

Statement the Republic of Uganda
on behalf of the African Group
59th series of meetings of the Assemblies of WIPO
Agenda item 18: Matters Concerning the Convening of a Diplomatic Conference for the
Adoption of a Design Law Treaty (DLT)
September 30 – October 9, 2019

Uganda has the honor to deliver this statement on behalf of the African Group.

The African Group wishes to thank the Secretariat for the update describing the state of discussions regarding Matters concerning the convening of a diplomatic conference for the adoption of a Design Law Treaty (DLT).

We also thank the Chair and Vice-Chairs of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) for their professionalism, leadership and tireless efforts in guiding the work of the committee.

Mister Chairman,

The Group wishes to underline the potential positive impact of industrial designs on African Economies. The proposed Design Law Treaty, aimed at harmonization of international industrial design registration formalities is therefore of great importance to the Group.

Like others, we are deeply disappointed that the General Assembly has in its previous several attempts failed to reach a consensus on a decision to convene a Diplomatic Conference for adoption of a Design Law Treaty. It is clear from the state of affairs that further effort by all Member States is need to contribute to the advancement of the process and make substantial progress on the outstanding issues.

The Group has consistently been committed to finding a mutually agreeable outcome, approaching negotiations at all levels, with pragmatism, open and full engagement. Our spirit of compromise is easily demonstrable. In order to find a middle ground, the Group unilaterally made a significant concession - moving away from our initial demand for a binding disclosure requirement to a non-binding disclosure requirement. One, that would guarantee sufficient policy space to member states who already have or wish to introduce a disclosure requirement in their laws.

Mister Chairman,

We wish to assure all WIPO Members of our conviction to the adoption of any IP instrument/Treaty in as far as such instrument/Treaty takes into account the diverse and legitimate interests of all Member States in a balanced and inclusive manner, and - which is responsive to the practical implementation realities or challenges of all member states.

Thus, the African Group reaffirms its long-held position, which now enjoys the support of a large majority of Member States across regions, for inclusion of a disclosure requirement in the main text of the DLT, as well as a binding substantive provision on Technical Assistance to

enable Developing Countries and LDCs to take full advantage of the implementation of the DLT. Moreover, these issues must be resolved before convening of a Diplomatic Conference. We cannot leave it up to ministers to do the work of negotiators. It is negotiators that need to reach consensus, leaving only the highly sensitive political issues for ministers to resolve.

Mister Chairman,

Our Group remains optimistic about the possibility of reaching a mutually agreed solution that takes into account its concerns. We assure you of our readiness to engage constructively in all discussions for a positive outcome.

I thank you