

ASSEMBLIES OF THE MEMBER STATES OF WIPO
Fifty-Ninth Series of Meetings
September 30 to October 9, 2019
Written General Statement (Agenda Item 5) – AUSTRIA

CHECK AGAINST DELIVERY

[Honorable Chair,]

The Delegation of Austria first of all likes to associate itself with the statement made by the Canadian Delegation on behalf of Group B and the statement delivered by Finland 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**, especially highlighting activities and programs in regard to technical assistance, 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. Again in the current biennium the PCT - and the Madrid System not only were the main generators of WIPO's income and responsible for the very positive financial result of the Organization but also proved 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 which continues to offer timely and high-quality services to the users building upon a balanced and effective international IP system encompassing all categories of intellectual property rights and for the benefit of all stakeholders.

We take note of the fact that the Program and Budget Committee could not come to consensus in regard to certain methodology issues concerning the preparation of Annex III of the **Proposed Program and Budget for the Biennium 2020/21** and therefore was not able to recommend the adoption of the Program and Budget to the Assemblies. We stand ready to constructively work with all Member States and the Secretariat to solve the outstanding issues during these Sessions and to provide the Organization with a sound and reasonable Program and Budget for the forthcoming biennium in time.

In regard to the report of the last session of the **Standing Committee on Copyright and Related Rights (SCCR)** we support the recommendation of the Committee to continue its work on a **Treaty on the Protection of Broadcasting Organisations** with the aim to be able to convene a Diplomatic Conference still in the 2020/2021 biennium.

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 special 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 mutual understanding of still existing differences in patent systems around the world also including issues of substantive patent law.

We positively note the continued progress achieved in the discussions on all key topics in the **Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications** as reflected in the report to these Assemblies and look forward to remaining actively engaged in future sessions of the Committee.

Concerning the normative agenda in regard to international design law we remain open to discuss possible solutions to overcome still outstanding issues needed to pave the way for the **Convening of a Diplomatic Conference for the Adoption of a Design Law Treaty** - a treaty aiming at harmonization and simplification of design application formalities and thus being of great benefit for designers from all around the world.

Concerning the **Committee on Development and Intellectual Property (CDIP)** which in its 22th and 23th session continued discussing the implementation of the recommendations of the Development Agenda and other IP and development related issues, we took note of the corresponding reports to this Assembly and the Director General's Report on the Implementation of the Development Agenda in 2018. 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 compliment the decision of the Committee taken in regard to "Women and IP" and look forward to the next sessions of the CDIP, i.a. discussing the topics "MSMES, Innovation and IP" and "IP and Creative Economy".

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 acknowledge the progress achieved in the 6 sessions of the committee in the current biennium constituting a solid basis for continued discussions to narrow gaps in regard to all 3 items under consideration. We welcome the constructive spirit within the committee and are pleased with the consensus reached concerning the recommendations to this General Assembly in regard to the renewal of the IGC's mandate and a work program for the next biennium, which we fully support both.

Concerning the **PCT**, Austria has again been able to actively participate in the sessions of the **PCT Working Group** under consideration. Therefore we welcome and fully align ourselves with the proposed amendments to the PCT Regulations as contained in Document PCT/A/51/2 and the recommendations concerning future work of the PCT Working Group in Document PCT/A/51/1, i.e. in regard to the convening of one session of the PCT Working Group before the 2020 Assemblies. In regard to the content of Document PCT/A/51/3 we support the recommendation of the Working Group to maintain the criteria set out in item 5 of the PCT schedule of fees as well as in regard to a review of those criteria in five years' time.

With regard to the **Madrid System** we stand ready to adopt the proposed amendments to the Rules of the Regulations under the Madrid Protocol as contained in Document MM/A/53/1 which provide clarifications and simplifications to certain procedures of the Madrid system especially in regard to procedures for renewal of international registrations.

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.]