de Telecomunicaciones para América Latina* (TEPAL)
 - (viii) World Women Inventors & Entrepreneurs Association (WWIEA)
5. A short profile of each of the NGOs mentioned in paragraph 4, above – its objectives, structure and membership – appears in Annex I of this document. It is proposed that, as concerns each of the NGOs mentioned in paragraph 4 above, the Assemblies include the said NGOs in the category of international NGOs.

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

II. ADMISSION OF NATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

7. At the Thirty-Seventh series of meetings, from September 23 to October 1, 2002, the Assemblies, each in so far as it was concerned, agreed to adopt the following proposals as principles applicable in extending invitations to national NGOs, as observers (document A/37/14, paragraph 316):
- (a) The organization shall be essentially concerned with intellectual property matters falling within the competence of WIPO and shall, in the view of the Director General, be able to offer constructive, substantive contributions to the deliberations of the Assemblies of WIPO;
 - (b) The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of WIPO and of the United Nations;
 - (c) The organization shall have an established headquarters. It shall have democratically adopted statutes, adopted in conformity with the legislation of the Member State from which the NGO originates. One copy of the statutes shall be submitted to WIPO;

- (d) The organization shall have authority to speak for its members through its authorized representatives and in accordance with the rules governing observer status; and
 - (e) The admission of national NGOs to observer status shall be the subject of prior consultations between Member States and the Secretariat.
8. Since the Forty-Seventh series of meetings of the Assemblies, from September 22 to October 1, 2009, when decisions were last taken concerning the admission of national NGOs to attend the meetings of certain Assemblies as observers (document A/47/8, paragraphs 14 to 18 and document A/47/16, paragraph 152), the Director General has received requests, with the requisite information, from each of the following national NGOs for admission to attend the meetings of the Assemblies as observers:
- (i) Centre for Internet and Society (CIS)
 - (ii) Chamber of Commerce and Industry of the Russian Federation (CCI RF)
 - (iii) *Coalición por el Acceso Legal a la Cultura A.C. (CALC)*
 - (iv) The European College of Parma Foundation
 - (v) Korea Invention Promotion Association (KIPA)
 - (vi) Korean Women Inventors Association (KWIA)
9. A brief profile of each of the NGOs mentioned in paragraph 8, above – its objectives, structure and membership – appears in Annex II of this document. It is proposed that, as concerns each of the NGOs mentioned in paragraph 8 above, the Assemblies decide in accordance with the principles set out in paragraph 7 above, whether to include the said NGOs in the category of national NGOs.

10. The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 9, above.

[Annexes follow]

PARTICULARS CONCERNING INTERNATIONAL NON-GOVERNMENTAL
ORGANIZATIONS

(on the basis of information received from the said NGOs)

1. African Agricultural Technology Foundation (AATF)

Headquarters: AATF was established on January 23, 2003, in London, England.

Objectives: To facilitate and promote public/private partnerships for the identification, access, development, delivery and utilization of appropriate IP-protected agricultural technologies for use by resource-poor smallholder farmers in Sub-Saharan Africa; to contribute to capacity building in Africa by engaging African national agricultural research organizations in the execution of tasks that contribute to the Foundation's mission; to improve food security in Africa; to develop access by smallholder farmers to existing agricultural technologies that can be adapted to or for their benefit.

Structure: AATF governance and management is undertaken by the Board of Trustees and the main officers consist of the Executive Director, the Chairperson and Vice-Chairperson, and the Secretary.

Membership: It has 11 individual members drawn from academia, public sector organizations, private sector companies, donor agencies and major non-governmental organizations.

2. Digital Europe

Headquarters: Digital Europe was established in 1999 with its main offices located in Brussels, Belgium.

Objectives: Digital Europe combines and represents the interests of the European digital technology industry which includes information technology, communications technology, and consumer electronics sectors. Digital Europe is dedicated to: improving the business environment for the European digital technology industry; promoting the digital technology industry's contribution to economic growth and social progress in the European Union; participating in the development and implementation of European Union (EU) policies by helping European governments and institutions to understand future technology trends and how digital technologies can contribute effectively to sustain economic performance in Europe.

Structure: Digital Europe is governed by the General Assembly (which is comprised of 40 national associations and 58 corporate companies). The Executive Board, which includes the President and the Vice-President, 10 company members and 10 trade association members, oversees the activities and administration of the association. The Director General is responsible for the daily management of the association, including the proper enforcement of its policies and the smooth running of its staff and members.

Membership: Membership includes 60 leading corporations and 40 national trade associations from all the Member States of the EU.

3. International Association of Lawyers (UIA)

Headquarters: The UIA was established in 1927 in Belgium where it still has its main headquarters. The administrative office is located in Paris, France.

Objectives: The UIA's objectives are: to promote basic legal principles, and participate in the development of legal knowledge at an international level; to contribute to the establishment of an international legal order based on principles of human rights and justice among nations; to establish relations and the exchange of information between bars, bar associations, and international law societies.

Structure: The General Assembly is the sovereign body of the UIA. In addition, the President, the Executive Committee and the Governing Board manage and oversee the business and administrative affairs of the UIA.

Membership: Its membership is made up of four different categories: individual practicing lawyers; individual legal professionals, such as university professors, judges and magistrates; bar associations and federations; national and international associations for legal professionals and international lawyers. UIA has more than 200 bar associations and other entities as well as several thousand individual members from over 110 countries.

4. Internet Society (ISOC)

Headquarters: ISOC was founded in December 1992 in Virginia, United States of America. Their principal office is located in Washington, D.C.

Objectives: ISOC was founded to provide leadership in internet related standards, education and policy. Its main objectives are: to facilitate and support the technical evolution of the internet as a research and education infrastructure and to stimulate the involvement of the scientific community, industry, government and others in the evolution of the internet; to educate the scientific community, industry and public at large concerning the technology, use and application of the internet; to promote educational applications of internet technology for the benefit of government universities, industry, and the public at large and to provide a forum for exploration of new internet applications.

Structure: The Board of Trustees governs ISOC and is responsible for all affairs of the organization worldwide. The officers consist of the Chairman, the President, the Treasurer and the Secretary.

Membership: Membership consists of more than 100 organizational and 28,000 individual members. ISOC also has more than 80 chapters around the world. Chapters are established by ISOC members who reside in a particular geographical location or share a specific internet-related interest. ISOC has created five regional bureaus in Africa, Latin America, North America, Asia and Europe.

5. Latín Artis

Headquarters: Latín Artis was created on February 8, 2010, and its headquarters are located in Madrid, Spain.

Objectives: To promote the effective protection and promotion of the intellectual property rights of performers, mainly actors and dancers, in Spain and Latin America; to contribute to the development of international and national norms for the protection of performers in order to reach a more effective protection; to establish a cooperation framework between the members for the distribution of royalties collected on the respective territories; to create an investigation center on the rights of performers aiming at an exchange of knowledge and experience in that field.

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

Membership: The members consist of seven performers' collective management societies in Spain and Latin America.

6. Motion Picture Association (MPA)

Headquarters: MPA was established in June 1945 in Delaware, United States of America (USA), and their principal office is located in California, USA.

Objectives: MPA seeks to promote and represent the common business interests of, and improve business conditions for, those engaged in the motion picture industry in markets outside of the United States, and to serve the needs of the members of the Motion Picture Association of America, Inc. (MPAA) in international markets. In addition, MPA strives to protect the creative rights of the large corporate film makers by fighting against copyright violations and piracy.

Structure: The authority of MPA is vested in the Board. The Board manages and oversees all business and affairs of the corporation. The main officers are the Chairman and the Chief Executive Officer, the President and Vice-President who oversee the operations of the corporation.

Membership: MPA membership consists of seven American motion picture studio companies in the United States. They also have subsidiaries, affiliates and partner organizations from around the world, including Europe, Asia, Australia and North and South America.

7. Organización de Asociaciones y Empresas de Telecomunicaciones para América Latina (TEPAL)

Headquarters: TEPAL was constituted on September 8, 1992, in Panama City, Panama.

Objectives: To represent the common interests of its members through: the exchange of information and services; the encouragement of associations or firms that receive, record or transmit signals or audiovisual materials, to obtain the necessary authorizations from right-holders; and the defense of the freedom of expression and press for all their members and for paid television in general.

Structure: The governing bodies of TEPAL are the Board of Associates with one holder and one alternate representing each member organization, the Board of Directors, and the Permanent General Secretariat. The officers consist of the President, the Vice-President, the Secretary and the Treasurer.

Membership: TEPAL brings together about 27 associations and paying television companies in the American continent and in Spain.

8. World Women Inventors and Entrepreneurs Association (WWIEA)

Headquarters: WWIEA was established in May 2008 in Seoul, Korea where its primary office is located.

Objectives: Among its objectives, WWIEA aims to promote communication and cooperation with individuals, governments and corporations on the importance of invention and the woman inventor in order to close the gender gap through women's economic growth; to gain fair access to the usage of the intellectual property system by women worldwide so that they may compete fairly at the international level.

Structure: The association is governed by the General Assembly and the Executive Committee. The Executive Committee is chaired by the President and includes the Treasurer and the Secretary.

Membership: WWIEA has over 23 members made up of international associations.

[Annex II follows]

PARTICULARS CONCERNING NATIONAL NON-GOVERNMENTAL ORGANIZATIONS
(on the basis of information received from the said organizations)

1. Centre for Internet and Society (CIS)

Headquarters: CIS was established in July 2008 with its principal office in Bangalore, India.

Objectives: CIS is an Indian research and advocacy organization focusing on citizens' rights, public accountability and pluralism on the internet. Their advocacy focuses primarily on areas such as IPR reform, open alternatives, digital governance and accessibility by the disabled. CIS seeks to: represent the interests of citizens and consumers during policy formulation that impacts digital citizenship; become a leading research center representing the perspective of the Global South on emerging issues around internet and society; promote the advancement and usage of the internet among the general public while spreading awareness about unscrupulous practices prevalent on the internet.

Structure: CIS is governed by the Governing Council consisting of the President, Vice-President, Honorary Secretary and Honorary Treasurer. In addition, CIS has an Executive Committee consisting of a Chairman, Vice-Chairman, Secretary and Treasurer. The Executive Committee manages the business and administrative affairs of the organization.

Membership: CIS has seven individual members of Indian nationality. The members bring a diverse list of expertise to the organization, including a computer engineer, lawyer, scientist, researcher, business man and social worker.

2. Chamber of Commerce and Industry of the Russian Federation (CCI RF)

Headquarters: CCI RF was established in 1932 in Moscow, Russian Federation.

Objectives: CCI RF represents the interests of small, medium-size and big business, and its activity ranges over all areas of business, in particular manufacturing, domestic and foreign trade, agriculture, financial system and the services sector. CCI RF seeks to: promote the development of the Russian economy and its integration into the world economic system, and to create favorable conditions stimulating the development of all types of business; promote the intellectual property potential of domestic business; draft proposals for the Government of the Russian Federation on various aspects of intellectual property protection in the Russian Federation; arrange the publication of manuals and promotional booklets for business people on the legal protection and use of intellectual property assets in their companies' business; assist Russian and foreign organizations and entrepreneurs in obtaining patents for their inventions, utility models, and industrial designs protection, as well as in the registration of their trademarks, and in commercializing their industrial property rights.

Structure: The Congress is the highest governing body of the CCI RF, it elects the Board to manage the activity of the CCI RF in the periods between congresses, and the Audit Committee. The officers consist of the President and Vice-Presidents.

Membership: Membership consists of over 170 territorial chambers of commerce and industry, 200 federal-level and over 250 regional-level entrepreneurs' trade associations and similar regional associations representing the key sectors of the Russian economy, over 70 major companies delivering efficient performance in the key leading sectors of the country's economy and about 40, 000 enterprises and organizations in various categories.

3. Coalición por el Acceso Legal a la Cultura A.C. (CALC)

Headquarters: CALC was established on January 27, 2010, in Mexico City, Mexico.

Objectives: To promote coordination among the different sectors of industry and cultural community in Mexico, in order to define a common strategy; to promote the necessary modifications to the national copyright and related rights legislation to regulate and maintain up-to-date intellectual property protection; to raise the awareness of national authorities to the need to adapt the national intellectual property legal framework to technological developments; and to fight against piracy to ensure that creators and any participant in the cultural sector can live out of their activity.

Structure: The main governing bodies are the General Assembly, the Board of Directors and “la Comisión de Honor y Justicia” (Honour and Justice Commission).

Membership: CALC has 29 members consisting mainly of collective management societies, syndicates, national associations and publishers.

4. The European College of Parma Foundation

Headquarters: The foundation was established in Parma, Italy, on July 1, 2004.

Objectives: To support the process of European integration through education and cross-cultural experiences shared by students and academics; to tackle issues relating to IP protection within its academic courses and through meetings and seminars in order to develop this area of law in relation to the European Union institutions; to focus through its education programs on the European and international dimension of intellectual property as well as important related fields such as EU competition and antitrust law, EU internal market law, EU common agricultural policy and EU common trade policy; to build up constructive synergies with experts and researchers dealing with issues relating to IP, as well as to develop itself as a think-tank on how to address IP in relation to European policy issues, especially as for the implementation of a common patent model at the European level; to promote and facilitate constructive and substantive contributions to WIPO on the relations between EU institutions and IP, as well as to be a responsive interface between WIPO and public and private European stakeholders.

Structure: The governing bodies of the Foundation are the Assembly of Members, the Board of Directors, and the Board of Auditors. The officers consist of the President of the Assembly of Members, the President of the Board of Directors, the Managing Director and the Scientific Director.

Membership: The members are made up of 7 founding assembly members, that is, any natural person or legal entities, public or private contributing to the Foundation’s assets as well as supporting members.

5. Korea Invention Promotion Association (KIPA)

Headquarters: KIPA was established in 1973 and was subsequently renamed the Korea Invention Patent Association (KIPA) in 1982 and the Korea Invention Promotion Association (KIPA) in 1994. Its headquarters are located in Seoul, Republic of Korea.

Objectives: To act as the foundation for invention promotion; to assist in the commercialization of patented technology; to provide training and education on intellectual property law; to execute

projects to benefit inventors, thereby helping Korean industries in technological innovation and reinforced international competitiveness as well as contributing to the development of the national economy.

Structure: The governing body consists of the Board of Directors. The officers consist of 5 to 15 directors, including the Chairperson, the President, Directors, Standing Directors, and two Auditors. The Secretariat is established for the management of KIPA and is headed by the President.

Membership: KIPA has 319 members, consisting of legal entities, groups or organizations or natural persons engaged in the field of invention promotion or intellectual property rights.

6. Korea Women Inventors Association (KWIA)

Headquarters: KWIA was established on October 9, 1993 in Seoul, Republic of Korea.

Objectives: KWIA's objectives lie in recognizing the importance of commercializing inventions through the exchange of information between members, and expanding the presence of women inventors in the industrial and economic development of the nation. Additionally, KWIA seeks to raise awareness of the importance of invention in the daily life of women and to promote the public interest.

Structure: Its governance and management is undertaken by the General Assembly and the Board of Directors. The Board of Directors includes the President, who represents the association and serves as a chairperson of the General Assembly. Other Directors on the Board include several Vice-Presidents and Auditors.

Membership: KWIA has about 4,500 members, including individuals as well as enterprises run by women. Membership is divided into special and general classifications. The general category comprises women who hold industrial property rights or have a keen interest in invention. Special members contribute to the development of the association and include corporations that were approved by the Board of Directors.

[End of Annex II and of document]