

ASSEMBLIES OF THE MEMBER STATES OF WIPO  
Fifty-first Series of Meetings  
September 23 to October 2, 2013  
Written General Statement (Agenda Item 5) – AUSTRIA

Mr Chairman,

The Delegation of Austria first of all likes to associate itself with the statement made on behalf of Group B and the statement delivered by Lithuania on behalf of the European Union and its Member States.

Emphasizing the ability and actual role of IP to stimulate creativity and innovation and thus contributing to economic, cultural and social development of all countries we note with appreciation the work accomplished and the results jointly achieved in this year. In this regard we would like to congratulate the Director General, WIPO's Secretariat and Member States on the positive and successful outcome of the **Diplomatic Conference in Marrakesh** on a Treaty to facilitate Access to published works by Visually Impaired Persons and Persons with Print Disabilities and would like to take the opportunity to express our special thanks to the Kingdom of Morocco for hosting this event.

In the same spirit we note with appreciation the record of WIPO's activities and positive achievements outlined in the **Program Performance Report for 2012**, highlighted by the conclusion of the Beijing Treaty on Audiovisual Performances. We wholeheartedly continue to support WIPO's efforts to provide the international forum for in-depth dialogue in regard to all matters related to Intellectual Property and are looking forward to jointly achieving further progress in developing the respective international legal framework.

We also note with satisfaction the progress and positive developments in regard to the effective functioning of the international IP registration and filing systems operated by the International Bureau, especially the PCT and the Madrid System, which are the main generators of WIPO's income. We would like to encourage the Organization and its staff to continue and even expand efforts and activities during the remaining part of this and into the next biennium - thus maintaining a viable and efficient Organization and securing a balanced and effective international IP system.

Concerning the **Proposed Program and Budget for the 2014/15 Biennium** Austria would like to express its support for reintroducing SMEs into Program 30 and remains convinced that workable solutions can be reached in regard to questions still open, including those related to external offices

We are looking forward to discussing and finally adopting the P&B 2014/15 with a view to ensure WIPO's ability to successfully face existing and future challenges and to deliver the results requested by Member States and stakeholders for the next biennium and even beyond.

We take note of the information about work in the **Committee on Development and Intellectual Property (CDIP)** discussing the implementation of the recommendations of the Development Agenda and in this regard especially the Director General's updated Report delivered in the eleventh session and the respective Reports and Documents considered by the committee which in their entirety demonstrate numerous positive developments and achievements of this important initiative to even further enhance the Development Dimension in WIPO.

We take positive note of the results of the deliberations in the **Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)** and like to highlight once more the importance we attach to the topic of harmonization and simplification

of design registration and formalities, which, taking into consideration the status of work and progress achieved so far, deserves to be lifted to a diplomatic conference.

Also in view of text-proposals answering pertinent questions in regard to technical assistance and capacity building we fully support a decision to convene a diplomatic conference for the adoption of a Design Law Treaty in 2014.

We take note of the report of the last session of the **Standing Committee on Copyright and Related Rights (SCCR)** and would like to voice our special interest to finalize the remaining work in regard to the Protection of Broadcasting Organizations.

In regard to the report on the work of the **Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)** we take positive note of the progress achieved during the 3 sessions of the Committee in 2013 considering and elaborating texts to ensure effective protection of GRs, TK and TCEs. While a lot has been achieved we feel that still work remains to be done, especially as the final stocktaking led to no recommendations. We therefore like to deposit our preference for considering a renewal of the mandate and for requesting the IGC to continue its deliberations. In regard to the instrument(s) to be developed we would like to reiterate our position that Member States should have flexibility to choose the form or forms of protection from among different options to satisfy the diversity of possible demands - therefore there should be flexible and non-binding separate instruments.

Convinced that a viable and harmonized patent system will be beneficial for all stakeholders, i.e. Member States and users, we note the report about the nineteenth session of the **Standing Committee on the Law of Patents (SCP)** and welcome that agreement in regard to future work could be achieved.

Representing an ISA and IPEA under the PCT Austria has taken active part in the deliberations in the **PCT Working Group**. We therefore give our full support to the proposed amendments to the PCT Regulations as contained in Document PCT/A/44/3 and to the recommendations concerning future work of the PCT Working Group in Document PCT/A/43/1. We also support to approve the recommendation of the Working Group in regard to a review of the criteria and procedures of an office as ISA and IPEA under the PCT in the same Document.

Sharing the view that a manifold and continuously developing family of PCT-Authorities is beneficial to the system and its users we look forward to considering the request of the State Intellectual Property Service of Ukraine to be appointed as ISA and IPEA in the Committee for Technical Cooperation and in the PCT-Assembly.

Concerning the **Madrid System** we note with appreciation the Progress Reports on the Information Technology Modernization Program and the Goods and Services Database. Use of the latter tool in combination with the translation function is a suitable way to not only to reduce the number of irregularity notices concerning goods and services in the Madrid system but also to simplify proceedings at national level.

Finally we like to assure the membership and the management of WIPO of Austria's on-going support to the pursuit of WIPO's global goals.

[Thank you.]