

Assemblies of the Member States of WIPO

**Fiftieth Series of Meetings
Geneva, October 1 to 9, 2012**

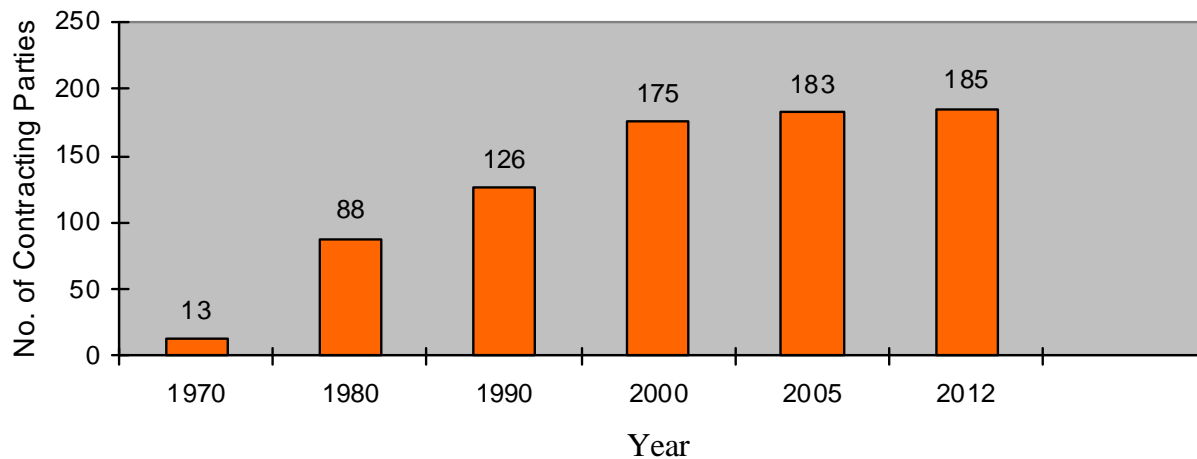
ACCESSIONS TO TREATIES ADMINISTERED BY WIPO
AND CONSTITUTIONAL REFORM MATTERS
STATUS ON SEPTEMBER 21, 2012

Document prepared by the Secretariat

The present document sets out the evolution of membership of treaties administered by the World Intellectual Property Organization (WIPO) from January 1, 1970 to September 21, 2012, as well as an update on constitutional reform matters.

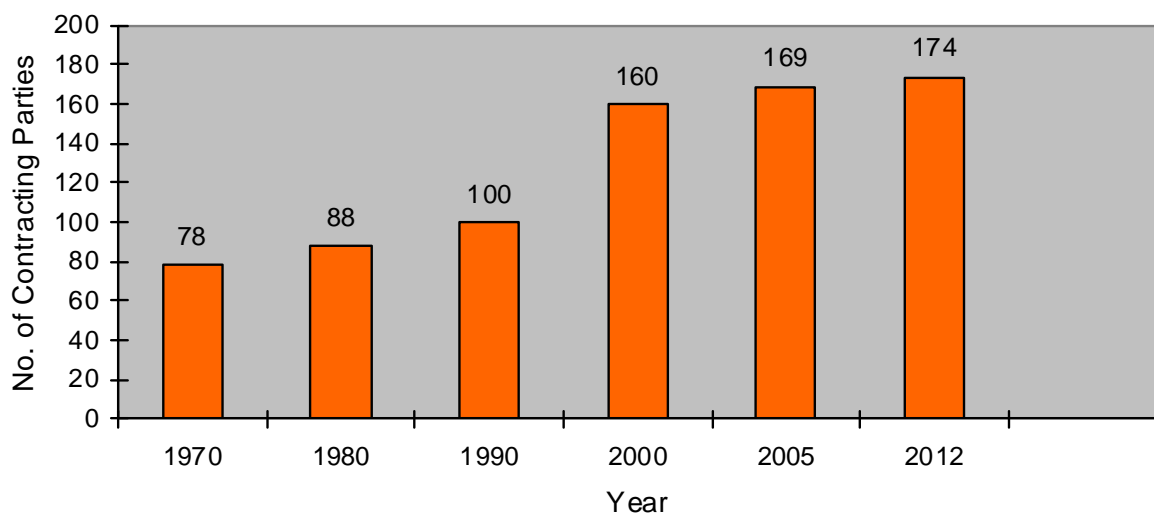
I. PARTIES TO TREATIES ADMINISTERED BY WIPO

1. *Convention Establishing the World Intellectual Property Organization (1967)*



New adherences since September 14, 2005: Montenegro, Vanuatu (2).

2. *Paris Convention for the Protection of Industrial Property (1883)*



New adherences since September 14, 2005: Angola, Brunei Darussalam, Montenegro, Thailand, Yemen (5).

The Paris Convention for the Protection of Industrial Property (the Paris Convention) was revised several times since its conclusion in 1883. It was revised at Brussels (1900), Washington (1911), The Hague (1925), London (1934), Lisbon (1958) and Stockholm (1967).

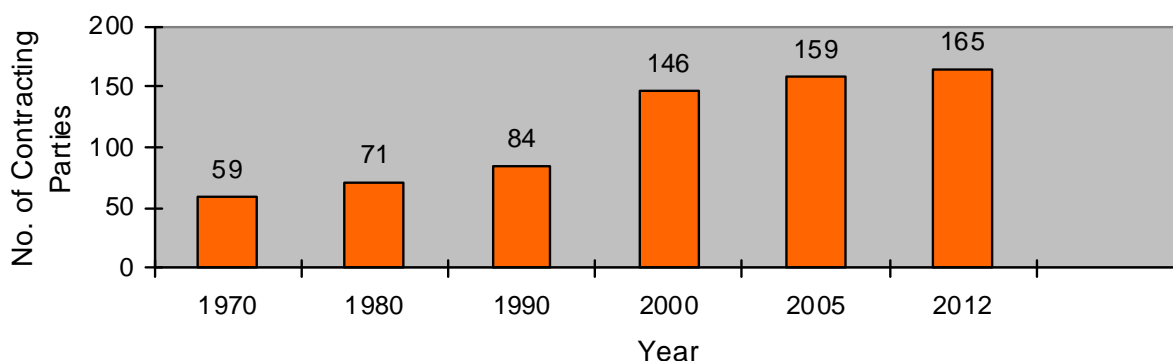
For historical reasons, the Stockholm revision gave the Member States the opportunity to accept only one part of the revision (Articles 1 to 12 which constitute the substantive provisions, or Articles 13 to 30 which correspond to the final and administrative provisions) or accept one part earlier than the other.

Some Member States which have excluded the substantive provisions from their acceptance of the Stockholm Act, are still, to date, bound by the substantive provisions of an earlier Act, which do not reflect the most up-to-date thinking on matters covered by the Convention.

Some other Member States have never acceded to the Stockholm Act, but remain parties to an earlier Act, in respect of the substantive provisions. They are not members of the Assembly of the Paris Union, and thus are not able to participate in the decision-making organ of the Union.

The Member States concerned (their list appears in the Annex) are respectfully invited to consider accession to the latest Act of the Convention or to accept all provisions thereof, as applicable.

3. *Berne Convention for the Protection of Literary and Artistic Works (1886)*



New adherences since September 14, 2005: Brunei Darussalam, Lao People's Democratic Republic, Montenegro, Nepal, Samoa, Yemen (6).

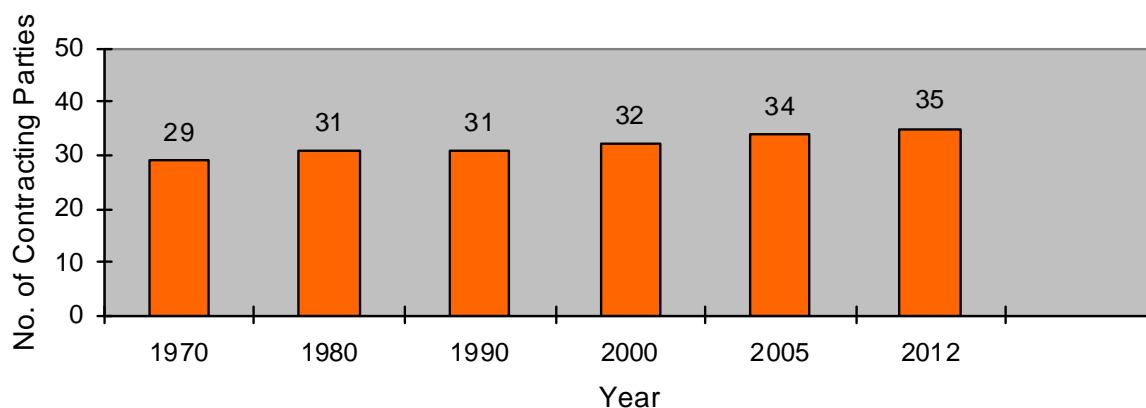
The Berne Convention for the Protection of Literary and Artistic Works (the Berne Convention) was revised several times since its conclusion in 1886. It was completed at Paris (1896), revised at Berlin (1908), completed at Berne (1914), revised at Rome (1928), at Brussels (1948), at Stockholm (1967) and at Paris (1971).

For historical reasons, the Paris revision of the Convention gave the Member States the opportunity to accept only one part of the revision, namely to accept only the final and administrative provisions (Articles 22 to 38). It is to be noted that there are still, to date, some States bound by the administrative provisions of the Paris Act only and not the substantive provisions thereof.

Some Member States on the other hand, not being members of either the Stockholm or Paris Acts, are not members of the Assembly of the Berne Union and therefore are not able to participate in the decision-making organ of the Union.

The countries concerned (the list appears in the Annex) are respectfully invited to accede to the latest Act of the Berne Convention or to accept all provisions thereof, as applicable.

4. *Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods (1891)*



New adherences since September 14, 2005: Montenegro (1)

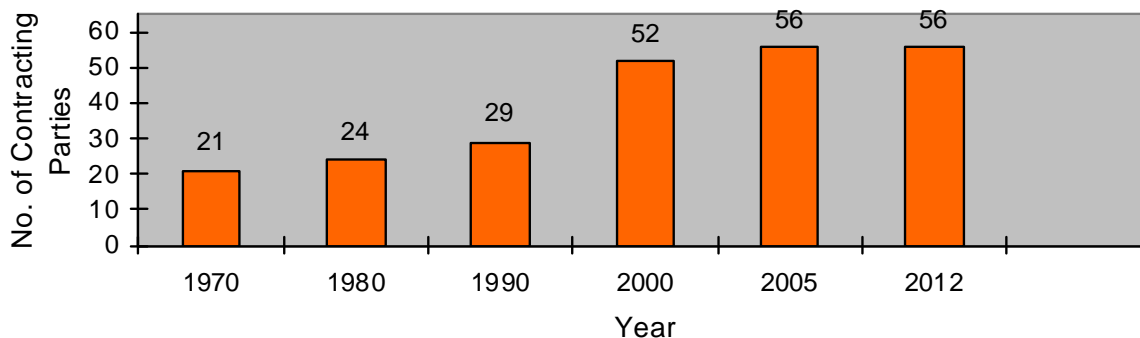
5. *Madrid Agreement Concerning the International Registration of Marks (1891) and Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (1989)*

Two treaties govern the Madrid System for the International Registration of Marks (the Madrid System): the Madrid Agreement Concerning the International Registration of Marks (Madrid Agreement) and the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol).

The States party to the Agreement and the Protocol together make up the Madrid Union.

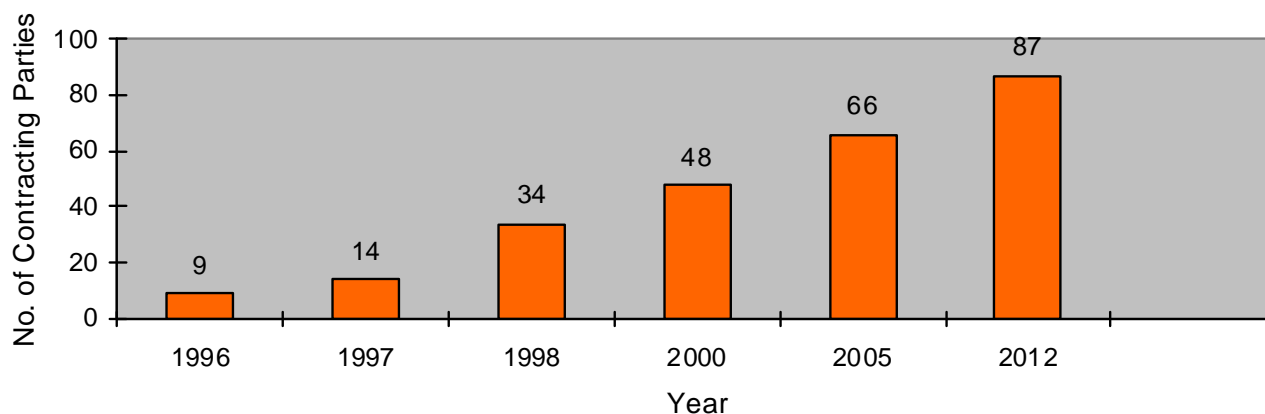
In view of the overall objective of the evolution of the Madrid system towards a one-treaty system (the Protocol), for a simplification thereof, the Member States that are bound by the Agreement only are respectfully invited to consider acceding to the Protocol.

Madrid Agreement



Denunciation: Syrian Arab Republic (it will become effective as from June 29, 2013)

Madrid Protocol



New adherences since September 14, 2005: Azerbaijan, Bahrain, Bosnia and Herzegovina, Botswana, Colombia, Egypt, Ghana, Israel, Kazakhstan, Liberia, Madagascar, Montenegro, New Zealand, Oman, Philippines, San Marino, Sao Tome and Principe, Sudan, Tajikistan, Uzbekistan, Viet Nam (21).

6. *Hague Agreement Concerning the International Registration of Industrial designs*

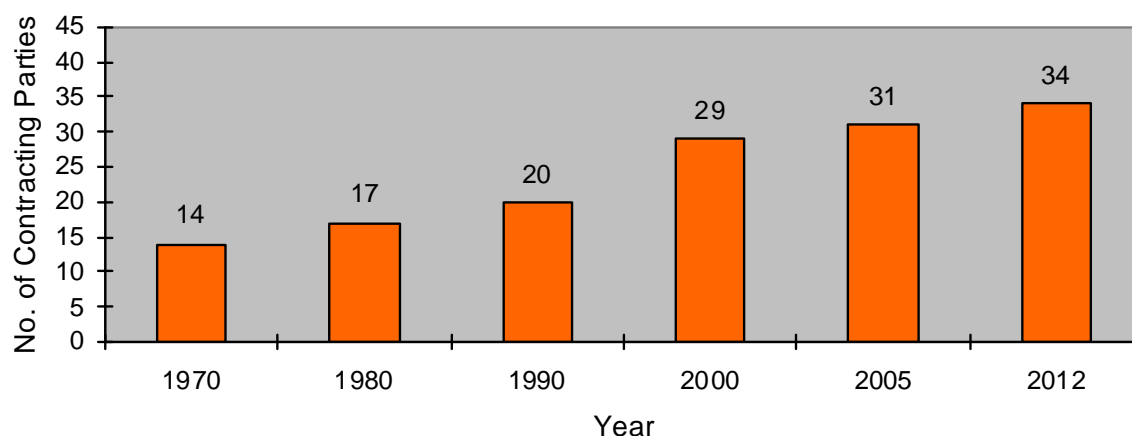
The Hague Agreement concerning the International Registration of Industrial Designs is constituted by three Acts, namely the London (1934) Act, the Hague (1960) Act and the Geneva (1999) Act.

As a first step towards a simplification of the Hague system, the 15 Contracting States to the 1934 Act decided, on September 24, 2009, to freeze the application of the 1934 Act. These States also agreed that the final aim would be the termination of the 1934 Act.

To date, six Contracting States to the 1934 Act have expressed their respective consent to the termination of that Act, and three States have denounced it. The termination of the 1934 Act will become effective three months after the Director General of WIPO receives the last required consent. The States that have not yet expressed their consent to the termination of the London Act are respectfully invited to do so.

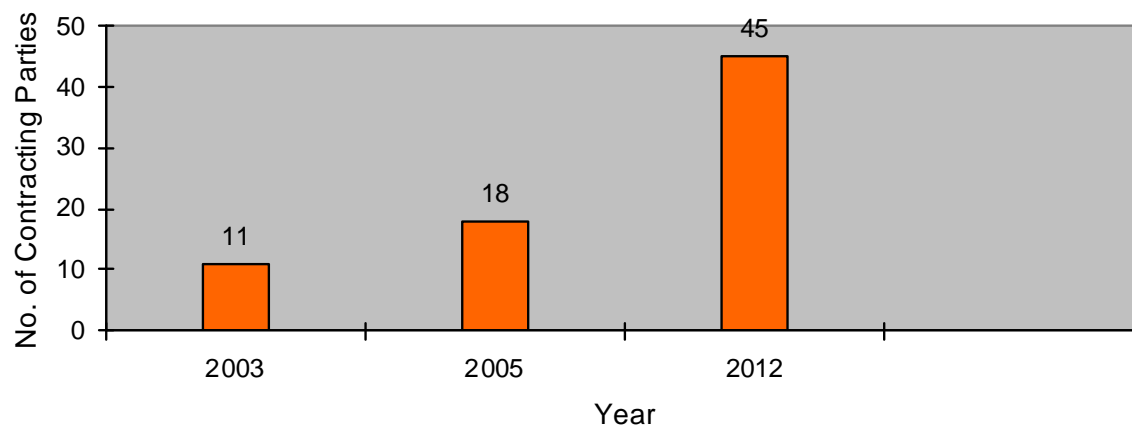
To date, 60 States or intergovernmental organizations are members of the Hague Union, 45 of which are bound by the 1999 Act and 34 of which are bound by the 1960 Act. The two charts below provide information as to the evolution of The Hague Union membership.

Hague Act (1960)



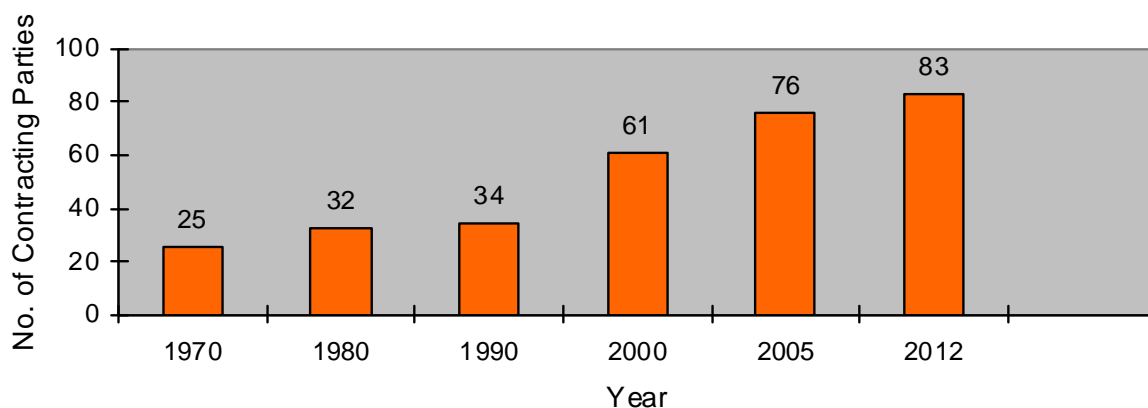
New Adherences since September 14, 2005: Albania, Mali, Montenegro (3).

Geneva Act (1999)



New adherences since September 14, 2005: African Intellectual Property Organization (OAPI), Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Botswana, Bulgaria, Denmark, European Union, Finland, France, Germany, Ghana, Lithuania, Monaco, Mongolia, Montenegro, Norway, Oman, Poland, Rwanda, Sao Tome and Principe, Serbia, Syrian Arab Republic, Tajikistan, Tunisia, the former Yugoslav Republic of Macedonia (27).

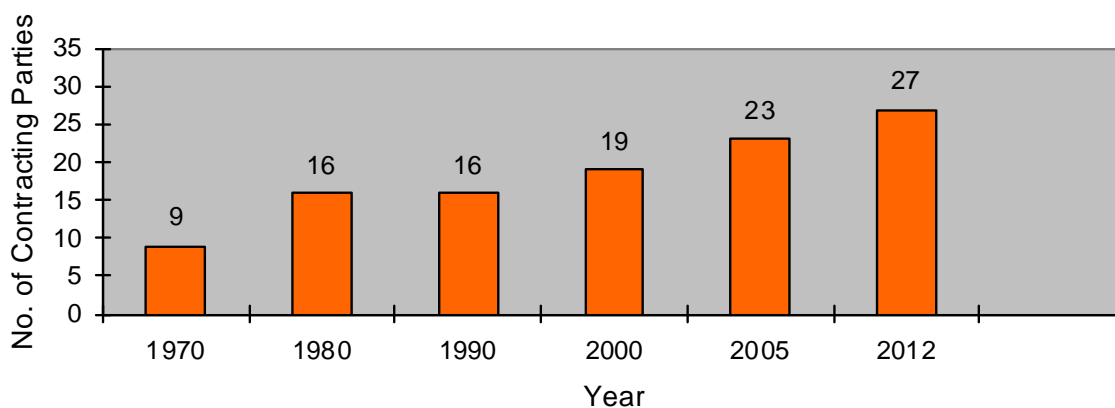
7. *Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)*



New adherences since September 14, 2005: Argentina, Bahrain, Jamaica, Jordan, Malaysia, Montenegro, Turkmenistan (7).

The Nice Agreement was revised twice after its adoption in 1957, namely at Stockholm (1967) and at Geneva (1977). Some Member States remain bound by the Stockholm Act (the list appears in the Annex) and are respectfully invited to consider acceding to the Geneva Act of the Nice Agreement.

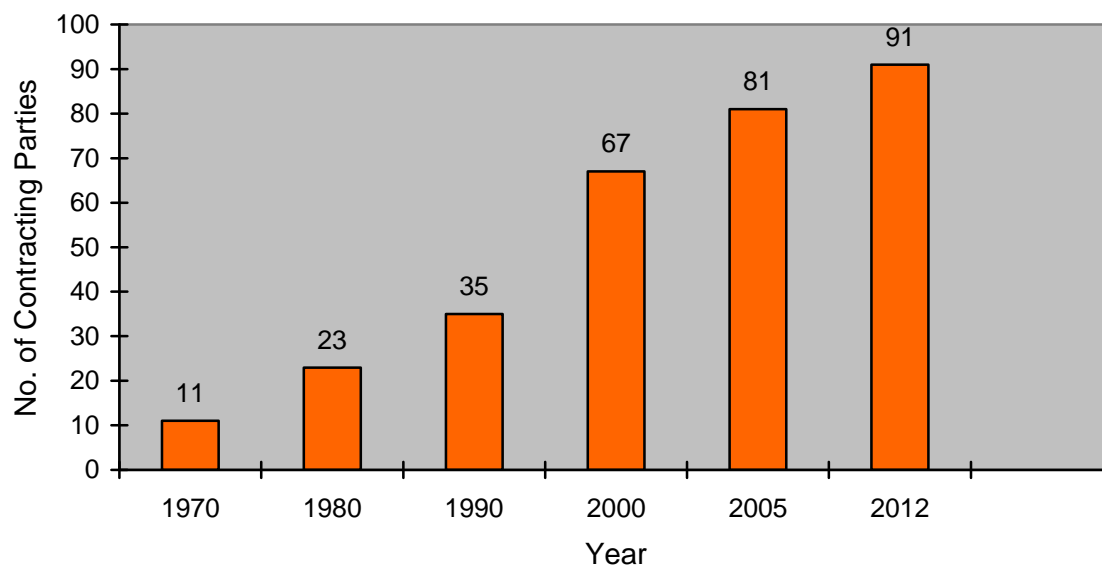
8. *Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958)*



New adherences since September 14, 2005: Iran (Islamic Republic of), Montenegro, Nicaragua, the former Yugoslav Republic of Macedonia (4).

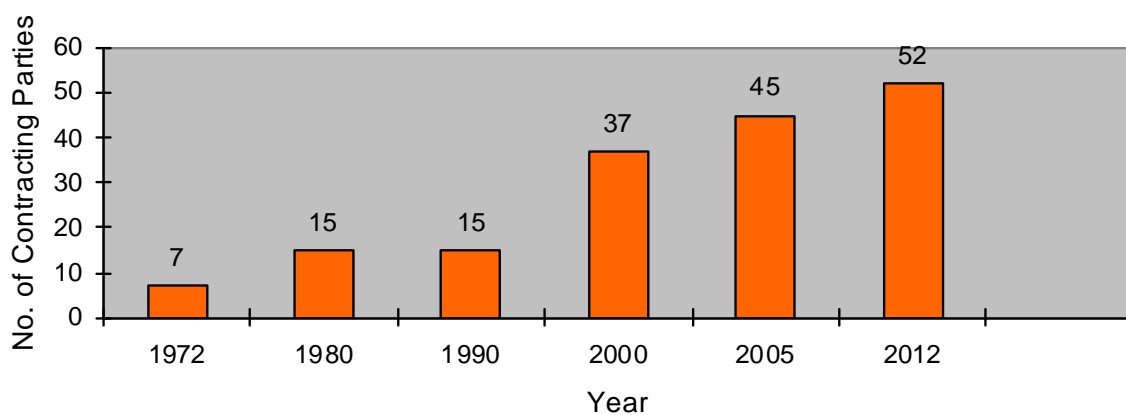
The same invitation as mentioned before in respect of other treaties to accede to the latest Act in force, extends to the Member States that are not bound by the latest Act of the Lisbon Agreement (the list appears in the Annex).

9. *International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961)*



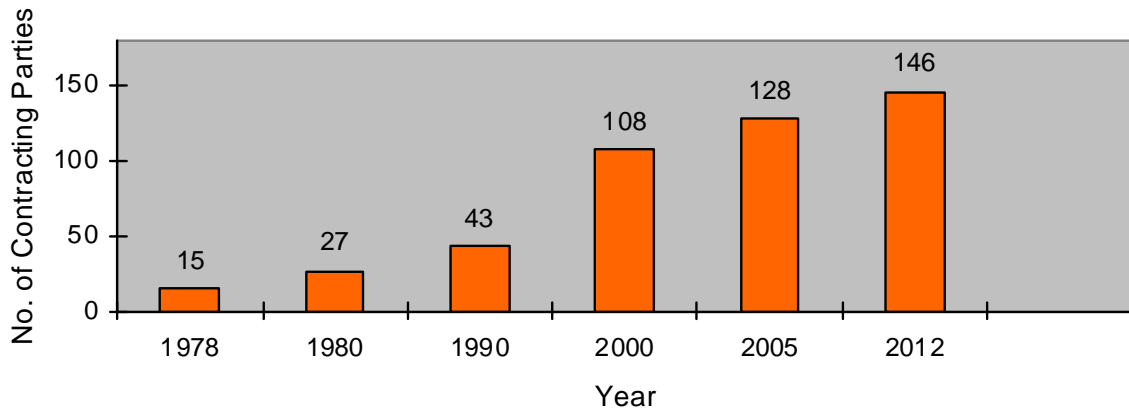
New adherences since September 14, 2005: Algeria, Bahrain, Bosnia and Herzegovina, Cyprus, Liberia, Montenegro, Republic of Korea, Syrian Arab Republic, Tajikistan, Viet Nam (10).

10. *Locarno Agreement Establishing an International Classification for Industrial Designs (1968)*



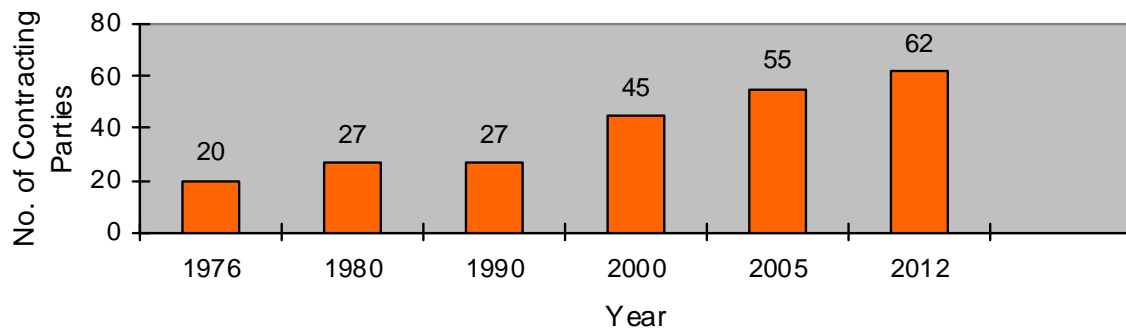
New adherences since September 14, 2005: Argentina, Armenia, Montenegro, Republic of Korea, Turkmenistan, Ukraine, Uzbekistan (7).

11. *Patent Cooperation Treaty (PCT) (1970)*



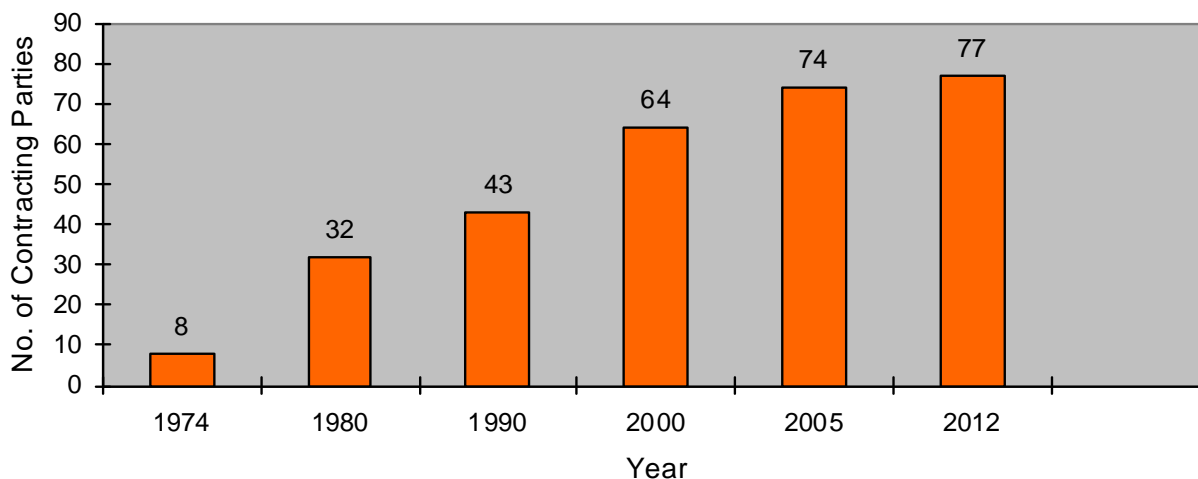
New adherences since September 14, 2005: Angola, Bahrain, Brunei Darussalam, Chile, Dominican Republic, El Salvador, Guatemala, Honduras, Lao People's Democratic Republic, Malaysia, Malta, Montenegro, Panama, Peru, Qatar, Sao Tome and Principe, Rwanda, Thailand (18).

12. *Strasbourg Agreement Concerning the International Patent Classification (1971)*



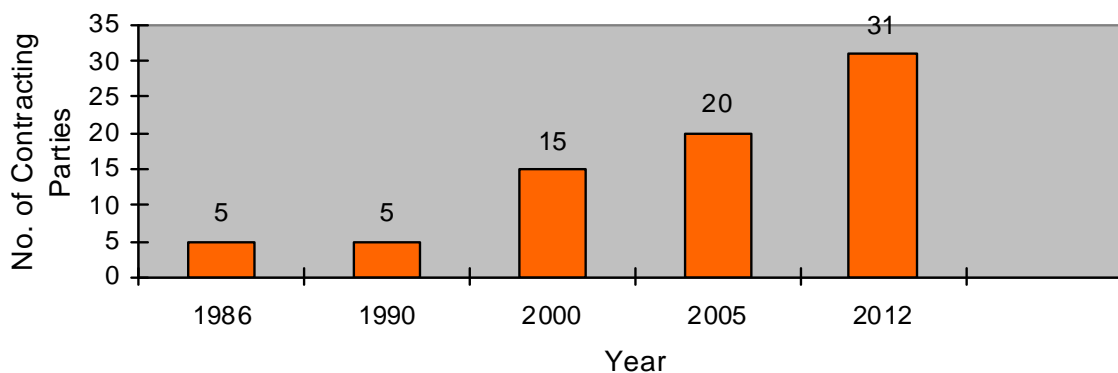
New adherences since September 14, 2005: Albania, Argentina, Bosnia and Herzegovina, Montenegro, Serbia, Turkmenistan, Ukraine (7).

13. *Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (1971)*



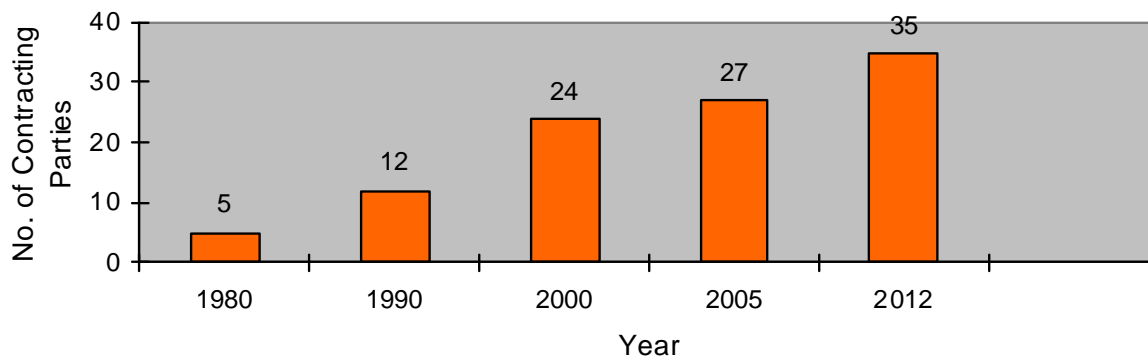
New adherences since September 14, 2005: Bosnia and Herzegovina, Liberia, Montenegro (3).

14. *Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (1973)*



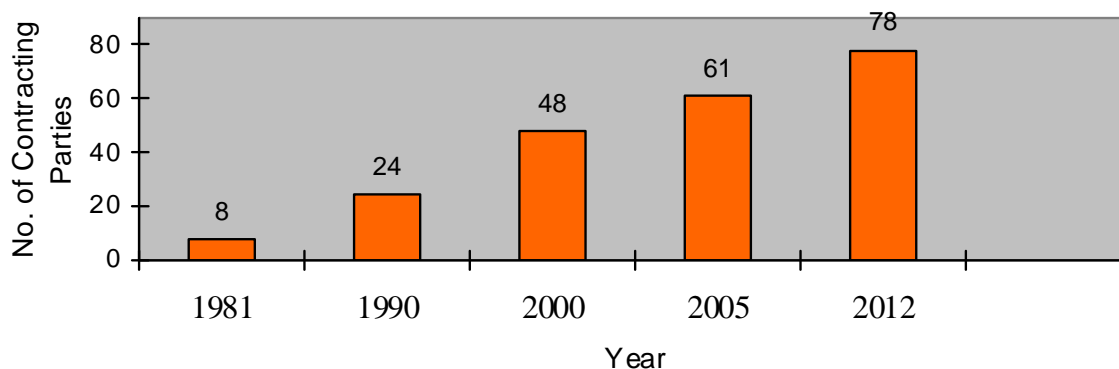
New adherences since September 14, 2005: Bosnia and Herzegovina, Croatia, Jamaica, Jordan, Malaysia, Montenegro, Serbia, Republic of Korea, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine (11).

15. *Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (1974)*



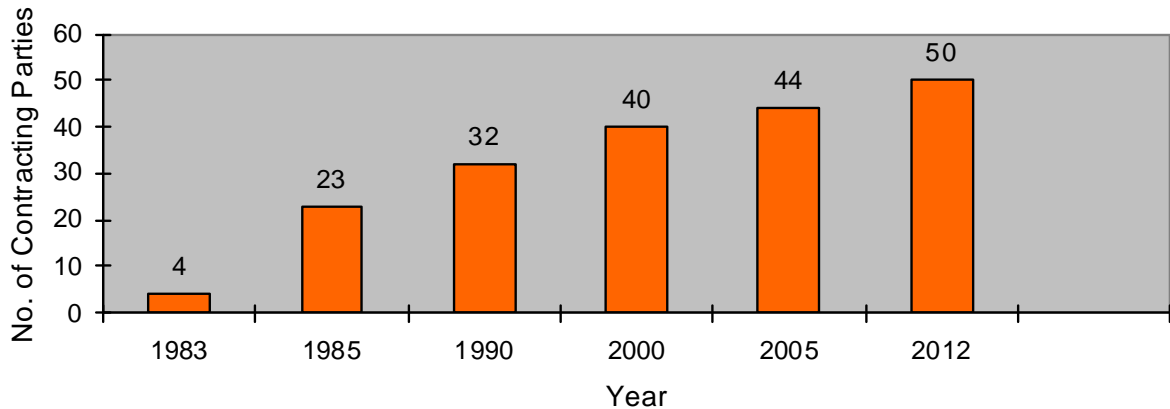
New adherences since September 14, 2005: Bahrain, Chile, El Salvador, Honduras, Montenegro, Oman, Republic of Moldova, Viet Nam (8).

16. *Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (1977)*



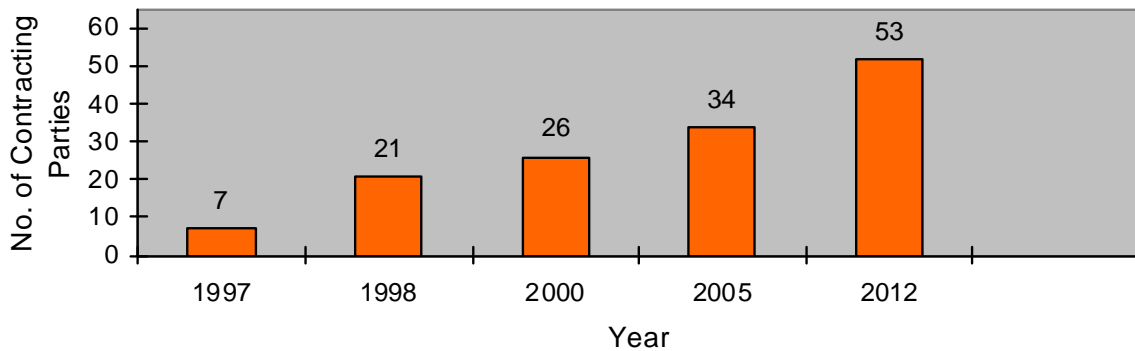
New adherences since September 14, 2005: Bahrain, Bosnia and Herzegovina, Brunei Darussalam, Chile, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Jordan, Luxembourg, Montenegro, Morocco, Nicaragua, Oman, Panama, Peru (17).

17. *Nairobi Treaty on the Protection of the Olympic Symbol (1981)*



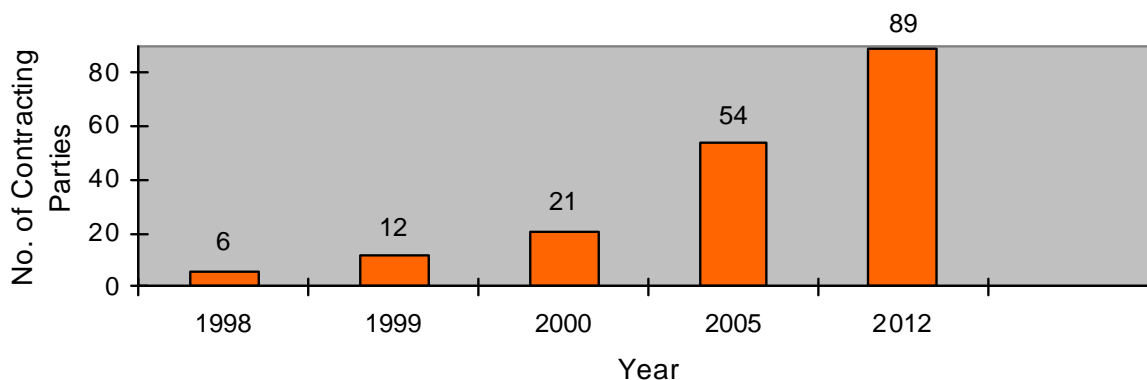
New adherences since September 14, 2005: Azerbaijan, Bosnia and Herzegovina, Estonia, Hungary, Kazakhstan, Montenegro (6).

18. *Trademark Law Treaty (TLT) (1994)*



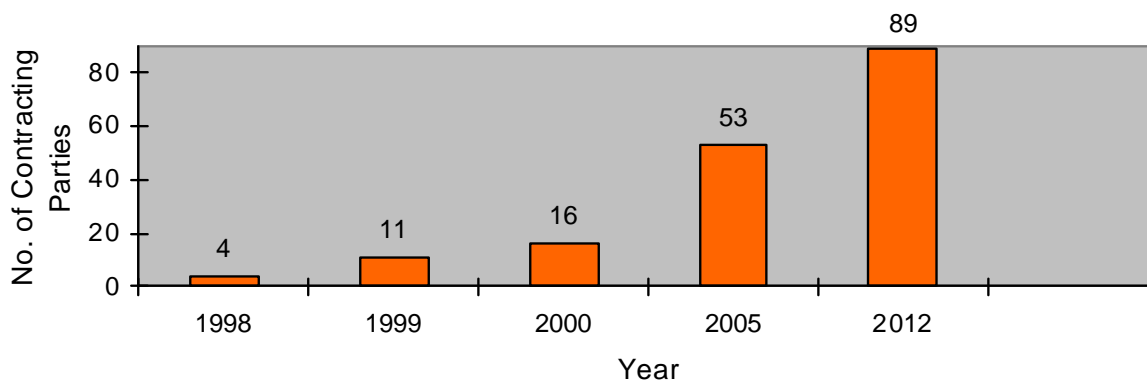
New adherences since September 14, 2005: Bahrain, Bosnia and Herzegovina, Chile, Colombia, Costa Rica, Croatia, Dominican Republic, El Salvador, France, Honduras, Italy, Luxembourg, Netherlands, Montenegro, Morocco, Nicaragua, Oman, Panama, Peru (19).

19. *WIPO Copyright Treaty (WCT) (1996)*



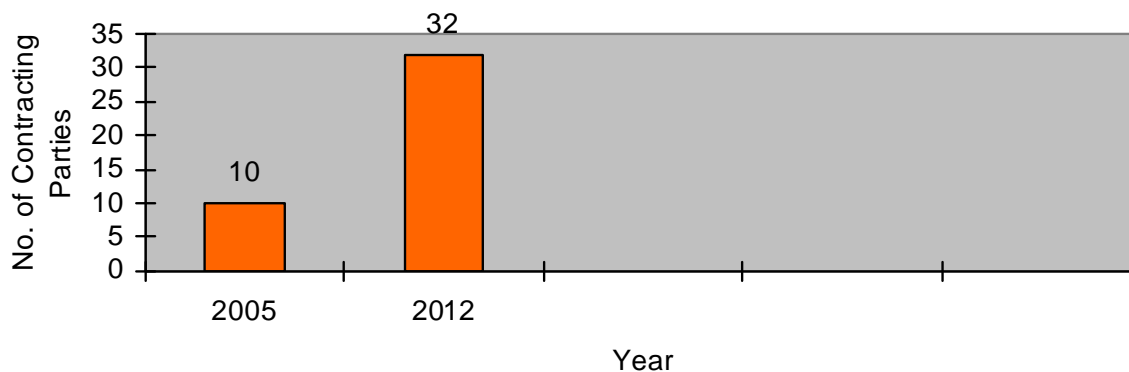
New adherences since September 14, 2005: Australia, Austria, Azerbaijan, Bahrain, Belgium, Benin, Bosnia and Herzegovina, China, Denmark, Dominican Republic, Estonia, European Union, Finland, France, Germany, Ghana, Greece, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Montenegro, Morocco, Netherlands, Portugal, Russian Federation, Spain, Sweden, Switzerland, Tajikistan, Trinidad and Tobago, Turkey, United Kingdom, Uruguay (35).

20. *WIPO Performances and Phonograms Treaty (WPPT) (1996)*



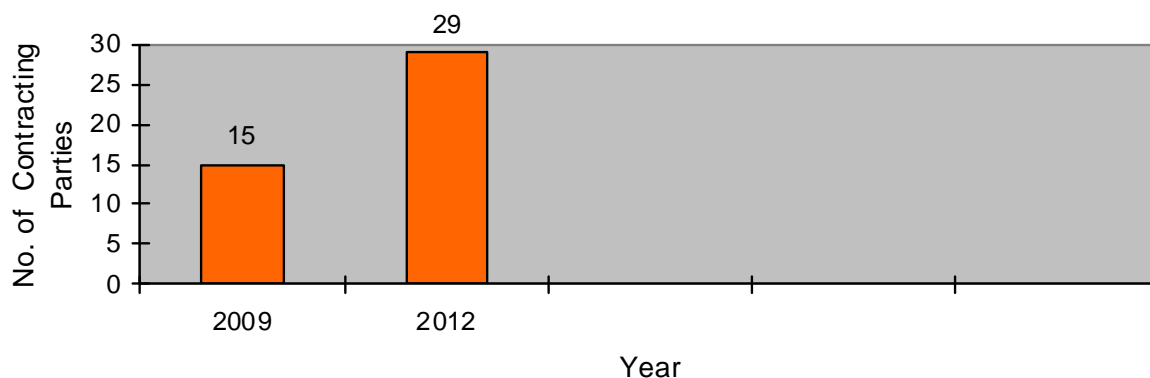
New adherences since September 14, 2005: Australia, Austria, Azerbaijan, Bahrain, Belgium, Benin, Bosnia and Herzegovina, China, Denmark, Dominican Republic, Estonia, European Union, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Montenegro, Morocco, Netherlands, Portugal, Republic of Korea, Russian Federation, Saint Vincent and the Grenadines, Spain, Sweden, Switzerland, Tajikistan, Trinidad and Tobago, Turkey, United Kingdom, Uruguay (36).

21. *Patent Law Treaty (2000)*



New adherences since September 14, 2005: Albania, Australia, Bahrain, Bosnia and Herzegovina, Finland, France Hungary, Ireland, Kazakhstan, Latvia, Liechtenstein, Lithuania, Montenegro, Netherlands, Oman, Russian Federation, Serbia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom, Uzbekistan (22).

22. *Singapore Treaty on the Law of Trademarks (2006)*



New adherences since September 14, 2009¹: Croatia, Iceland, Italy, Kazakhstan, Liechtenstein, Mongolia, New Zealand, Russian Federation, Serbia, Slovakia, Sweden, Ukraine, United Kingdom, the former Yugoslav Republic of Macedonia (14).

¹ The Singapore Treaty on the Law of Trademarks entered into force on March 16, 2009.

23. The list of WIPO-administered treaties further expanded with the adoption, on June 24, 2012, of the Beijing Treaty on Audiovisual Performances (the Beijing Treaty). The Beijing Treaty is open for signature at the headquarters of WIPO for one year after its adoption, that is, until June 24, 2012. The States and intergovernmental organizations concerned, being entitled to sign the Beijing Treaty are respectfully invited to sign the said Treaty if they have not already done so, and to take the necessary steps in the near future to become party to it. Instruments of ratification or accession should be deposited with the Director General of WIPO. The Beijing Treaty shall enter into force three months after 30 eligible parties have deposited their instruments of ratification or accession.

II. CONSTITUTIONAL REFORM

1. At their meeting in September 2002, the Assemblies of the Member States of WIPO adopted the three recommendations submitted to them by the WIPO Working Group on Constitutional Reform. The three recommendations are: (i) the abolition of the WIPO Conference; (ii) the formalization in the treaties of the unitary contribution system and the changes in contribution classes that have been practiced since 1994; and (iii) a change in the periodicity of the ordinary sessions of the WIPO General Assembly and the other Assemblies of the Unions administered by WIPO, from once every two years to once every year (document A/37/14, paragraphs 291 to 301).

2. In order to implement the decision of the Assemblies in respect of the three recommendations mentioned in the preceding paragraph, several of the treaties administered by WIPO needed to be amended. Therefore, the WIPO Conference and the competent Assemblies of certain Unions administered by WIPO unanimously adopted on October 1, 2003, amendments to the WIPO Convention, as well as to other WIPO-administered treaties, namely the Paris Convention for the Protection of Industrial Property (the Paris Convention), the Berne Convention for the Protection of Literary and Artistic Works (the Berne Convention), the Madrid Agreement Concerning the International Registration of Marks (the Madrid Agreement), the Hague Agreement Concerning the International Deposit of Industrial Designs (the Hague Agreement), the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of Registration of Marks (the Nice Agreement), the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the Lisbon Agreement), the Locarno Agreement Establishing an International Classification for Industrial Designs (the Locarno Agreement), the Patent Cooperation Treaty (PCT), the Strasbourg Agreement Concerning the International Patent Classification (the Strasbourg Agreement), the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (the Vienna Agreement) and the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (the Budapest Treaty) (document A/39/15, paragraphs 166 and 167).

3. In accordance with the relevant provisions of the WIPO-administered treaties, the said amendments will enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General of WIPO from three-fourths of the States Members of WIPO and/or the relevant Assemblies at the time the Conference and the competent Assemblies adopted the amendments.

4. As at September 21, 2012, 15 notifications of acceptance have been received, out of the 135 notifications of acceptance required for the entry into force of the amendments described in the preceding paragraphs.

NUMBER OF MANDATES OF DIRECTORS GENERAL

5. The WIPO General Assembly, at its twenty-third (10th extraordinary) session from September 7 to 15, 1998, acting upon the recommendation of the WIPO Coordination Committee, adopted a policy that limits the number of mandates of Directors General to two fixed terms of six years each, and decided that the WIPO Convention should be amended accordingly (document WO/GA/23/7, paragraph 22).

6. Subsequently, the Assemblies of the Paris Union and the Berne Union and the WIPO Conference unanimously adopted on September 24, 1999, an amendment to Article 9(3) of the WIPO Convention, as described below (document A/34/16, paragraph 148).

7. The present text of Article 9(3) of the WIPO Convention provides as follows:

“The Director General shall be appointed for a fixed term, which shall be not less than six years. He shall be eligible for reappointment for fixed terms. The periods of the initial appointment and possible subsequent appointments, as well as all other conditions of the appointment, shall be fixed by the General Assembly.”

8. The text of the adopted amendment to Article 9(3) reads as follows:

“The Director General shall be appointed for a fixed term of six years. He shall be eligible for reappointment only for one further fixed term of six years. All other conditions of the appointment shall be fixed by the General Assembly.”

9. In accordance with Article 17(3) of the WIPO Convention, the said amendment will enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General of WIPO from three-fourths of the States Members of WIPO at the time the Conference adopted the amendment.

10. As at September 21, 2012, 51 notifications of acceptance have been received by the Director General, out of the 129 acceptances required for the entry into force of the amendment described in the preceding paragraphs.

[Annex follows]