

ASSEMBLIES OF THE MEMBER STATES OF WIPO  
Fifty-Eight Series of Meetings  
September 24 to October 2 11, 2018  
Written General Statement (Agenda Item 5) – AUSTRIA

[Honorable Chair,]

The Delegation of Austria first of all likes to associate itself with the statement made by the Swiss Delegation on behalf of Group B and the statement delivered on behalf of the European Union and its Member States. On the outset we would also like to express our thanks to the WIPO Secretariat for the preparation of these Assemblies.

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 record of WIPO's activities and positive achievements outlined in the **Report of the Director General to these Assemblies** and the **Program Performance Report for 2016/17**, especially highlighting activities and programs in regard to technical assistance and information about continuing adherences to WIPO-administered treaties and growing use of international IP-systems based on these treaties and Unions.

In this respect we 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, which are of great importance for both current and possible future stakeholders. Within the aforementioned systems the PCT and the Madrid System not only were the main generators of WIPO's income but also proved yet again to be of great value for Member States and users through their constant developments and improvements. Therefore, we would like to encourage the Organization and its staff to continue and even expand efforts and activities to further strengthen the overall IP-environment - thus maintaining a viable and efficient Organization and securing a balanced and effective international IP system encompassing all categories of intellectual property rights and for the benefit of all stakeholders.

Concerning the normative agenda we remain open to discuss possible solutions to overcome the last two outstanding issues needed to pave the way for the **Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty** and to consequently achieve the long awaited milestone to come closer to adopt a well-balanced Treaty aimed at harmonization and simplification of design application formalities.

In regard to the report of the last session of the **Standing Committee on Copyright and Related Rights (SCCR)** we continue to be an active participant on the discussions on the Treaty for the Protection of Broadcasting Organisations with the aim to conclude a meaningful treaty which efficiently responds to the current and future needs of broadcasting organisations.

We note the report about the last sessions of the **Standing Committee on the Law of Patents (SCP)** and acknowledge with satisfaction the very constructive, realistic and objective deliberations, allowing considerable progress in regard to all five topics discussed according to the SCP mandate. With especial satisfaction we note the Committee's decision, to adopt a balanced program for its future work, which we are very much looking forward to. In this spirit we stand ready to work with all Delegations to further improve the patent system as a whole in short and long term and would like to reiterate our special interest in discussions also concerning the harmonization of substantive patent law.

Concerning the **Committee on Development and Intellectual Property (CDIP)** which in its 20th and 21th session continued discussing the implementation of the recommendations of the Development Agenda, we took note of the corresponding reports to this Assembly and the Director General's Report on the Implementation of the Development Agenda in 2017. The aforementioned reports as well as various reports of relevant WIPO bodies in their entirety demonstrate numerous positive developments and achievements – particularly

concerning technical assistance and capacity building activities – of this important initiative to even further enhance the Development Dimension in WIPO. We therefore would like to encourage the DG and all of WIPO's staff to continue to successfully implement the recommendations of the Development Agenda as integral part of WIPO's core activities to promote the protection of IP throughout the world. Finally on this topic, we would like to express our special anticipation and great appreciation for the adoption of the new agenda items, which include the topics "Women and Intellectual Property" and "IP and Development in the Digital environment", to be discussed by the CDIP.

In regard to the report on the work of the **Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)** we appreciate the committee's excellent work and note, that the introduced new methods of methodology hold a certain potential, while we would also like to stress the importance of transparency and inclusiveness in all discussions. We welcome the constructive spirit within the committee and are pleased with the consensus reached concerning the recommendations to this General Assembly, which will surely help us to structure future fruitful work on all three topics addressed by the IGC's mandate.

Concerning the **PCT**, Austria has again been able to actively participate at the considerations and endeavours of the **PCT Working Group**. Therefore we welcome and fully align ourselves with the proposed amendments to the PCT Regulations as contained in Document PCT/A/50/2 and the recommendations concerning future work of the PCT Working Group in Document PCT/A/50/1. Further, representing an ISA and IPEA under the PCT we are especially satisfied with the Working Group's decision to entrust the IB with the preparation of a proposal for consideration by the Assembly in relation to the introduction of an application form for the appointment as ISA or IPEA as contained in Document PCT/A/50/3.

With regard to the **Madrid System** we take positive note of the Progress Report on the Madrid Goods and Services Database as contained in the WIPO Performance Report 2016/17. On this matter we would like to once more encourage the IB to continue and enhance the cooperation with EUIPO in regard to harmonized acceptance status for terms taken from the European Harmonized Database (TMclass). In addition to this matter, we highly appreciate WIPO's openness to discuss possible new forms of trademarks, as recently introduced in the EU trademark system, in the Madrid Working Group.

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.]