

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

## **GOVERNING BODIES OF WIPO AND THE UNIONS ADMINISTERED BY WIPO**

**Twenty-Ninth Series of Meetings  
Geneva, September 23 to October 2, 1996**

### **GENERAL REPORT**

*adopted by the Governing Bodies*

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## INTRODUCTION

1. This General Report records the deliberations and decisions of the following six Governing Bodies:

WIPO General Assembly, nineteenth session (7th extraordinary)  
 WIPO Coordination Committee, thirty-sixth session (27th ordinary)  
 Paris Union Assembly, twenty-fifth session (13th extraordinary)  
 Paris Union Executive Committee, thirty-second session (32nd ordinary)  
 Berne Union Assembly, twentieth session (8th extraordinary)  
 Berne Union Executive Committee, thirty-eighth session (27th ordinary)

meeting in Geneva from September 23 to October 2, 1996, where the deliberations took place and the decisions were made in joint meetings of two or more of the said Governing Bodies (hereinafter referred to as "the joint meeting(s)" and "the Governing Bodies," respectively).

2. In addition to this General Report, separate reports have been drawn up on the sessions of each of the Governing Bodies (see documents WO/GA/XIX/4, WO/CC/XXXVI/6, P/EC/XXXII/1 and B/EC/XXXVIII/1).

3. The list of the States members of the Governing Bodies and the observers admitted to their sessions as of September 20, 1996, is set forth in document AB/XXIX/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document AB/XXIX/1) were presided over by the following Chairmen:

|   |   |
|---|---|
| Items 1, 2, 3, 5, 6, 7, 8 and 9:        | Mr. Moses F. Ekpo (Nigeria), Chairman of the WIPO General Assembly  |
| Part of Item 4 and items 10, 11 and 12: | Mr. Wilhelm Höynck (Germany), Chairman of the WIPO Coordination Committee   |
| Part of Item 4:                         | Mr. Munir Akram (Pakistan) and Mr. Marc Séry (Côte d'Ivoire), Vice-Chairmen of the WIPO Coordination Committee  |
| Item 13:                                | The Chairman (or, in his absence, a Vice-Chairman, or, in the absence of the Chairman and both Vice-Chairmen, an <i>ad hoc</i> Chairman) of one of the six Governing Bodies concerned, that is, for the General Report, and the Report of the WIPO General Assembly, Mr. Moses F. Ekpo (Nigeria); for the Reports of WIPO Coordination Committee and Paris Union Executive Committee, Mr. Wilhelm Höynck (Germany); for the Report of Berne Union Executive Committee; Mr. George Kapelwa Lipimile (Zambia) |
| Item 14:                                | Mr. Moses F. Ekpo (Nigeria), Chairman of the WIPO General Assembly  |

5. An index of interventions by delegations of States and representatives of intergovernmental organizations and non-governmental organizations mentioned in this report will be reproduced as an Annex to the final version of the present report. The list of participants will appear in document AB/XXIX/INF/3.

#### ITEM 1 OF THE CONSOLIDATED AGENDA:

##### OPENING OF THE SESSIONS

6. The twenty-ninth series of meetings of the Governing Bodies of WIPO and of the Unions administered by WIPO was convened by the Director General of WIPO, Dr. Arpad Bogsch (hereinafter referred to as "the Director General").

7. The sessions of the Governing Bodies were opened in a joint meeting of all the six Governing Bodies by the Chairman of the WIPO General Assembly, Mr. Moses F. Ekpo (Nigeria).

#### ITEM 2 OF THE CONSOLIDATED AGENDA:

##### ADOPTION OF THE AGENDAS

8. Each of the Governing Bodies adopted its agenda as proposed in document AB/XXIX/1 (hereinafter referred to in this document and in the documents listed in paragraph 2, above, as the "Consolidated Agenda").

#### ITEM 3 OF THE CONSOLIDATED AGENDA:

##### ELECTION OF THE OFFICERS

9. Following consultations outside the meeting, undertaken by the Chairman of the WIPO General Assembly and the outgoing Vice-Chairmen of the WIPO Coordination Committee, a proposal for the election of the officers of the WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee was presented by the Chairman of the WIPO General Assembly.

10. On the basis of that proposal, the said Committees elected the following officers:

for the WIPO Coordination Committee

Chairman: Wilhelm HÖYNCK (Germany)

Vice-Chairman: Munir AKRAM (Pakistan)

Vice-Chairman: Marc SÉRY (Côte d'Ivoire)

for the Paris Union Executive Committee

Chairman: Valery L. PETROV (Ukraine)

Vice-Chairman: Soemaryato KAYATMO (Indonesia)

Vice-Chairman: Hisamitsu ARAI (Japan)

for the Berne Union Executive Committee

Chairman: Gustavo CASTRO GUERRERO (Colombia)

Vice-Chairman: Daniel BERNARD (France)

Vice-Chairman: George Kapelwa LIPIMILE (Zambia)

#### ITEM 4 OF THE CONSOLIDATED AGENDA:

#### ACTIVITIES FROM JULY 1, 1995, TO JUNE 30, 1996

11. Discussions were based on documents AB/XXIX/2, 3, 4 and 9.

12. The Director General announced that, in compliance with the decision of the 1995 session of the General Assembly, according to which WIPO should prepare studies on the financial and other implications of the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) for developing countries, the International Bureau had commissioned four such studies to outside experts. The said studies had been received very recently and were now available.

13. The delegations of the following 76 States, seven intergovernmental and five international non-governmental organizations made statements: Algeria, Argentina, Australia, Austria, Benin, Bolivia, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Finland, Gambia, Germany, Ghana, Guatemala, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Japan, Jordan, Kenya, Lesotho, Malawi, Mali, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom, United States of America, Uruguay, Venezuela, Viet Nam, African Regional Industrial Property Organization (ARIPO), Commission of the European Communities (CEC), Eurasian Patent Organization (EAPO), European Patent Office (EPO), African Intellectual Property Organization (OAPI), Organization of African Unity (OAU), United Nations Educational, Scientific and Cultural Organization (Unesco), Association of Commercial Television in Europe (ACT), International Confederation of Societies of Authors and Composers (CISAC), the European Broadcasting Union (EBU), International Federation of Industrial Property Attorneys (FICPI), International Federation of Reproduction Rights Organizations (IFRRO).

14. Almost all of the delegations which took the floor expressed their satisfaction with the content of the reports submitted by the Director General, and praised them for their comprehensiveness and clarity.

15. Most of the said delegations expressed their appreciation for the volume and quality of the activities which had been carried out by the International Bureau in the period under review. Those activities had been conducted with efficiency, creativity, dedication and success.

16. Particular satisfaction was expressed for the volume and quality of the development cooperation activities carried out by WIPO in favor of developing countries. This area of the work of the International Bureau was singled out for special mention in practically all the statements. It was emphasized that those activities had obtained their objectives and matched the expectations of the participating countries, and that they covered a variety of crucial areas such as the development of human resources, strengthening of the legal and administrative intellectual property infrastructure, automation of procedures for the granting of intellectual property rights, promotion of inventions and innovation, access to technological information contained in patent documentation, and enforcement of intellectual property rights. It was noted that the International Bureau gave foremost importance to the activities that assisted developing countries in analyzing the implications of the TRIPS Agreement for them, and in adapting their national legislation to the obligations established under that Agreement. In this connection, many delegations expressed their satisfaction with the successful conclusion, in December 1995, of the Agreement between WIPO and the World Trade Organization (WTO), including the work on the notification of intellectual property laws and regulations. The delegations of the recipient developing countries expressed the hope that WIPO's development cooperation program would expand in the future and that there would be a significant increase in financial resources allocated to it. A number of delegations of industrialized and other donor countries reiterated their willingness to continue giving support to WIPO in its development cooperation program, with funds and in kind.

17. A number of delegations expressed their satisfaction for the progress achieved by WIPO in the period under review in respect of norm-setting. Most delegations which spoke commended WIPO for the preparatory work that had led to the convening, in December 1996, of the WIPO Diplomatic Conference on Certain Copyright and Neighboring Rights Questions and stated their commitment to work toward the successful conclusion of that Conference. Several delegations expressed the hope that efforts made in connection with the draft Patent Law Treaty would soon culminate in success and also expressed the need to make progress toward the conclusion of the Treaty on the Settlement of Intellectual Property Disputes Between States.

18. Many delegations expressed their appreciation for the entry into force of two major international instruments in the field on trademarks initiated by WIPO and concluded under the auspices of WIPO, namely the Trademark Law Treaty (TLT) and the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol). A number of delegations also referred with appreciation to the entry into force and start of operations under the Eurasian Patent Convention (EAPC), a treaty in whose preparation the International Bureau played an important role.

19. Many delegations also emphasized the continuing success of the PCT as evidenced by the constantly increasing number of member States and growth of the number of international patent applications. With respect to WIPO's other activities in international registration, appreciation was also expressed for the promising start of operations, on April 1, 1996, under the Madrid Protocol.

20. The central role of WIPO in the promotion of protection of intellectual property throughout the world was emphasized with special reference to WIPO's catalytic role as the universal forum for the discussion, examination and establishment of new harmonized norms and standards.

21. The Delegation of Sweden said that Sweden had traditionally contributed to WIPO development cooperation activities and expected to continue to do so by, *inter alia*, organizing and financing, each year, two training courses in Stockholm on industrial property and copyright, respectively and, in the patent field, by providing free of charge state-of-the-art searches and search and examination reports. The Swedish Government would consider in a positive spirit proposals to increase development cooperation funds. As regards norm-setting activities, the Delegation stated that Sweden was preparing for the ratification of the TLT and followed with particular interest WIPO's work concerning well-known marks. It also supported the proposals submitted to the present session of the Governing Bodies in relation to the draft Patent Law Treaty. With respect to registration activities, the Delegation stated that Sweden continued to actively promote the use of the PCT. Following the start of operations under the Madrid Protocol, steps had been taken to inform potential users about the advantages of the system. The Delegation also commended WIPO for the extensive coverage given to the TRIPS Agreement under its development cooperation activities, the organization of the World Forum on the Protection of Intellectual Creations in the Information Society, in Naples, in 1995, and the activities dealing with the relations between universities and industry. Finally, the Delegation expressed its thanks to the International Bureau for its cooperation in the organization of the copyright training course traditionally held in Stockholm.

22. The Delegation of Finland underlined the significance of the development cooperation work done by WIPO and gave details on some of the contributions of its Government in human resource development. The National Board of Patents and Registration had recently moved to new central premises and upgraded its services to users. The Madrid Protocol had entered into force with respect to Finland on April 1, 1996. Finland had also joined the European Patent Convention, becoming the 18th member of the EPO on March 1, 1996. A new Utility Model Act with a wider scope of protection had entered into force on January 1, 1996. A proposal to amend the Patents Act to switch from a pre-grant to a post-grant opposition system would be submitted to Parliament later in 1996. The National Board of Patents and Registration of Finland was also in charge of the *Innovative Finland* campaign which aimed at promoting inventiveness and creativity. In 1997, this campaign would be one of the main events of the jubilee year for the 80th anniversary of Finnish independence. The Delegation expressed its satisfaction with the convening of the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions and reaffirmed its commitment towards a successful conclusion of that Conference.

23. The Delegation of Switzerland began by emphasizing the importance of this year's discussions in the Governing Bodies, which should profit from the mid-term assessment carried out after the adoption of the 1995 budget and promote strategic planning for the coming years. The Delegation welcomed the cooperation between WIPO and WTO as a perfect example of complementarity and coordination, in which WIPO contributed in full its dynamics, its knowledge and its know-how, along with its financial means and human resources, whereas WTO had the advantage of its commercial and worldwide dimensions and its multidisciplinary. The Delegation also stressed the importance that the Swiss

Government attached to technical cooperation with the developing countries. Switzerland would continue to respond to requests for technical assistance, particularly in collaboration with WIPO and with WTO. The Delegation also wished to highlight the efforts made by WIPO in the international context, particularly those to enable countries to implement the TRIPS Agreement. Switzerland was planning to participate in the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions and to make every effort towards a satisfactory outcome. The Delegation also hoped that the near future would see the conclusion of the work on the draft Patent Law Treaty. At the same time, it hoped that work within the framework of the Hague Union would continue in a constructive spirit in order to achieve a compromise between the diverging interests, since Switzerland, for its part, attached great importance to an international registration system within the framework of WIPO and intended to participate actively in the discussions scheduled for November 1996. As far as developments in Switzerland were concerned, the Delegation spoke positively of the initial results of the new Federal Institute of Intellectual Property that had replaced, on January 1, 1996, the Federal Intellectual Property Office. To conclude, the Delegation said that ratification of the Madrid Protocol and of the Trademark Law Treaty could take place at the beginning of the coming year.

24. The Delegation of Austria stated that the Austrian Government had continued to support WIPO's development cooperation activities by organizing seminars on technical information as an aid to industrial development and training courses on patent information at the Austrian Patent Office (APO) in Vienna, for developing country officials. The APO had also continued to provide experts for WIPO's advisory missions to developing countries, to prepare free of charge state-of-the-art search reports for, and to provide free-of-charge copies of patent documents to, developing countries, thus participating in WIPO's effort to promote developing country access to technological information contained in patent documents. With respect to the PCT, the APO had continued to act as an International Searching and International Preliminary Examining Authority for an increasing number of developing countries. On the bilateral level, cooperation agreements had been concluded, particularly with newly established intellectual property offices in Central and Eastern Europe. The Delegation reiterated the willingness of the Austrian Government to continue to contribute to WIPO's development cooperation activities, especially through training and advice in areas such as legislation, procedures for the granting of industrial property rights and automation of national industrial property offices. With regard to WIPO's norm-setting activities in the period under review, the Delegation noted with satisfaction the entry into force of new instruments for the protection of industrial property and the growing number of States acceding to treaties administered by WIPO. Concerning domestic developments in the field of intellectual property, the Delegation announced that amendments to the Patents Act and the Semiconductor Act had entered into force in early 1996, in order to bring Austrian legislation in conformity with the relevant provisions of the TRIPS Agreement. The Trademarks Act was also being revised in the light of EC-Regulation No. 2081/1992, on the protection of geographical indications and the Community Trademark Regulation, and a revised Act was expected to be reviewed by Parliament by the end of 1996. As a signatory to the Madrid Protocol and the Vienna Agreement, Austria intended to deposit its instruments of ratification at the beginning of 1997. Possible accession to the Hague Agreement and the TLT was also under consideration.

25. The Delegation of the Republic of Korea expressed great satisfaction with the development cooperation activities carried out by WIPO in the period under review.



Regarding WIPO's norm-setting activities, it was a high priority for its country that a diplomatic conference on the settlement of intellectual property disputes between States be convened in 1997. The Delegation hoped that a favorable climate for the conclusion of the draft Patent Law Treaty would be created through the necessary consultations. The work of the WIPO Committee of Experts on Well-Known Marks would, the Delegation hoped, lead to effective solutions soon. At a national level, progress had been made toward the strengthening of intellectual property protection. The Republic of Korea had become party to the Berne Convention on August 21, 1996. The patent, trademark and copyright laws had been revised in the period under review in compliance with the provisions of the TRIPS Agreement. A Korean Patent Court would be established in 1998. The Korean Industrial Property Office (KIPO) was continuing its efforts to modernize and streamline procedures, with emphasis on automation and establishment of a computerized information network. By 1998, the Office would have an electronic application system. The Korea Industrial Property Rights Information Center had been established in July 1995 to provide on-line information services at the national level. A number of national and regional symposiums on intellectual property had been organized in 1995 and 1996 by the International Intellectual Property Training Institute (IIPTI) in cooperation with WIPO. In hosting some of those seminars, KIPO had covered, in agreement with WIPO, about 40% of the costs. A world forum would be organized in the first half of 1997 in cooperation with WIPO to commemorate the tenth anniversary of the establishment of IIPTI. The Delegation outlined the main features of the new national plan for the development of intellectual property administration. The number of KIPO patent examiners would be increased. KIPO would also consider the introduction of a utility model non-examination system, and a possible shift to a post-grant opposition system. The Republic of Korea would pursue early accession to international treaties in the field of industrial property, including the TLT and the Nice Agreement. The Delegation also looked forward to KIPO becoming a PCT International Searching Authority.

26. The Delegation of Spain made particular mention of progress achieved within the European Union for the harmonization of legislation and of the expected entry into force of the Convention on the Community Patent. It expressed satisfaction with the progress of work in respect of the proposed treaty for the settlement of intellectual property disputes between States and the draft Patent Law Treaty. It hoped that the Diplomatic Conference on Certain Copyright and Neighboring Rights convened by WIPO for December 1996 would be successfully concluded. Concerning development cooperation, the Delegation stated that the establishment of the "Centro Iberoamericano de Documentación y Formación en Materia de Patentes" would facilitate mutual coordination and cooperation among the Ibero-American industrial property offices. The good prospects of the Center were confirmed by the support offered by WIPO and the EPO. The Spanish Patent and Trademark Office would, at the same time, continue to participate in WIPO's development cooperation activities and bilaterally with Latin-American countries. Of such cooperation, the Delegation highlighted several training activities and the project for the production of the DOPALES PRIMERAS CD-ROM containing information on the patents of 19 Latin American countries. Since the Spanish Patent and Trademark Office had started to act as International Searching Authority under the PCT, more than 150 international search requests had been received by it. The success of the Community trademark system, administered by the Office for Harmonization in the Internal Market (Trade Marks and Designs) in Alicante, had also exceeded expectations.

27. The Delegation of Japan highlighted recent and planned activities in the field of intellectual property in Japan. In the patent area, amendments to the Patent Law, in

conformity with the TRIPS Agreement, were in effect as of July 1, 1995. There was a shift from a pre-grant to a post-grant opposition system in line with the provisions of the draft Patent Law Treaty. In this connection, the Delegation hoped that negotiations could be resumed to achieve substantial harmonization of patent systems as soon as possible. In the trademark area, domestic approval for accession to the TLT had been obtained in June 1996, and substantial amendments to the Trademark Law would come into force in April 1997. In the copyright area, the Delegation intended to actively participate in the Diplomatic Conference convened by WIPO for December 1996. In the information area, the Japanese Patent Office (JPO) planned to further improve its electronic filing system, and was ready to share its expertise, especially through WIPO, in the computerization of intellectual property data. As regards development cooperation, the Delegation recalled that the Japan Trust Fund had supported WIPO development cooperation activities over the past nine years in fields such as human resources development, computerization, patent examination and search. The amount of the said Trust Fund was envisaged to be increased. In August 1996, the JPO had hosted the Asia-Pacific Economic Cooperation (APEC) Industrial Property Symposium at which 18 delegations from the Asia and Pacific region had committed themselves to expand cooperation in the intellectual property area and expressed appreciation for the activities undertaken by WIPO. In approaching the 21st century, WIPO was expected to play an increasingly important role in norm-setting, expanding international registration activities under the PCT, computerization of intellectual property information and assistance to developing countries areas. In this connection, WIPO should establish positive relations with other international organizations such as the WTO.

28. The Delegation of Egypt expressed its thanks to WIPO for the activities which had been carried out in the Arab countries, as well as assistance to its country. Such activities pertained to national and regional cooperation, organization of various symposiums, expert advisory missions and training of staff. Its country had hosted a number of national and regional meetings. The Delegation said that it welcomed possible future cooperation with WIPO as regards both training and legislative development. In 1996, the Egyptian authorities had completed a new draft of the patent law to conform to the TRIPS Agreement. That law was presently under consideration by the Council of Ministers. The Delegation expressed the wish that an Arab Intellectual Property Office be established with the assistance of WIPO. It expressed the further desire that funds for development cooperation activities be increased over the next year, in conjunction with the additional workload brought on by preparations for the fulfillment of the TRIPS Agreement obligations. Thanks were expressed for various studies regarding the legal, financial and economic impacts of the TRIPS Agreement on developing countries.

29. The Delegation of Denmark said that the Danish Patent Office was being restructured with a view to providing improved services to users through, *inter alia*, the establishment of unified patent and trademark units. The Delegation considered this an important element in the overall effort to provide quality service to Danish industry and business. In the legislative area, draft amendments to the Trademark Act had been prepared, and were expected to be put before Parliament during the fall of 1996, their primary goal being the ratification of the TLT. Minor amendments to the Regulation on Utility Models and the Patent Law had also entered into force in 1996, and the Patent Law had thereby achieved full compliance with the relevant provisions of the TRIPS Agreement. As regards norm-setting, the Delegation expressed satisfaction with the commitment with which WIPO had pursued its objectives and reiterated the importance it attached to the draft Patent Law Treaty, an area in which it hoped that work

would soon be resumed and intensified. The Delegation also commended WIPO's work in the area of well-known marks, and suggested that WIPO should investigate needs for regulation in the Internet area. It was natural that WIPO play a role here, although the extent of that would have to be further investigated. Finally, the Delegation expressed its appreciation for the impressive efforts carried out by WIPO for the promotion and teaching of intellectual property and reiterated its commitment to supporting such efforts.

30. The Delegation of China informed the meeting that, in the first six months of 1996, a total of some 48,000 patent applications had been filed with the Chinese Patent Office, representing approximately a 25% increase over the same period in 1995. In the same period, 49 PCT applications had been received from Chinese applicants and 2,830 PCT applications of foreign applicants had entered the national phase in China. The total number of applications in 1996 was expected to exceed 100,000. A new patent information system was being established with the help of a loan from the German Government and the assistance of certain leading patent offices. Also, a China Intellectual Property Training Center had been inaugurated on April 1, 1996. The Locarno Agreement had entered into force in respect of China on September 19, 1996, and the Strasbourg Agreement would enter into force on June 19, 1997. In the copyright area, a new set of administrative and criminal provisions had been adopted in the period under review at the initiative of the National Copyright Administration of China (NCAC) to reinforce the prevention and repression of copyright infringement. As concerns trademarks, the Delegation stated that in the first six months of 1996, about 76,000 applications for trademark registration had been filed with the Chinese Trademark Office, of which some 65,000 by domestic and some 10,600 by foreign applicants. During the same period, some 3,600 requests for territorial extensions to China under the Madrid Agreement had been received. Also, work had continued for the revision of the Trademark Law and its implementing Regulations, and for the implementation of the second phase of the project for the automation of trademark operations.

31. The Delegation of the Czech Republic expressed the interest of its country to become a member of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property. With regard to national developments in the field of intellectual property in the period under review, the Delegation informed that the Czech Republic had ratified the TLT and acceded to the Madrid Protocol. In May 1996, it had applied formally for accession to the European Patent Convention. In addition, work continued for harmonizing national legislation with the legislation of the European Union and the provisions of the TRIPS Agreement. In the field of industrial property, effort was concentrated, *inter alia*, on the implementation of the new Trademark Law, the computerization of the services of the Industrial Property Office, and training. In this connection, the Delegation thanked WIPO for assisting in the organization of a regional seminar on industrial property law teaching and research, to be held in Prague in October 1996. In the field of copyright, major amendments to the Copyright Law had been passed by Parliament in March 1996, to harmonize it with the legislation of the European Union and to reinforce the fight against piracy.

32. The Delegation of the Philippines expressed its appreciation for several seminars which WIPO had recently organized in its country, dealing with such issues as the TRIPS Agreement and enforcement measures. The Delegation requested additional support from WIPO for the modernization and computerization of its country's intellectual property system, a task that was urgent in view of the growing importance of intellectual property in its expanding economy. The Delegation thanked WIPO for the advice and support it had provided in

drafting proposed legislation for the further revision of the country's intellectual property laws to bring them into line with the TRIPS Agreement. There had been a remarkable increase in royalty payments attributable to improvements in the enforcement of intellectual property rights in the Philippines, and pending legislation would further improve the situation. The establishment of an inter-agency intellectual property protection committee had also proved to be an effective measure. The Delegation reiterated its interest in the updating being undertaken of certain international treaties administered by WIPO, in the light of the greatly changed technological environment and expressed the importance of involving the developing countries in that process. It appreciated the transparent approach that had so far been taken, as illustrated by the WIPO-supported regional consultations. Although it regretted that the rights of broadcasters had not been included in the above process, it welcomed the World Symposium on Broadcasting, New Communication Technologies and Intellectual Property to be organized by WIPO in the Philippines in April 1997.

33. The Delegation of Morocco declared that its country had greatly profited from the assistance that WIPO had provided, particularly in matters relating to the TRIPS Agreement. Norm-setting was among the activities in which Morocco had participated, and it supported the idea of a body responsible for promoting normative activities in the Maghreb countries. It also supported staff training activities geared to improving knowledge of intellectual property and related matters. The Delegation noted that, in September 1996 in Casablanca, Morocco had hosted the annual meeting of the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP), which had had considerable public impact. It also drew attention to the African regional consultations on certain copyright and neighboring rights that would take place in Casablanca, in November 1996, to prepare for the Diplomatic Conference to be held later in December.

34. The Delegation of Chile expressed its gratitude to WIPO for the cooperation activities carried out in the period under review. The assistance provided by WIPO had been extremely important and, in the immediate future, would be even more crucial. It also expressed its satisfaction that Chile's offer to host the regional consultations of Latin America and Caribbean countries to prepare the coming Diplomatic Conference on Certain Copyright and Neighboring Rights Questions had been accepted. WIPO, in coordination with the WTO, should play a fundamental role in assisting developing countries to comply with the obligations under the TRIPS Agreement, and the necessary financial resources should be available. In this connection, the Delegation made a proposal containing two elements. First, the traditional approach in the development cooperation program should be revised, with a view to enabling the intellectual property systems of the developing countries to achieve the qualitative level required by the TRIPS Agreement. The new program should be more direct, with a mechanism for constant evaluation to ensure that the qualitative goals of effective and adequate protection of intellectual property are met. Second, increased funds would be required, and WIPO should earmark 20% of its income for development cooperation activities. In the short term, WIPO could consider using part of the reserve funds earmarked for computerization and premises. The Delegation further proposed that WIPO should review its policy of charging 13% for administrative support costs in respect of development cooperation projects funded through extra-budgetary resources. Also, WIPO's budget for the 1998-99 biennium should be prepared with all possible flexibility to allow the new Director General to introduce the changes that he might find fit. On the question of staff, the Delegation expressed its concern at the serious situation resulting from the lack of planning regarding the professional staff in the Legal Counsel's Office. Finally, the Delegation

underlined that of great political importance for WIPO was the establishment of a time frame for the election of the future Director General, and proposed that consultations might continue on as broad a basis as possible with all delegations to enable them to reach the necessary agreement before the next meeting of the Governing Bodies. Finally, the Delegation also supported an open, flexible election system to ensure guarantees to all member States and the success of the political agreement reached, thereby preventing any negative effect on the smooth running of the Organization.

35. The Delegation of the Islamic Republic of Iran mentioned the fruitful cooperation with WIPO during the recent years. In May 1996, a computerized system for the processing of trademark and patent applications by the Iranian Industrial Property Office was inaugurated. The system had been developed under a UNDP-funded project, executed by WIPO, which had started in 1991. The Delegation said that a second phase of this project was expected to materialize soon. In the period from 1991 to 1995, two seminars on industrial property and its role in economic development had been organized in the Islamic Republic of Iran in cooperation with WIPO and two more seminars were planned to be held in Tehran in 1996 on international conventions in the field of intellectual property, including the TRIPS Agreement. Finally, the Delegation explained that the process of ratification of treaties was time-consuming, but it hoped that its country would accede in the near future to the WIPO Convention and to the Stockholm Act of the Paris Convention.

36. The Delegation of Côte d'Ivoire expressed its appreciation of the national and regional seminars held by WIPO in Africa, the outside training given to various African officials, the assistance with computerization and the assistance in harmonizing the respective national laws. The Delegation also thanked the International Bureau, together with the member States, which had accepted an increase in the WIPO budget to cover the development cooperation activities. The Delegation observed that the adoption of the TRIPS Agreement had created a new need for assistance on the part of the developing countries. Emphasizing that the African countries only represented two percent of the total turnover of worldwide trade, the Delegation stressed the importance for those countries of facing up to the challenges set by intellectual property to enable it to contribute substantially to the economic, social and cultural welfare of the African States. The Delegation considered that, in order to improve the involvement of the developing partners, WIPO should envisage for the coming years their participation both in the drawing-up of the assistance programs and their implementation. The Delegation also expressed the wish that WIPO should envisage, in order to strengthen its action in favor of the development of intellectual property, the principle of a study into the need for a standing presence in the developing regions. The Delegation expressed its concern at the lack of equitable distribution at staff level.

37. The Delegation of Ghana mentioned that with the conclusion of the TRIPS Agreement, a growing awareness had been created of the important role of intellectual property in economic and social development and special increased attention should be given to developing human resources, facilitating the creation or improvement of national and regional legislation, institution-building, and developing capacities and infrastructure for the management and exploitation of intellectual property rights. The Delegation noted with appreciation the increase in WIPO's budgetary allocations for development cooperation activities but felt that a higher level of funding would be needed to match the requests of developing activities. In this context, reference was made to the assistance which its country had received from WIPO recently, specially in training, the holding of seminars, institution-

building, including the provision of computer equipment. In line with its country's efforts to modernize its national legislation, its Government had recently requested WIPO's advice on amendments to Ghana's existing industrial property and copyright laws, in order to bring them into conformity with obligations under the TRIPS Agreement. It had also requested WIPO's advice on the enactment of legislation in areas in which protection required under the TRIPS Agreement was not yet available in Ghana, i.e., integrated circuits, geographical indications, and protection against acts of unfair competition. The Delegation commended the International Bureau for its work in the area of norm-setting in the period under review, which had witnessed the entry into force of the TLT, the Eurasian Patent Convention, and the Madrid Protocol. It looked forward to the conclusion of new international instruments in the area of copyright and certain neighboring rights in December this year. It observed that through the provision of travel assistance to delegations from developing countries, its country's active participation in the negotiations had been greatly facilitated, and hoped that such assistance would be continued in the future.

38. The Delegation of Swaziland expressed its appreciation for the assistance its country had received from WIPO over the preceding twelve months. This assistance had included a WIPO National Seminar on Copyright and Neighboring Rights and an advisory mission concerning copyright legislation that was soon to be submitted to Parliament, as well as the installation of a CD-ROM workstation and the relevant software. The Delegation asked for further assistance along those lines for the developing African region as a whole.

39. The Delegation of Turkey said that, in June 1995, its country had begun the implementation of the changes to its patent, trademark, geographical indications and industrial designs legislation. Provisions on fines and penalties had been added through the Industrial Property Protection Decree of November 7, 1995. During the period under review, Turkey had become a member of the PCT, the Nice and Vienna Agreements and would become a member of the Strasbourg Agreement as at October 1, 1996. Work continued to prepare Turkey's accession to the Budapest Treaty, the Madrid Protocol and the Locarno Agreement. There had been discussions on Turkey's possible accession to further WIPO-administered treaties. The Delegation expressed its appreciation for WIPO's contribution to the modernization of the Turkish Patent Institute.

40. The Delegation of Norway said that the Norwegian Patent Office would continuously strive to render high quality services tailored to the ever-changing needs of commercial enterprises, research and educational institutions, individual inventors and creators, and governmental institutions. During the last years, the number of applications for trademark registration filed in Norway had risen considerably, even though the effect of the country's recent ratification of the Madrid Protocol was still uncertain. The Norwegian Patent Office would continue to grant patents and register trademarks and designs on the basis of full examination procedure. However, a shift from pre-grant and pre-registration to post-grant and post-examination opposition procedures was foreseen. The activities of that Office in the years to come would, *inter alia*, put a stronger emphasis on increasing the actual and potential customers' knowledge of industrial property rights and their exploitation. Norway attached great importance to international cooperation in the field of intellectual property. As a member of the European Economic Area Treaty, Norway was constantly engaged in harmonizing its legislation with the other members of that Treaty, so as to improve the free circulation of goods and services within the Area.

41. The Delegation of Algeria noted with satisfaction the intensive efforts carried out by WIPO with regard to training, particularly the organization of seminars that enabled officials of the developing countries to familiarize themselves with the legal norms in that field. The Delegation informed participants on the outcome of the work to modify the national legislation on copyright, to strengthen the prerogatives of authors and extend protection to the field of neighboring rights. The logical consequence of that work would be the forthcoming accession of Algeria to the Berne Convention. The Delegation stated that Algeria would give its full support towards the success of the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions convened for December 1996. For Algeria, it was extremely important that WIPO should maintain its full competence with respect to the settlement of intellectual property disputes and should be able, where appropriate, to convene a diplomatic conference in that field for next year. The Delegation greeted with satisfaction the cooperation agreement that had been concluded between WIPO and WTO. In that context, the Delegation reported that Algeria was on the point of relinquishing its observer status with WTO in order to become a full Member of that Organization. The Delegation also stressed the concern of the Algerian authorities for the protection of industrial property. As part of its economic development program, the Algerian Government had expressly mentioned industrial property as an action of interest. In that respect, The Delegation of Algeria announced that its country was envisaging the creation of a national inventions day, that would be held on the 7th of December of each year, a date that corresponded to the promulgation of the first Algerian law on the protection of inventions. Thus, the year 1996 had been marked by a campaign of promotion for industrial property. The Delegation had also placed emphasis on the setting-up, with a contribution from WIPO, of a database for the exploitation and dissemination of technical information. As far as legislation was concerned, Algeria had amended the legislative instrument on inventors' certificates which would henceforth be considered patents for invention with full effects. The Delegation then observed that the procedure for acceding to the PCT was well advanced. To conclude, the Delegation of Algeria proposed the creation of an international day of intellectual property, whose anniversary could correspond to a significant event in the activities of WIPO.

42. The Delegation of Mali expressed its satisfaction at the activities carried out by WIPO and the encouraging results that had been achieved, both with respect to the volume of those activities and to their scope. It welcomed the progress made in the field of normative activities and expressed the wish that those efforts should continue. As for the development cooperation activities, the Delegation expressed to WIPO the gratitude of the Government of Mali for its continuing support for the promotion of industrial property in its country, a contribution that had been illustrated in recent years in the field of training and improvement of conditions for access to technical information. It hoped that the support given to Mali by WIPO would continue under the conditions that had been jointly decided by the national authorities and by WIPO.

43. The Delegation of Ireland reported on various developments which had taken place regarding its country's intellectual property laws. A new Trademarks Act had come into effect on July 1, 1996, preparing the way for Ireland to accede to the Madrid Protocol in the near future. A comprehensive review of the Copyright Law was also underway. The patent and the industrial designs law was also being examined, with a view toward full compliance with the standards established by the TRIPS Agreement. In the copyright and neighboring rights area, Ireland had been actively involved in the preparatory work for the WIPO

Diplomatic Conference on Certain Copyright and Neighboring Rights Questions which would be held in December 1996, and was committed to successful completion.

44. The Delegation of Australia stated that it supported WIPO's continuous role in the areas of norm-setting and international registration, and drew particular attention to its development cooperation activities. Australian industry continued to recognize the benefits of the PCT. During 1995, there had been a 9% increase in international applications made through the PCT by Australian applicants. The Delegation pointed to this as indication of the popularity of simplified and cost-effective mechanisms for intellectual property protection. Australia was concerned about the high cost of protecting patent rights internationally and believed that harmonization of laws reduced costs and simplified procedures. To this end, Australia continued to support the draft Patent Law Treaty and urged other States to do likewise. The Delegation noted with appreciation the entry into force of the TLT, and its benefits. The Delegation was pleased to note progress in cooperation between WIPO and the WTO which would serve to strengthen the world's intellectual property regimes while avoiding duplication of effort. However, Australia had continuing concerns as regards the relationship between WIPO's proposed dispute settlement treaty and the WTO dispute settlement mechanisms. The Delegation reported that detailed inquiries had been undertaken during 1995 regarding Australian designs and petty patents systems. The Government response to those inquiries was expected to be completed in early 1997. In 1996, the Government had also received a report on the regulatory regime for patent attorneys, to which Government response was expected during 1997. Australia had introduced new trademark legislation on January 1, 1996.

45. The Delegation of Viet Nam said that concurrent with its country's economic growth, the protection of intellectual property rights in Viet Nam had made progress. In October 1995, the National Assembly of Viet Nam had passed a Civil Code which included provisions on intellectual property rights and the transfer of technology. This was the first Civil Code enacted by the Government and represented the first time in which intellectual property rights and transfer of technology issues had been addressed in a law passed by the National Assembly. The said Code brought Viet Nam's legal system into closer conformity with international standards in the field of intellectual property, including those established by the TRIPS Agreement. The Delegation further stated that Viet Nam had expanded and strengthened cooperation with other countries in the field of intellectual property. In this connection, at the fifth ASEAN Summit in December 1995, its Government had signed the ASEAN Framework Agreement on Intellectual Property Cooperation. Beyond the ASEAN area, close cooperation was also maintained with various countries and international organizations.

46. The Delegation of Kenya underscored the importance which its Government placed on the role of intellectual property rights in industrial development. In 1996, a new Industrial Property Bill, intended to bring national legislation into conformity with the provisions of the TRIPS Agreement, had been submitted to the Cabinet. In 1995, the Copyright Act had been amended to conform to the requirements of the Berne Convention. The Delegation expressed its gratitude to WIPO for the assistance rendered to improve the capacity of Kenya's intellectual property system. Further training was expected to be received in 1996 under a medium-term project for the automation of patent and trademark operations and the establishment of a patent documentation and information center. The Delegation supported long-term scholarships at master's degree level as an effective way of creating a core of



trainers in the country. It also expressed its thanks to WIPO for the provision of CD-ROM workstations to the Kenyan Industrial Property Office (KIPO), and stated that the bibliographic data of about two million patent documents were available at the KIPO patent information and documentation center, representing the largest collection of patent information in Africa. WIPO had been instrumental in reaching this achievement. The Delegation expressed particular appreciation to WIPO for the provision of CD-ROM workstations to Kenya and other developing countries, and it suggested that training in the maintenance of computer equipment be provided by WIPO in case there was no backup maintenance service available in the country concerned.

47. The Delegation of Senegal, after having congratulated the Director General on the actions conducted during the period under examination, expressed the wish that WIPO's development cooperation activities should be further reinforced in future with respect to training in the use of CD-ROMs for patent information and searching, development of human resources, promotion of intellectual property teaching, particularly in the universities, the training of judges capable of effectively deciding disputes arising in that field and the holding of seminars on the TRIPS Agreement. African experts in intellectual property should be used more frequently in carrying out the activities mentioned above. It would therefore be necessary, in order to accomplish those activities, that the funds allocated to development cooperation be increased in the 1998-1999 biennium. The Delegation considered that the cooperation undertaken by WIPO and WTO should be pursued in the field of intellectual property, particularly as regards the settlement of disputes between States. Senegal also announced that it was willing to host, in 1997, the general introductory course on industrial property for the countries of French-speaking Africa. Finally, in the field of copyright, the Delegation also welcomed the idea of holding a meeting with the broadcasters of both the public service and the private sector, a first event of this kind in Africa, and to which would be invited the Union of National Radio and Television Organizations of Africa (URTNA).

48. The Delegation of Trinidad and Tobago stated that the emphasis placed by the country on intellectual property was clearly illustrated by the numerous important steps taken by the Government recently in the enactment of legislation and accession to treaties. At present, Trinidad and Tobago was a party to the Paris Convention, the Berne Convention, the Geneva Convention, the Budapest Treaty and the PCT, as well as the Strasbourg, Nice, Locarno and Vienna Agreements. Trinidad and Tobago would soon accede to the TLT. In 1996, Parliament enacted the Patent Act, Trade Mark Amendment Act, Industrial Designs Act, Act for the Protection of Integrated Circuits (Topographies), Geographical Indications Act, and Act for the Protection Against Unfair Competition. A Copyright Bill, 1996, was presently in Parliament to be debated. Upon approval of the Copyright Act, 1996, an instrument of accession to the Brussels Convention would be deposited. Trinidad and Tobago was also putting in place legislation for the protection of new varieties of plants and would accede soon to the UPOV Convention. The Government had been unstintingly supported by WIPO in this process, through the preparation of draft laws complying with the TRIPS Agreement and training of staff of the Intellectual Property Registry. Further WIPO's assistance was sought in the near future for training judges and law enforcement officers in Trinidad and Tobago and the Caribbean (CARICOM) region. The establishment of a CARICOM Regional Intellectual Property Office would be most useful at this time and WIPO's support was anticipated. A project for the modernization of the Industrial Property Registry had been carried out in cooperation with WIPO and was near successful completion. It dealt with the automation of trademark and patent operations.

49. The Delegation of India gave information on the good results achieved by WIPO's assistance to its country, through two UNDP-funded projects executed by WIPO, for the modernization of the Indian Trade Mark Registry and the development of nationwide patent information services, respectively. WIPO's assistance could be sought at the appropriate time, in connection with the Government's plan to establish special institutes for the promotion of industrial property. The Delegation further stated that the establishment of the WIPO Academy had been a major innovation which had successfully responded to a perceived need for training of middle- and senior-level government officials on intellectual property issues. In the period under review, eight seminars, dealing with different aspects of intellectual property, had been successfully held in India, in cooperation with WIPO. Additional seminars, including a WIPO Asia and Pacific Regional Judges' Colloquium, were planned to be held in India in the near future. As concerns norm-setting activities, the Delegation commended WIPO's activities in respect of the draft Patent Law Treaty, settlement of intellectual property disputes, and copyright and neighboring rights, and expressed the hope that further activities be developed by WIPO in respect of issues arising out of the use of digital technology and the Internet. Finally, the Delegation reiterated the willingness of the Government of India to offer assistance to other developing countries by sharing experience and receiving officials for training in various intellectual property areas.

50. The Delegation of Mexico considered that WIPO should consolidate its universality and develop new, non-traditional approaches to its activities. Flexibility and adequate consultation mechanisms were also required in planning future activities. As to national developments in the period under review, the Delegation stated that new copyright provisions were under preparation. The Delegation supported the negotiation of new treaties in the field of copyright and neighboring rights and the convocation in 1998 of a diplomatic conference for the settlement of intellectual property disputes between States. It welcomed symposiums and other meetings on copyright and neighboring rights and requested that similar events be also organized in the areas of broadcasting, enforcement and dispute settlement. The Delegation looked forward to examining the studies commissioned by WIPO on the financial and other implications of the TRIPS Agreement for developing countries. It suggested that a comparative study should be prepared on the enforcement of intellectual property rights in the various countries. The WIPO Arbitration and Mediation Center was a new WIPO activity with major potential which should be publicized more widely. The Delegation expressed its appreciation to WIPO for the assistance received by Mexico and looked particularly forward to the implementation of the special training program for Mexican intellectual property professors and administrators. It supported the request for a percentage increase in the funds set aside for development cooperation in the 1998-99 budget. An increase in funds should be allocated to the budget for norm-setting activities in order to enable more representatives from developing countries to participate in meetings of committee of experts and other norm-setting meetings organized by WIPO. Appropriate consultations with regional groups' coordinators should be made in connection with the planning of regional activities. The Delegation requested that the results of the regional seminars already organized by WIPO in relation to the TRIPS Agreement should be shared with interested countries with a view to fruitfully planning further events of this kind. Further interaction among developing regions should be facilitated through the sharing of relevant information.

51. The Delegation of the Netherlands said that a large part of the work of WIPO, an organization with a history stretching back over a hundred years, had to be seen from a long-term perspective. That was especially true in the area of norm-setting where continuity was

needed in order to ensure that the work of the past would bear the expected fruits in the future. It was also important to consolidate the results so far obtained in that field and to embody them in international instruments. Accordingly, the Delegation looked forward to the Diplomatic Conference to be held in December 1996, in which experts from the Netherlands would take an active part. The Delegation expressed the wish that more meetings of that kind take place in the future on the draft treaty dealing with the settlement of intellectual property disputes between States and the draft Patent Law Treaty.

52. The Delegation of The former Yugoslav Republic of Macedonia gave information on the number of applications for industrial property rights in the period under review in the country. Since it had acceded to the PCT in August 1995, The former Yugoslav Republic of Macedonia had been designated in over 8,000 PCT applications. New legislation in the field of copyright and neighboring rights had been passed to ensure more efficient legal protection for intellectual property rights. The Delegation described the various measures that were being taken to further improve the work of the country's Industrial Property Protection Office. Its country had also become a member of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property. Government officials had also participated in various meetings organized by WIPO. The Delegation also referred to steps being taken to promote Macedonian inventors and inventions. The annual "Patent of the Year" award, designed to promote inventive activity, was being awarded by the Prime Minister. The texts of various international treaties in the field of industrial property were being translated into Macedonian. The Delegation hoped that a diplomatic conference could be held soon for the conclusion of a treaty on the settlement of intellectual property disputes between States and also supported the finalization of work on the draft Patent Law Treaty. Preparatory steps for accession to the Hague Agreement had been made. In the field of copyright and neighboring rights, a new law had been adopted integrating, *inter alia*, the standards of the Berne, Rome, Satellites and Phonograms Conventions, the Universal Copyright Convention, Recommendations of the Council of Europe, the relevant EC Directives and the TRIPS Agreement. A new Department of Copyright and Neighboring Rights had been set up in the Ministry of Culture, and proposals for accession to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention), and the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (Phonograms Convention) were being processed.

53. The Delegation of Sri Lanka stated that its country was well aware of the benefits that could be derived from a modern, well balanced and cost-effective system of intellectual property protection. It expressed its satisfaction for the way in which WIPO had responded to the challenges created by the current changing international trading environment and for the assistance it had provided to developing countries in the establishment or modernization of intellectual property systems suited to their development goals. In this context, deep appreciation was expressed for the increase of the financial allocations for development cooperation activities in the WIPO regular budget for the 1996-97 biennium. Sri Lanka was pleased to be associated with WIPO's development cooperation activities as a recipient and also as a donor, by hosting annually a WIPO training course for developing countries of Asia and the Pacific. The Delegation confirmed its commitment to further cooperate with WIPO in regional and sub-regional development cooperation activities. Realizing its significance for trademark owners, Sri Lanka had become a party to the TLT in March 1996. Finally, the Delegation commended WIPO for the conclusion of the cooperation agreement with the WTO

for carrying out an extensive program of development cooperation activities relating to the TRIPS Agreement.

54. The Delegation of Germany voiced its satisfaction at the actual settlement of important issues concerning the relationship between WIPO and the WTO. The cooperation agreement between the two Organizations was a decisive step towards constructive collaboration in the interests of their common goals. WIPO remained, for Germany, the most appropriate forum for the discussion and solution of problems in the field of intellectual property law; its accumulated specialist knowledge and experience were of inestimable value. The Delegation expressed its satisfaction that work on a WIPO Treaty on the Settlement of Intellectual Property Disputes Between States was progressing. The possibilities for dispute settlement contained in the WTO Agreement in no way rendered the proposed WIPO treaty superfluous. The Delegation also expressed its satisfaction with the entry into force of the Madrid Protocol. Germany, as one of the first signatory States of the Protocol, wished to see this new instrument gain widespread currency and would welcome the entry of the United States of America and Japan into the Madrid system. The Madrid system, that had proved its worth so considerably in easing the acquisition of protection for trademarks abroad, had through that Protocol gained additional States as members. If the voting right of the European Communities was an obstacle to the accession of some States to the Protocol, a pragmatic solution concerning the exercising of that right should be found without the need to amend the Protocol. German industries were making intensive use of the Madrid Agreement and the PCT and would certainly continue to do so in the future. Germany considered that the centerpiece of WIPO's work at the present time was the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions to be held in December 1996, which would call for great efforts from WIPO and all those involved. In this regard, the Delegation complimented the Chairman of the Committee of Experts on the excellent proposals that had been provided and wished the Conference every success. Those proposals were the best possible basis for negotiation in the present circumstances. With regard to the Patent Law Treaty, the Delegation hoped that it would be possible to bring that important project to a successful conclusion soon. It welcomed the fact that, in the meantime, work on a draft Patent Law Treaty had been started with the aim of harmonizing the formal requirements for patent registration worldwide. With respect to developments in intellectual property law in Germany since mid-1995, the Trademark Act had been brought into line with the EC's Trade Mark Regulation; and two EC harmonization directives, on rental rights and certain neighboring rights and on the duration of protection, had been incorporated into the Copyright Act. This meant that, at the same time, certain provisions of the TRIPS Agreement had been met.

55. The Delegation of Canada expressed its appreciation for WIPO's efforts in advancing intellectual property promotion through its activities, especially in respect of development cooperation, norm-setting and international registration. Intellectual property was becoming more widely recognized for its important role in creating a dynamic marketplace. Consequently, the Canadian Intellectual Property Office was being challenged to be more efficient, flexible and service-oriented. A number of legislative and operational changes had been undertaken to this end. Canada had acceded on May 26, 1996, to the 1967 Stockholm Act of the Paris Convention, and on September 21, 1996, to the Budapest Treaty. Regulations under the Trademark Act had been amended to provide protection for emblems, flags or abbreviations of names of official organizations. Although Canadian legislation already largely complied with the TRIPS Agreement requirements, effective January 1, 1996, changes

had been made to conform more fully with that Agreement, and on October 1, 1996, new amendments to the Canadian Patent Act would come into force. New Trademark Regulations had entered into force in April 1996. The Delegation also referred to the fully integrated and automated patent system being deployed in October of this year and to other projects providing industry and business with access to key intellectual property information. The Canadian Intellectual Property Office was actively involved in market research and continued to expand the availability of intellectual property information and to communicate with its clients via the Internet. The Delegation also mentioned its training program on the management of trademark operations and information services for developing country officials, which would be provided initially to the Latin American and Asian-Pacific regions. Finally, it referred to Canada's participation, along with Sweden, the United Kingdom, Australia and New Zealand, in an extensive bench-marking process for trademark operations.

56. The Delegation of Brunei Darussalam stressed the importance of WIPO's development cooperation activities and expressed its great satisfaction with the cooperation given to its country in its effort to modernize the national intellectual property system in order to comply with international obligations, especially under the TRIPS Agreement. The hope was expressed that such assistance would be continued, especially in the revision of existing, or drafting of new, legislation. Assistance from WIPO was also requested to enable Brunei Darussalam to consider further the possibility of accession to a number of WIPO-administered treaties.

57. The Delegation of Sudan expressed its special appreciation for the assistance provided by WIPO to developing countries. Sudan was also grateful for the expert assistance it had received from WIPO and for the long-term fellowship that had enabled an official to go to the United States of America for training in intellectual property matters. Intellectual property in the Sudan needed further promoting and support in order to bring it into line with the performance of its peer developing countries. To that end, Sudan hoped that WIPO would provide it with further assistance in order to reach the standards to which the country aspired. Sudan was restructuring its intellectual property system and retraining its officers. It intended to set up an ambitious plan to modernize and improve its intellectual property office and was also trying to build up its manpower, a minority of whom had been trained by WIPO, while others were hoping to receive such training in the near future. The Delegation also expressed the hope that the Sudan intellectual property administration would be provided with the necessary equipment and training to facilitate the registration of trademarks and patents. It would also like to receive assistance regarding the transfer of technology as well as the promotion of the awareness and understanding of the TRIPS Agreement in the country.

58. The Delegation of Pakistan stated that its country considered the protection of intellectual property rights to be an important element in the process of economic growth and development, it had therefore signed the TRIPS Agreement, and it wished to play an active role in the activities of WIPO. Developing countries were evidently behind their developed country partners in many areas, including the understanding and general awareness about intellectual property rights. Therefore, it was important to seek moderation in the speed with which globalization of intellectual property rights should take place. The Delegation felt that WIPO had an important role to play in assisting the developing countries in their efforts to assume their new obligations, for which additional resources would be required. Pakistan was engaged in a national program to improve intellectual property rights, the main objectives being its revision of intellectual property laws to bring them into conformity with international

obligations; the strengthening and modernization of the intellectual property offices and of general awareness about intellectual property rights in the public and the private sectors. The Delegation expressed appreciation to WIPO for preparing a framework project to achieve these objectives and hoped that the necessary resources would be arranged through WIPO and the UNDP, as well as through bilateral assistance. It acknowledged with appreciation WIPO's past assistance to Pakistan and in organizing seminars and was confident that the assistance would continue in future also. Finally, the Delegation stated that Pakistan was looking forward to playing a constructive role in the forthcoming Diplomatic Conference on Certain Copyright and Neighboring Rights Questions in December.

59. The Delegation of Jordan stated that WIPO enjoyed a high reputation in its country, because of the Organization's important role and achievements. It commended, in particular, development cooperation activities and the additional resources allocated to them. Such resources should be further increased in the future. The protection of intellectual property rights had become one of the priorities of the Government which is working on modernizing national intellectual property legislation to make it compatible with international standards, as well as for combating piracy. WIPO had assisted in the revision of copyright legislation, which would soon be considered by Parliament. Thereafter, Jordan would undertake the necessary procedures to accede to the Berne Convention. WIPO had also assisted in the preparation of new draft laws on patents and trademarks. The Delegation called for an increase in the number of seminars and other training events for Arab countries, and it stated the readiness of its Government to host such events.

60. The Delegation of Togo congratulated WIPO on the various cooperation activities carried out in Togo with a view to developing the system of protection for intellectual property in general and for industrial property in particular. In addition to the development of human resources, the Delegation of Togo emphasized the commitment of WIPO in the creation of a National Industrial Property and Technology Center to replace the present national industrial property structure. This Center, as part of the technical development policy conducted by the Government, would have as its aim the strengthening of national capabilities for invention and innovation through the creation of a favorable environment for the protection of inventors' rights and awareness of the importance of technical innovation in the process of industrial and economic development. The Delegation of Togo, expressing its gratitude for the installation in 1995 of a CD-ROM workstation to improve document searching, hoped that collaboration with WIPO would continue and be reinforced in future.

61. The Delegation of Cameroon expressed its appreciation of WIPO's untiring efforts in promoting intellectual property rights in Cameroon, in Africa and in developing countries in general, contributing to the alleviation of their economic plight. During the period under review, Cameroon had, with the assistance of WIPO, pursued reforms and striven to meet current changes, trends and demands in the field of intellectual property. The development of human resources was an important part of the activities carried out in the country, with national and regional courses and meetings organized by WIPO and Cameroon and attended by Cameroonian nationals as well as participants from some 15 other countries of the region. Cameroon looked forward to increasing its cooperation with WIPO and suggested that, in cooperation with WIPO and the OAPI, an intellectual property training center for French-speaking countries of sub-Saharan Africa be created to enhance the development of human resources in that area.

62. The Delegation of Bulgaria thanked WIPO for its support in the implementation of the project for the modernization of the industrial property system and, in particular, the automation of the trademark operations of the Patent Office of the Republic of Bulgaria. Bulgaria would continue to contribute to WIPO's development cooperation activities, by hosting officials from developing countries for practical training, and providing state-of-the art searches. Bulgaria had acceded, in 1995, to the Rome Convention, and the Phonograms Convention. A law for the protection of new varieties of plants had been recently approved by Parliament, and a draft proposal for accession to the Hague Agreement was also before Parliament. Amendments to trademark and industrial design legislation were under preparation to comply with the provisions of the TRIPS Agreement and European Union legislation. Negotiations for Bulgaria's accession to the WTO had been successfully concluded, and next month the General Council of the WTO would consider the country's accession to that Organization.

63. The Delegation of Hungary expressed its appreciation of the work carried out by WIPO, with particular reference to the efforts for the conclusion of the draft Patent Law Treaty, continuous development of the PCT system, the entry into force of the Madrid Protocol and the conclusion of a cooperation agreement with the WTO. On the domestic level, a new patent law, harmonized with the provisions of the European Patent Convention and the TRIPS Agreement, had entered into force in January 1996, enabling Hungary to apply for membership of the EPO. A revised draft trademark law had been prepared in the light of the EC Directive on the harmonization of trademark laws of the EC member States, the EC Regulation on the Community Trade Mark, and the provisions of the TLT and the TRIPS Agreement. The said draft law and the proposal to accede to the Madrid Protocol were to be examined soon. The ratification of the TLT was envisaged soon after the entry into force of the new trademark law. The centenary of the Hungarian patent system had been celebrated in the period under review and Hungary had been particularly honored by the participation of the Director General of WIPO in that event. As regards copyright and neighboring rights, the Delegation expressed its appreciation for the progress made towards the adoption of new international instruments. The Hungarian Copyright Act had been amended in 1996. The Delegation finally referred to Hungary's contribution to WIPO's development cooperation activities, particularly for the training of developing country officials, both in industrial property and copyright.

64. The Delegation of Uruguay said that Uruguay was in the process of modernizing its intellectual property system. One of the main elements of that modernization was the technical cooperation contract entered into between Uruguay and WIPO in 1993, which had been successfully executed by May 1996. A new contract was foreseen. Under the earlier project, seminars and study visits had been organized, including a study visits for nine Congressmen and government officials to WIPO, the Spanish Patent and Trademark Office and the French National Institute of Industrial Property. A further activity developed within the framework of the project was the technical training of professional staff in English, enabling an exchange of information at the international level and contributing to a better analysis of the documents that were regularly received in that language. That had also contributed towards a greater rationalization and harmonization of criteria for the examination of marks, culminating in the elaboration of guidelines for the examination of marks. As regards norm-setting, Uruguay was modernizing, with WIPO's help, its legislation on marks and patents to bring it into line with the TRIPS Agreement. Another important aspect of the modernization process was technical cooperation and the country was currently taking part in

a cooperation project with WIPO for the production of a prototype CD-ROM disc of Uruguayan marks and also in the *DOPALES PRIMERAS* project for the production of CD-ROMs containing the bibliographic data and abstracts of patents granted in 19 Latin American countries. The Delegation drew attention to the creation, in 1996, of the “Centro Iberoamericano de Documentación y Formación en Materia de Patentes.” The Delegation expressed the hope that its country would soon accede to the PCT. As regards copyright and neighboring rights, a new draft law, drawn up with the support and advice of WIPO, was currently with the executive branch, prior to being sent to Parliament.

65. The Delegation of South Africa referred to the symposiums and workshops which it had hosted and organized with the International Bureau, and which showed the importance that its country attached to the effective protection of intellectual property. Parliamentary approval had recently been given for the country’s accession to the Budapest Treaty. South Africa intended to ratify the TLT as soon as possible. Amendments to South Africa’s domestic patent legislation were also currently in the parliamentary process, with a view to the country’s accession to the PCT. Whilst not being a member of the Nice Agreement, Vienna Agreement and Locarno Agreement, South Africa nevertheless followed the classification systems embodied in these Agreements and envisaged accession to them in due course. Several draft Bills were currently in the parliamentary process, namely, the General Intellectual Property Laws Amendment Bill, which proposed minor amendments to the intellectual property statutes to ensure full compliance with the TRIPS Agreement; the Counterfeit Goods Bill, which was also directed towards South Africa’s compliance with the TRIPS Agreement; and the Intellectual Property Laws Rationalisation Bill, which provided for the consolidation of intellectual property rights in the former independent territories. Increasing demand for the services of the Office of the Registrar of Patents, Trade Marks, Designs and Copyright had necessitated the proposal of certain changes in the structure of that Office. The Delegation said that South Africa was looking forward to continuing its cooperation with the International Bureau of WIPO.

66. The Delegation of the United Kingdom noted that, during the period under review, two major instruments on trademarks had come into effect. There had also been strong growth in registration activities, especially related to the PCT, which was becoming a truly global instrument. The United Kingdom had been among the nine contracting States to the Madrid Protocol when it entered into force on April 1, 1996. The Protocol, which provided applicants with a speedy and flexible means of securing protection for marks throughout the world, was potentially as important as the PCT and deserved the same measure of success. The United Kingdom’s had been the fifth ratification required to bring the TLT into effect. The emphasis that that Treaty placed on deregulation and reducing the burden on trademark applicants was in line with the main objectives of the Patent Office, which were to provide users with the highest quality services at the lowest possible cost. To that end, new rules on patents and designs, aimed at simplifying application procedures, had recently been introduced and the Patent Office was investing heavily in new technology. The United Kingdom was also a coordinating partner in the MIPEX (Message-Based Industrial Property Exchange) project, set up under the EU’s telematics programs in order to help small and medium-sized enterprises, in particular, develop electronic means of filing their applications. The savings resulting from such measures, including the anticipated success of the Madrid system, would enable the Patent Office to substantially reduce official fees for multi-class trademark applications and patent examinations. The United Kingdom had also participated in a wide range of WIPO activities, including providing advice, training and experts for missions and



seminars and receiving a large number of overseas visitors. With respect to copyright, the Delegation said that it would host a course on the subject toward the end of 1996 and that it looked forward to the WIPO Diplomatic Conference on Certain Copyright and Neighboring Rights Questions in December of that year. It also noted that its country continued to provide support to the WIPO program for patent information services through the production of technical monographs for various countries and through its cooperation programs, for example, with ARIPO. The United Kingdom had recently amended its laws in order to facilitate the investigation and prosecution of cases of counterfeiting and copyright piracy.

67. The Delegation of Poland hoped that the work carried out in respect of the draft Patent Law Treaty and the proposed treaty on the settlement of intellectual property disputes between States would be successfully concluded in the near future. At the national level, a new Industrial Property Law was being prepared to ensure a high level of protection in compliance with the TRIPS Agreement and to facilitate Poland's full integration into the European Union. Poland had formally applied to the EPO for accession to the European Patent Convention. Poland expected to accede before the end of the year to the Madrid Protocol, the Nice, Strasbourg and Vienna Agreements, and the Nairobi Treaty on the Protection of the Olympic Symbol. By the same date, the withdrawal of the reservation under Article 14(2)(d) and (f) of the Madrid Agreement would be effective. An increasing number of applications had been filed with the Patent Office of the Republic of Poland in the period under review, reflecting the increased interest of foreign investors in the Polish market. The Delegation informed the meeting of the international conference organized in its country jointly with the European Communities, which served the purpose of promoting industrial property matters in European countries.

68. The Delegation of Colombia stated that intellectual property was a subject of growing relevance to its country and thanked WIPO for the assistance received in that respect. Colombia had recently joined the WTO and acceded to the Paris Convention and the UPOV Convention. The Delegation mentioned the support provided by WIPO experts to the human resources development plan of the Directorate General of Industry and Commerce, as well as the organization of a workshop on Decision 344 of the Board of the Cartagena Agreement, and a seminar on the protection of literary and artistic works in the academic environment. Colombia would continue in this activity and wished to organize further regional seminars on reprography and musical edition and for training of journalists and other interested circles in copyright and in neighboring rights. The Directorate General was also establishing a patent database and welcomed WIPO's support in this regard. The Delegation requested for a reduction of the 13% administrative support costs rate applied by WIPO for country projects for which the Organization acted as the executing agency. It finally reiterated the readiness of Colombia to host in Cartagena de Indias, in March 1997, a meeting on the implications of the TRIPS Agreement, and thanked the other Delegations for the designation of its Head of Delegation as Chairman of the Berne Union Executive Committee.

69. The Delegation of Paraguay conveyed to WIPO member States the gratitude of Ambassador Eladio Loizaga Caballero, as Chairman of the WIPO Coordination Committee in the 1995-96 period, for the way in which they had facilitated his tasks for the negotiations which had led to the conclusion of a cooperation Agreement between WIPO and the WTO. The Delegation expressed its satisfaction with the assistance received from WIPO during the period under review and referred, *inter alia*, to the seminar on copyright and neighboring rights held in Asunción in February 1996, the two seminars on the implications of the TRIPS

Agreement held in May 1996, and the WIPO-executed project for the modernization of the intellectual property system of Paraguay financed by a loan from the Inter-American Development Bank. Paraguay had benefited from WIPO's expertise in preparation of a draft law on inventions and draft amendments to the trademark law, to conform with the relevant provisions of the TRIPS Agreement. The Delegation also expressed its satisfaction for the support provided by WIPO to the Common Market of the Southern Cone (MERCOSUR) in the area of intellectual property cooperation.

70. The Delegation of Slovakia stated that a new law on trademarks, fully harmonized with the legislation of the European Union, had been approved by the Government and submitted to Parliament for adoption. Also, work had started to bring patent legislation in conformity with the relevant provisions of the TRIPS Agreement and Slovakia planned to apply for full membership in the European Patent Organisation before the end of 1996. Further, a new copyright law had been drafted and would come into force in 1997. Accession to the TLT and the Madrid Protocol was expected before the end of 1996. Finally, the Delegation announced that the seat of the Industrial Property Office had been moved from Bratislava to Banská Bystrica, and expressed its gratitude to the Director General of WIPO for personally inaugurating the new Office in September 1996.

71. The Delegation of Singapore expressed its appreciation for the support, guidance and training which had been provided by WIPO in the period under review. With the assistance of WIPO, a new patent system had been operating in Singapore as of February 23, 1995. A total of about 16,000 applications had been filed so far and the system was functioning smoothly. Furthermore, as of February 23, 1995, Singapore had acceded to the PCT and the Budapest Treaty. Continuous efforts could be expected to be deployed by Singapore for the improvement of its legal and administrative intellectual property infrastructure.

72. The Delegation of the United States of America highlighted three developments in WIPO during the past year. First, it recognized an improved atmosphere within WIPO for identifying and responding to the concerns, objectives, and shared interests of its member States. The Delegation was pleased, for example, with the open and productive manner through which progress had been made on the Diplomatic Conference regarding an updating of the Berne Convention and new issues dealing with copyright and neighboring rights. It was also pleased with the open and constructive manner in which work on certain issues has proceeded in the past year notwithstanding the fact that on certain issues a clear mandate or consensus was not yet present, such as the WIPO-WTO Agreement, new premises for WIPO, a dispute settlement treaty, and the patent law formalities exercise. Second, the Delegation noted with appreciation the achievement of greater levels of transparency in the decision-making process used by WIPO Members. This would prove essential during the coming months when significant decisions needed to be made, including reaching consensus on who would lead WIPO into the next century. Third, with regard to activities more specific to the United States of America, the Delegation continued to enjoy working with other member States to provide technical assistance to accelerate, to the benefit of all member States, implementation of the TRIPS Agreement. For example, the United States of America hosted, in July 1996, a conference which addressed the trade-related aspects of intellectual property within the Western Hemisphere. The conference was attended by the Director General of WIPO and some 500 participants from some 35 countries of the Western Hemisphere. The Delegation was optimistic that, despite the significant tasks which lay ahead, it would continue to work together with other member States to identify and achieve objectives which

reflected shared interests. The Delegation paid special tribute to the significant contributions of Mr. Gust Ledakis, recently retired Assistant Director General for General Administration and Legal Counsel, who had served WIPO with distinction for over 25 years. The Delegation wished Mr. Ledakis a rewarding and happy retirement.

73. The Delegation of Malawi enumerated the different types of useful assistance which had been provided by WIPO during the period under review. It also thanked WIPO for the study which had been prepared to assess the compatibility of Malawi's intellectual property legislation with the relevant provisions of the TRIPS Agreement and the TLT. The results of this study would form the basis for legislative reform proposals. The Delegation stated that Malawi attached great importance to WIPO's activities in the norm-setting area. Thus, during the period under review Malawi had acceded to the Strasbourg, Nice and Locarno Agreements. It had also continued to cooperate with WIPO in the training of officials from other African developing countries in the industrial property and copyright areas. In this connection, the Delegation requested WIPO's further assistance in the training of trainers and the provision of related training equipment and materials, as well as in relation to human resources development and computerization of industrial property and copyright operations. The Delegation hoped that WIPO could continue to assist the Copyright Society of Malawi (COSOMA) in the automation of its licensing operations. Also, it requested WIPO to assist in the organization of a national seminar for judges and other officials on the implications of the TRIPS Agreement. At the regional level, the Delegation reported that a Committee on Cultural Industries, Copyright and Neighboring Rights had been established within the Southern Africa Development Community (SADC), under the coordination of Malawi, to promote implementation of copyright laws in the Community. Finally, the Delegation suggested that WIPO should prepare a survey of the needs of the SADC countries in the field of intellectual property with a view toward elaborating a detailed plan of action.

74. The Delegation of Indonesia highlighted the various types of assistance which WIPO had provided to its country, particularly in human resources development and the promotion of public awareness on intellectual property. The persons trained included patent and trademark examiners, copyright officials, judges, public prosecutors and police investigators. Seminars had been held in universities under the WIPO program entitled "Teaching the Teachers." Indonesia had also benefited from various activities under the EC-ASEAN Patents and Trademarks Program (ECAP). As concerns national legislation, the Indonesian Government was finalizing new laws and regulations on industrial designs, integrated circuits and trade secrets. With the advice of WIPO on issues related to geographical indications and well-known marks, it was also revising its trademark legislation. Further efforts were being made to revise the copyright and patent legislation. The said legislative reforms were undertaken in anticipation of the implementation of the TRIPS Agreement and indicated Indonesia's commitment to the modernization of its intellectual property system. Continued support from WIPO was required in order to reach this goals. The Delegation explained that a new Directorate had been established under the Office of the Attorney General to deal with infringement of intellectual property rights, and it trusted that this would be taken to indicate Indonesia's good faith and goodwill toward current and future trading partners.

75. The Delegation of Nigeria stated that the country had benefited immensely from the WIPO development cooperation program, particularly in respect of strengthening of infrastructure, development of human resources and creation of awareness in the field of intellectual property. Special reference was made to various national and regional meetings

which had been held in Nigeria in cooperation with WIPO. Nigeria was beginning to reap the benefits of such assistance, and for the first time copyright owners in the music industry had begun to negotiate with government and privately owned radio and television stations regarding the payment of royalties. An anti-piracy program had been energized and the Government had intensified its action for the enforcement of intellectual property rights. A national symposium on copyright for judges and a regional African seminar on industrial property licensing and technology transfer would be held in October 1996. The Delegation placed great significance on the fact that the Director General of WIPO would pay his first official visit to Nigeria on the occasion of those two events. The Delegation noted with appreciation that the International Bureau had been represented in the 62nd OAU Session of Council of Ministers and the 31st Session of the Summit of Heads of States and Governments held in Addis Ababa where a Nigerian had won the WIPO/OAU Gold Medal Award for an African inventor, and suggested that in the future the recipient of that award be assisted in the commercialization of his or her invention. It was pleased with the increase in funding for development cooperation programs and requested that further increases be made. The Delegation wished to put on record its appreciation also for the assistance received from certain countries, and it called upon other developed and certain developing countries to extend assistance to Nigeria and other developing countries, particularly in Africa. The Delegation commended WIPO for taking steps toward the establishment of norms for the legal protection of folklore. The worldwide symposium on folklore, to be jointly organized in April 1997 by Unesco and WIPO, should set the stage for a WIPO committee of experts to further study and make recommendations on the best ways of safeguarding and protecting folklore. Nigeria would fully contribute to the forthcoming Diplomatic Conference in December 1996.

76. The Delegation of Tunisia thanked WIPO for its development cooperation activities, in particular those that focused on the African countries. It was pleased with the participation of a great many Tunisian officials in meetings organized by WIPO and also in WIPO training courses. Through WIPO the National Institute for Standardization and Industrial Property had received computer equipment for the dissemination of patent information. Tunisia was currently putting the final touches to a patent law and was drafting new legislation on marks and industrial designs. The revision of the industrial property legislation was expected to be completed before the end of the year. With regard to copyright, the establishment of an office was in progress, and a draft law was due to be brought before Parliament for adoption very soon. The Delegation went on to ask for the assistance of WIPO, especially with the training of staff specialized in the field of technology, who in that way could become thoroughly acquainted with technical and legal standards.

77. The Delegation of Thailand provided information on the revision of domestic intellectual property legislation with a view to fully complying with the standards of the TRIPS Agreement. A draft Bill to Establish an Intellectual Property and International Trade Court had recently been approved by the Parliament and was expected to enter into force shortly in order to ensure the effectiveness of intellectual property rights' enforcement. The Thai Government was of the view that increased awareness of the importance of intellectual property would enhance effective protection and enforcement of intellectual property rights. In that connection, seminars and other training events had been organized at the national level for both private and public sectors. Further, the Department of Intellectual Property had made special arrangement with the Ministry of Education to include intellectual property courses in the curriculum of primary and secondary level education. Finally, the Delegation was pleased

to announce that a world forum on the protection of folklore would be jointly organized by Unesco and WIPO in 1997 in Thailand, and the Delegation looked forward to welcoming all distinguished delegations from all over the world to Thailand.

78. The Delegation of Qatar stressed the importance that its country and the countries of the Gulf Cooperation Council (GCC) attached to intellectual property. The GCC was establishing a specific structure to deal with intellectual property and it thanked WIPO for the support given in this respect. The Delegation called for an increase of resources for development cooperation activities, particularly to modernize national legislation and strengthen national and sub-regional institution-building. It expressed its gratitude to WIPO for the assistance provided for the organization, in April 1996, in Doha, of a WIPO sub-regional seminar on intellectual property for GCC countries.

79. The Delegation of the Democratic People's Republic of Korea expressed its appreciation for the development cooperation activities of WIPO and their contribution to the scientific and technological development of developing countries. Those activities should be further strengthened to meet the increasing needs of developing countries in the field of intellectual property. It commended WIPO for its norm-setting activities, with particular reference to the entry into force of the TLT and the Madrid Protocol, and progress made in respect of the draft Patent Law Treaty, the revision of the Hague system, and the preparations for the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions.

80. The Delegation of New Zealand said that there had been no major changes to New Zealand's intellectual property legislation in the preceding year, following the revisions that had taken place in early 1995 to bring it into line with the TRIPS Agreement. The final step in that process had been the recent entry into force of the Geographical Indications Act of 1995. Further reform of national legislation was being considered in the light of the needs of modern business, changes in technology and concerns raised by New Zealand's indigenous Maori people about protection of their cultural and intellectual property. The Ministry of Commerce had taken over the responsibility for copyright policy in October 1995 and was now responsible for all intellectual property policy matters. In a further change, the Patent Office had recently been merged with the Commercial Affairs Division of the Ministry of Commerce, which had responsibility for the registration of business names. The new combined operation, under the day-to-day management of an Executive Director, would allow better use of resources, particularly in the areas of administration and information technology. The Commissioner of Patents, Trade Marks and Designs would continue to have statutory responsibility. The backlog of trademark applications had been significantly reduced during the previous year, the goal being to achieve examination of applications within five days of filing by the middle of 1997. Much effort was being made in computerization with a view to providing a higher standard of client service. A home page had been established on the Internet and the setting up of a trademark database also on the Internet was also envisaged by the end of 1996.

81. The Delegation of Portugal said that the new five-year cooperation program between the five Portuguese-speaking countries of Africa on the one hand and Portugal and WIPO on the other was progressing successively. Under that program, round tables on industrial property had been organized in a number of those countries, and training had been arranged for executive staff at Portugal's National Institute of Industrial Property. The Delegation expressed the wish that greater resources be set aside for such cooperation. It congratulated

Mozambique on the very recent deposit of its instrument of accession to the Convention establishing WIPO. It also congratulated WIPO on the entry into force of the Trademark Law Treaty and the Protocol to the Madrid Agreement, and announced that the procedure for ratification of the two treaties was going ahead in its country. It went on to express the hope that the work in progress on the enactment of new provisions could come to fruition in the near future. Finally, the Delegation emphasized the importance to Member States of WIPO's cooperation with other international organizations, and expressed its appreciation of the excellent work carried out by WIPO in that respect.

82. The Delegation of Lesotho expressed its appreciation for the work carried out by WIPO, particularly with regard to the assistance provided to its country and other developing countries. During the period under review, Lesotho had benefited from such assistance through the installation of a CD-ROM workstation, the organization of a national seminar on copyright and neighboring rights, and training of staff. The staff of the Lesotho Industrial Property Office had doubled during the reporting period, and such increase should be taken into account by WIPO in planning future training activities. The Delegation also reiterated its request for a long-term scholarship to enable an official from that Office to undergo post-graduate studies. With regard to harmonization of legislation, the Delegation of Lesotho confirmed its support of ongoing negotiations on the draft Patent Law Treaty and draft treaty on the settlement of intellectual property disputes between States. Financial assistance from WIPO was requested to enable Lesotho to be represented at the next session of the Committee of Experts on the PLT. Further assistance to strengthen the Copyright Office was requested. The Delegation specifically requested the International Bureau to assist with the equipment requested in a proposal outlining the needs of the Copyright Office forwarded to the International Bureau earlier. Finally, the Delegation commended WIPO for commissioning studies on the financial implications of the TRIPS Agreement for developing countries.

83. The Delegation of Romania said that during the period under consideration Romania had made substantial efforts to modernize its legislation and infrastructure in the field of intellectual property. Legislation adopted in August 1996 had enabled the effects of European patents to be extended to Romania, allowing European patent applicants to designate Romania in applications filed with the EPO. The Delegation informed the meeting that the common software project set up in the framework of the PHARE regional industrial property program for Central and Eastern European countries was now fully operational and permitted completely automated administration of patent and trademark applications. The Office was also benefiting from a technical assistance program granted by the Government of the United Kingdom concerning financial management, including the elaboration of a strategy for achieving a self-financing status. Other developments included a new law on copyright and neighboring rights that had entered into force in June 1996, as well as the establishment of the Romanian Office for Authors' Rights. Amendments designed to bring national legislation into line with the TRIPS Agreement were being drafted and Romania was very grateful for the assistance it had received from WIPO, particularly regarding the new draft law on trademarks and geographical indications.

84. The Delegation of the Russian Federation welcomed the conclusion of the Agreement between WIPO and the WTO. The Delegation noted that cooperation between WIPO and the WTO could be developed in the field of settlement of disputes, where WIPO could help the WTO by its impartial assessment and expertise in issues related to the protection of intellectual property. The Delegation noted with satisfaction the work accomplished by WIPO

in the period under review in respect of international registration, norm-setting, and assistance to developing countries and countries in transition. As regards norm-setting, the Delegation highlighted the work done on the Protocol to the Berne Convention and the instrument for the protection of producers of phonograms and hoped that this work could be successfully completed. As regards the proposed treaty on the settlement of disputes in the field of intellectual property, the Delegation expressed the hope that a diplomatic conference could be held at the end of 1997 or beginning of 1998. The spread of knowledge through seminars and expert missions on intellectual property should be further pursued. The Delegation noted with satisfaction WIPO's support in the establishment of the Eurasian Patent Organization. Finally, it said that a restructuring process was underway in the Russian Federation in the field of copyright, and the country's accession to the Berne Convention in 1995 was considered as a major step.

85. The Delegation of Argentina stated that important changes had occurred recently in Argentina in the field of intellectual property, notably, the integration of the Marrakech Agreements in the national legislation, the adoption of new legislation on patents and utility models, and the establishment of the National Institute for Industrial Property. A new legislative and institutional framework was thus in place and future cooperation with WIPO would take place within that new framework. A draft law for Argentina's accession to the PCT was before the Ministry of Economy, as well as a draft law for the protection of the confidentiality of data was presented to the National Congress. A revised trademark law was in preparation to comply with the provisions of the TRIPS Agreement and with MERCOSUR sub-regional integration process, involving Argentina, Brazil, Paraguay and Uruguay. During the period under review, seminars and other meetings had been organized in Argentina in the fields of industrial property and copyright, and various Argentinean officials, including judges and the police, had participated in training events organized by WIPO. The Delegation said that its country would like to receive WIPO's continuing advice and assistance on legislation and institution-building and supported the efforts made by the Organization in respect of universities and academic circles. Argentina had been actively involved in the preparatory work for the Diplomatic Conference convened for December 1996, and considered that the proposals prepared by the Chairman of the Committee of Experts represented an excellent basis for discussion. The Delegation of Argentina endorsed the request to revise the 13% administrative support costs rate applied by WIPO in executing development cooperation projects financed by extra-budgetary funds from developing countries.

86. The Delegation of Ecuador expressed its appreciation for the impressive work carried out by WIPO, particularly as regards norm-setting, international registration and classification, arbitration and mediation and development cooperation. Ecuador had benefited exceptionally from such development cooperation in various ways, especially in the area of copyright and neighboring rights. The Delegation made reference to the need for the allocation of increased resources. Ecuador intended to strengthen its cooperation with WIPO, particularly in preparing for compliance with the obligations of the TRIPS Agreement. WIPO should be a catalyst for international cooperation offered by the developed countries in that respect, as most countries preferred to have such cooperation channeled through an international body. Work in the area would increase in the next few years with the ending of the transitional period for developing countries with respect to the application of the Agreement. The new Government of Ecuador had undertaken the modernization of the infrastructure of the Ministry of Industry, Trade and Integration, the body responsible for industrial property, and it would be counting on the support of WIPO and the generosity of friendly countries in order to

help strengthen the National Directorate of Industrial Property. The Delegation congratulated the Permanent Representative of Paraguay, Ambassador Eladio Loizaga Caballero, for his excellent work as Chairman of the WIPO Coordination Committee and especially for the transparency and efficiency with which he had conducted the negotiations between WIPO and the WTO.

87. The Delegation of the Gambia thanked WIPO and the staff of the International Bureau for the continuing assistance its country had received in respect of training of officials from the Registrar General's Office, revision of national intellectual property legislation, and strengthening of the national industrial property infrastructure. The Delegation also mentioned that the Gambia was currently in the process of acceding to the TLT and to the PCT. Finally, it hoped that WIPO would continue providing assistance for its country in the future.

88. The Delegation of Bolivia expressed its appreciation for the development cooperation activities carried out by WIPO in the period under review. The Delegation expressed the hope that WIPO would continue to support Bolivia in its efforts to comply with international standards for the protection of intellectual property. Assistance was particularly needed for bringing national legislation in conformity with the TRIPS Agreement, as well as for training of staff, particularly patent examiners. It urged donor countries to continue their support to developing countries in the field of industrial property.

89. The Delegation of Guatemala expressed its appreciation of the WIPO National Course on Copyright and Neighboring Rights organized in Guatemala City in March 1996, and for the assistance that the Organization had given to national officials concerning the computerization and development of the Registry of Industrial Property. It was grateful for continued assistance in developing and modernizing intellectual property legislation and in the training of relevant staff. The Delegation also thanked WIPO for its support in the organization of a course for judges, academics, economists and lawyers on the implications of the TRIPS Agreement to be held in Guatemala City at the beginning of 1997. The course would be extremely helpful when drawing up new draft legislation or revising existing legislation on intellectual property. The Congress of Guatemala had now ratified the Berne Convention and the Government hoped to deposit its instrument of accession in the near future. The Delegation expressed its satisfaction with the excellent work being done by the WIPO Arbitration and Mediation Center, in particular the training courses it had held on arbitration and mediation and the settlement of disputes.

90. The Delegation of Panama said that its country had recently acceded to the Paris and Berne Conventions. This fact highlighted the willingness of its Government to continue adapting national structures to international agreements on intellectual property. WIPO played a central role in this respect. Panama had received substantial assistance from WIPO, *inter alia*, in drafting a law on industrial property and organizing a national seminar on intellectual property for judges. Such cooperation with Panama and the countries should be further strengthened and diversified. Diversification and flexibility were essential elements in WIPO's cooperation program. On October 2, 1996, Panama would sign its accession to the WTO, and WIPO's support was needed in this respect to strengthen Panama human and intellectual resources. The Delegation reiterated its concern at the International Bureau's apparent lack of any specific policy of recruitment of officials from the developing countries and in particular from its region, and also pointed out the imbalance existing regarding the



recruitment, at all levels, of women professionals on equal terms. It gave its full support to the position of the Latin American and Caribbean Group on this subject. The Organization was now engaged in a far-reaching policy with the appointment, in the near future, of a new Director General, and it was hoped that both this process and the selection process for staff would be as transparent as possible.

91. The Delegation of Cuba stated that all possible resources had continued to be allocated by its Government for the further development of the national intellectual property system. In 1996, Cuba had adhered to the PCT and hoped to adhere to the Berne Convention very shortly, thus becoming member of the most important intellectual property treaties. Assistance had been received by WIPO to strengthen technological information services based on patent documentation and automated access to such information. The capacity of developing countries to implement the TRIPS Agreement would greatly depend on the availability of the necessary support. The WIPO seminar to be held in Cuba in October 1996 on the TRIPS Agreement and assistance in relation to the compliance with the provisions of the said Agreement were valuable examples of such support. The Delegation supported the request made by various delegations for increased budget and allocations for future development cooperation activities.

92. The Delegation of Ukraine informed the meeting that the Ukrainian Constitution adopted in July 1996 contained a provision protecting the fruits of creativity. In October 1995, Ukraine had ratified the TLT. Regarding the country's intention of joining the WTO, changes to national legislation would be proposed to Parliament by the end of the year to bring it into line with the obligations of the WTO Agreement. Currently, legislation on the protection of intellectual property, including trademarks and microcomputers, was before Parliament. Parliament had also been presented with a proposal to ratify the Budapest Treaty, which, it was hoped, would take place before the end of 1996. A system for the protection of intellectual property had been in existence in Ukraine for only four years. During that time, more than 700 patents and trademarks had been granted or registered with the State Patent Office. WIPO had made a very great contribution to the development of the intellectual property system in the Ukraine. The Director General's visit to the country at the end of 1995 was particularly important. He had, *inter alia*, met with the President and other government leaders. An international seminar on the protection of intellectual property would take place in the Ukraine in 1996. The Delegation thanked WIPO for the medals awarded to two Ukrainian nationals for their efforts in the protection of intellectual property. It expressed its support for WIPO's norm-setting activities.

93. The Delegation of Venezuela thanked WIPO for the cooperation provided to its country at the national level and in the Andean integration process. It requested for WIPO's cooperation in the development of on-line technological and industrial property information services which could be accessed also via the Internet, the computerization of the Industrial Property Registry's operations, the setting up of a national training center in industrial property, the training of officials of the Registry, and advice on the updating of laws in the light of international treaties, in particular the TRIPS Agreement. Regarding copyright, the Delegation requested further WIPO's assistance in respect of the revision of national legislation, streamlining and computerization of the procedures of the National Directorate of Copyright, training, and development of a computerized information network. The Delegation further requested WIPO's assistance in combating piracy, particularly through public awareness and other activities.

94. The Delegation of Namibia expressed its appreciation to WIPO for the assistance it had provided since Namibia became party to the WIPO Convention and the Berne Convention. Namibian officials had participated in seminars and training courses organized by WIPO. Also, WIPO experts had visited Namibia to assist in drafting intellectual property legislation. The Delegation hoped that information and technical assistance would continue to be provided by WIPO. As a member of the WTO, Namibia would continue to require assistance for the purpose of the implementation of the TRIPS Agreement.

95. The Delegation of Saudi Arabia said that its country attached prime importance to intellectual property at all levels. In December 1995, a first patent had been granted to a citizen of Saudi Arabia and a ceremony had been organized to encourage other citizens to be active in that field. It added that Saudi Arabia had benefited from a number of awards and fellowships. It added also that many CD-ROM discs which contained intellectual property data had been received, with appreciation, from WIPO and certain countries such as the United States of America and Japan. Regarding copyright, many initiatives had been undertaken especially with a view to combating piracy. WIPO had contributed its support also in that area. Despite all those activities, Saudi Arabia was still in the early stages in the field of intellectual property, especially with respect to international cooperation, and intended to make even greater efforts in the future.

96. The Delegation of the United Arab Emirates thanked WIPO for the activities it had carried out in the Arab region. It commended WIPO's efforts in the area of training, making specific reference to the seminar which had been held in Abu Dhabi in January 1995. The United Arab Emirates attached great importance to intellectual property and its national legislation had been amended with WIPO's assistance to conform to the TRIPS Agreement. The Delegation noted that its country was a member of the WTO and party to the Paris Convention. Finally, it supported the request to allocate increased resources to developing countries, especially in connection with legislative reform.

97. The Delegation of the European Patent Office (EPO) mentioned the strong and very close links between its Organization and WIPO in many areas of patent activity. With the PCT, which accounted today for more than 50% of all EPO applications, coordination was focusing on legal as well as administrative matters. Among the examples of this coordination, the Delegation mentioned the proposals relating to the PCT search system and the imminent electronic transfer of all documentation between the two Organizations. The EPO was also actively cooperating with WIPO on other questions related to documentation and automation. In this regard, the Delegation mentioned the association of WIPO to some of the technical projects that the EPO carried out with the JPO and the USPTO to study and determine standards or procedures to be then proposed as world standards. In respect of development cooperation activities, the Delegation underlined the continuation of ongoing activities carried out for many years under the auspices of WIPO to modernize and enhance the industrial property system of many countries, particularly in the EPO's areas of expertise, such as search and examination. The Delegate highlighted the many regular contacts and exchanges of expert visits throughout the year between the two Organizations, in order to coordinate, develop and implement their respective projects and common concepts in fields such as training, search documentation, and setting up adapted granting procedures. In conclusion, the Delegation stated that it was the EPO's policy to bring the best and most appropriate assistance and expertise and also to avoid duplication and repetition of efforts.

98. The Delegation of the United Nations Educational, Scientific and Cultural Organization (UNESCO) said that WIPO had become an important international instrument for the promotion and protection of intellectual property rights. In the course of recent decades, Unesco had been cooperating closely with WIPO in the field of copyright and neighboring rights, and it was pleased with the successes achieved, which it wished to see continue in the face of the new challenges encountered. The Delegation said that Unesco would continue to work in cooperation with WIPO with a view to protecting authors and other owners of rights in the accomplishment of their role for the benefit of cultural development throughout the world. The consensus achieved in the specific area of copyright and neighboring rights had made it possible to convene a Diplomatic Conference for December 1996. The Delegation considered that it would consequently be important for the international community to increase its aid to developing countries or countries in transition, in order that they might organize better their systems for the copyright protection and the payment of royalties, and to improve the balance between the interests of copyright owners and the public's freedom of access to works. The Delegation also considered that such countries should be given assistance in the organization and provision of computer equipment, and pledged a Unesco contribution to that important effort, which would be coordinated with WIPO and the other international bodies.

99. The Delegation of the African Regional Industrial Property Office (ARIPO) noted with satisfaction the work which had been achieved by WIPO during the period under review. It stated that adequate budgetary provision was needed in order to provide support to developing countries engaged in the process of bringing their legislation in conformity with the provisions of the TRIPS Agreement by the year 2000. As it was the last time that he was attending the sessions of the Governing Bodies as Director General of ARIPO, Mr. Zikonda expressed his gratitude to the Governments of Australia, Austria, Canada, Germany, Japan, Sweden, the United Kingdom and the United States of America, as well as to WIPO and the EPO, for their support to ARIPO. He asked that this support continue as ARIPO passed to the stewardship of its new Director General, Mr. Mzondi Haviland Chirambo.

100. The Delegation of the African Intellectual Property Organization (OAPI) recalled the appeal that it had made to WIPO in 1995 for a greater contribution by the latter to the creation of conditions that would allow all persons to have access to technology, and also to the establishment of systems for the exploitation of research findings. OAPI still wished, however, to see WIPO doing more for the effective use of the intellectual property system in Africa, notably by sharing with that continent the experience that it has accumulated in other regions of the world, such as Asia. OAPI and ARIPO, which were tied to WIPO by a tripartite agreement, would in that way be better equipped for their role in the development of the African continent. Finally, the Delegation emphasized OAPI's determination to give itself another dimension: action already undertaken included the organization of a vast campaign for the promotion of the OAPI system among the Organization's Member States, which should in the near future be extended to the countries of Europe, America and Asia. It was desirable that the campaign benefit from the support of WIPO, an organization to which OAPI reiterated its heartfelt gratitude for the many forms of assistance that it had received, and which it would like to see diversified even more.

101. The Delegation of the Eurasian Patent Organization (EAPO) recalled the important role that WIPO had played in the setting up of the Eurasian Patent Convention. The Director General of WIPO was the depository for the instruments of ratification of and

accession to the Convention. The EAPO, constituted under the Convention, had begun its operations on January 1, 1996, following a successful two-year preparatory period. The EAPO, a supra-national body covering a vast geographical area, had benefited greatly from the support of WIPO and the EPO and the experience of those two Organizations in international and regional patent integration. The creation of the new Eurasian system was a major step forward for inventors and enterprises not only in the countries of the former Soviet Union, but in the world community at large. Patent applicants in the region could now choose between a national and a Eurasian patent. The Delegation expressed satisfaction with the seminar WIPO had organized on the EAPO in August 1996, in Helsinki. It hoped to continue to benefit from seminars organized by WIPO and equipment provided by it, and wished to further strengthen its cooperation with the Organization.

102. The Delegation of the Organization of African Unity (OAU) paid tribute to WIPO's action on behalf of its Member States, especially in the form of its assistance programs in areas concerned with human resources development, and through the organization of seminars, technical training courses and further training courses. The OAU itself had also benefited from the cooperation program, as some of its executive staff had taken part in the seminars and other training programs organized by WIPO, and had been able to appreciate their high standard. The Delegation wished that the WIPO cooperation and technical assistance program might continue to grow, especially for the benefit of Africa, in which the most disadvantaged countries were concentrated.

103. The Delegation of the Commission of the European Communities (CEC) informed the meeting that in July 1996, the Council of Ministers had adopted a regulation introducing a supplementary protection certificate that safeguards rights concerning plant protection products for five years after expiry of the relevant patents. The Regulation will enter into force at the beginning of 1997 and will cover products first marketed in the European Communities after 1985. At the end of 1995, the Commission had presented a new proposal for a Directive on the legal protection of biotechnological inventions, following rejection of its initial proposal by the European Parliament. The Commission considered it necessary to continue to work toward enacting common legislation in order to prevent the discouragement of research and of the exploitation of the fruits of that research. The Council of Ministers and the European Parliament, which was particularly interested in any ethical considerations, had already begun their examination of the proposal and a common position of the Council was expected in 1997. The Delegation also noted that a Directive on copyright and *sui generis* protection of databases had been adopted in March 1996. A Green Paper on Copyright and Related Rights in the Information Society had been published in July 1995; a communication of the Commission was being drafted on the basis of the comments and other inputs received. The Commission had launched assistance programs for Central and Eastern European countries in the areas of intellectual property, authors' rights and the promotion of neighboring rights. They were designed to facilitate the implementation of a level of protection similar to that of the European Union, to encourage the accession of those countries to international conventions on those issues and to ensure free movement of works, phonograms and performances between Central and Eastern European countries and the European Union. An intellectual property protection program had also been initiated in September 1995, initially within the Russian Federation, but with possible extension to Ukraine, Belarus and Kazakstan in the near future. The Delegation confirmed the support of the European Communities for the successful conclusion of the WIPO Diplomatic Conference to be held in December 1996.

104. The Delegation of the Association of Commercial Television in Europe (ACT) expressed its appreciation to WIPO and the Government of the Philippines for their efforts in the preparation of the WIPO World Symposium on Broadcasting, New Communication Technologies and Intellectual Property, to be held in Manila in April 1997. It paid tribute to the Director General for proposing such a Symposium as a helpful means of bringing broadcasters concerns to the attention of the international community. The Delegation hoped that the sympathy for the position of broadcasters expressed by governments at WIPO meetings and the successful conclusion of the Manila Symposium would lay the ground work for further consideration of appropriate international action under the auspices of WIPO.

105. The Delegation of the European Broadcasting Union (EBU) welcomed the initiative to organize a WIPO World Symposium on Broadcasting, New Communication Technologies and Intellectual Property, in April 1997 in Manila. The Symposium would broaden the understanding, in the international community, of the need for effective protection of the neighboring rights of broadcasting organizations at the international level.

106. The Delegation of the International Federation of Reproduction Rights Organizations (IFRRO) underlined the importance of copyright protection in the global information system. An adequate legal framework was needed to protect copyright owners, authors and publishers and the forthcoming Diplomatic Conference would hopefully achieve results in respect of the issues concerned. It felt that a Protocol to the Berne Convention and *sui generis* protection for databases were of priority and considered that the proposals so far available in this respect constituted an excellent basis for discussion. The Delegation paid tribute to WIPO's development cooperation in the area of copyright, and its willingness to involve IFRRO as a partner in this work. The Delegation was gratified that many of the Governments represented at the present sessions were committed to sound legislation in the area of reprography, and IFRRO was willing to assist them in establishing the necessary national infrastructure.

107. The Delegation of the International Federation of Industrial Property Attorneys (FICPI) fully supported WIPO's norm-setting efforts, in particular, the proposals submitted by WIPO to the present session of the Governing Bodies in respect of the draft Patent Law Treaty. It hoped that that treaty would be rapidly adopted and committed itself to assist WIPO and its member States in that connection.

108. The Delegation of the International Confederation of Societies of Authors and Composers (CISAC) commended WIPO for the action that it had carried on during the current biennium, and expressed the wish that its collaboration with CISAC might continue to grow. The Delegation also expressed its appreciation of the high-level WIPO participation in the CISAC Congress held in Paris the previous week. It considered that the preparatory documents containing the proposals for the Diplomatic Conference in December 1996 on Certain Copyright and Neighboring Rights Questions reflected a consensus for which it had been pleased to congratulate the Chairman of the Committee of Experts, who had had to conduct an exercise that was by no means easy. It did nevertheless express the wish that, by October 1996, the Delegations of States might yet, where necessary, make certain proposals which could be very useful in giving substance to the discussions in the course of the Diplomatic Conference.

109. (a) The Director General thanked all delegations for their words of appreciation for the achievements of the International Bureau. Those achievements were due to the outstanding competence, enthusiastic dedication, constructive imagination and hard work of the staff of the International Bureau.

(b) The Director General assured delegations that their comments and suggestions had been carefully noted and would be taken into account in the planning of the International Bureau's work in the remaining part of the current biennium and in the preparation of the draft of the program and budget for the subsequent (1998-99) biennium. In line with suggestions from certain Delegations, the International Bureau would carry out a study, with the help of consultants, on international intellectual property issues arising from the new global information infrastructure, including Internet. He further stated that WIPO's World Symposium on Broadcasting, New Communication Technologies and Intellectual Property, to be held in Manila in April 1997, would provide an excellent opportunity to discuss the role to be played by WIPO in that area. In line with suggestions put forward by several delegations, the Director General stated that WIPO would no longer require the 13% overhead charge for administrative support costs for development cooperation activities funded by extra-budgetary resources from developing countries.

(c) He stated that in line with the suggestions made, the number of long-term fellowships offered by the International Bureau to nationals of developing countries for academic training in intellectual property would continue to increase in the future, as it had already been the case in the current year.

(d) The Director General said that he fully agreed with the Delegations that had stressed the importance of maintaining a balanced geographical distribution of staff within the Secretariat and also of filling a higher number of important posts by women. This was a continuous task, and he was confident that the improvement would continue also in the future.

(e) As far as the WTO and the TRIPS Agreement were concerned, the Director General said that cooperation with the WTO was highly satisfactory and WIPO's role in promoting the implementation of the TRIPS Agreement was both very important and extensive. In this connection, he drew attention to a recent WIPO publication that had enjoyed great success as a reference handbook. That publication brought together in a single volume not only the text of the Agreement between WIPO and the WTO and the text of the TRIPS Agreement, but also the text of all the provisions of all the other treaties referred to in the TRIPS Agreement, including the provisions of the relevant WIPO-administered treaties. Practically all the 193 meetings organized by WIPO and listed in the documents under consideration dealt with the TRIPS Agreement, and WTO negotiators and members of the WTO Secretariat had been invited to participate in the more important ones among those meetings. "Mega-symposiums" on the implications of the TRIPS Agreement had been organized by WIPO in 1996 and were to be again organized in 1997 in all the developing regions, and WIPO would finance the participation of all developing country members of WTO.

(f) Finally, the Director General said that, in line with the suggestions of several Delegations, he intended to propose that part of the regular budget of WIPO which deals with development cooperation be once again increased, mainly from PCT sources, for the 1998-99 biennium. As for the special allocations provided for in 1995 for development cooperation

and other activities relating to the TRIPS Agreement for the current biennium, it was the Director General's intention to propose that the special allocation not only be renewed but be also increased for the 1998-99 biennium.

110. As regards document AB/XXIX/9, the Delegation of Portugal, speaking on behalf of Group B, expressed the Group's regret that the said document had been received very late. It expressed the hope that that was an exceptional occurrence, as the traditional practice of WIPO was to give Delegations sufficient time to study the documents and consult with their authorities and other concerned circles. Group B had noted the information contained in the document but was not in a position to take any decisions at that time. That situation had no repercussions with regard to the section on industrial models and designs in which the International Bureau informed States that, as the preparatory work was insufficiently advanced, a diplomatic conference in that field could not be envisaged before 1998 and where no actual decision was required. However, the situation with regard to the section on integrated circuits was different as that section contained a proposal to prepare a new draft treaty to replace the Washington Treaty. Group B was not in a position to take such a decision at this stage but could agree on an amendment of paragraph 6 of the document under consideration to the effect that the matter would be studied by the International Bureau. With respect to the section on sequence listings, Group B noted the intention of the International Bureau to continue its efforts toward the establishment of a uniform international standard and to study the feasibility of an international "deposit" system for sequence listings. With respect to a possible international centralized system for the recording of assignments, Group B noted the intention of the International Bureau to study, with the help of consultants, the need for and the feasibility of the establishment of such a system.

111. The Director General said that, in the light of the remarks of the Delegation of Portugal, the activity concerning the possible new treaty on integrated circuits would merely consist of a preliminary study by the International Bureau.

112. The WIPO Coordination Committee and the Executive Committees of the Paris and Berne Unions, each as far as it is concerned, noted the reports and activities referred to in documents AB/XXIX/2, 3, 4 and 9, subject, as far as the last-mentioned document is concerned, to the statement referred to in the preceding paragraph.

#### ITEM 5 OF THE CONSOLIDATED AGENDA:

#### MATTERS CONCERNING THE DIPLOMATIC CONFERENCE ON CERTAIN COPYRIGHT AND NEIGHBORING RIGHTS QUESTIONS

113. Discussions were based on documents AB/XXIX/5.

114. After discussions, most of which took place outside the meeting, consensus was reached on the following points:

- (i) two consultation meetings should take place, both in Geneva: on October 14 to 15, 1996, a general consultation meeting in which the representatives of

all WIPO member States may participate (hereinafter referred to as “the first meeting”), and on November 29 and 30, 1996, a closed consultation meeting with the participation of 15 plus 1 representatives of developing countries and 15 plus 1 representatives of countries other than developing countries (hereinafter referred to as “the second meeting”);

(ii) the two “plus 1” participants would be, on behalf of the developing countries, a representative of China, and, on behalf of the countries other than developing countries, Mr. Jukka Liedes from Finland, it being understood that Mr. Liedes would serve as Chairman, and the representative of China would serve as Vice-chairman;\*

(iii) the mandate of the first meeting is an exchange of views on the basic proposals to be considered by the Diplomatic Conference in December 1996, with the understanding that the mandate does not extend to making any amendment in the basic proposals, nor to taking any decisions or making any recommendations regarding the Diplomatic Conference, while the mandate of the second meeting will be decided upon at the first meeting; and

(iv) at the first meeting, the International Bureau should finance the participation of up to ten individuals from each of the three regions of developing countries, plus one individual from China, whose names and titles will be provided by the representatives of those groups by October 4, 1996, while, at the second meeting, the International Bureau will finance a participant of each of five countries from each of the three regions of developing countries as well as a participant from China.

115. The Delegation of Côte d'Ivoire, speaking on behalf of the group of African countries, stated that the five countries of the group from each of which the participation of one representative in the second meeting is to be financed by the International Bureau were Kenya, Morocco, Nigeria, Senegal and South Africa.

116. The Delegation of Sri Lanka, speaking on behalf of the group of Asian countries, stated that the five countries of the group from each of which the participation of one representative in the second meeting is to be financed by the International Bureau were India, Pakistan, Republic of Korea, Singapore and Thailand. The Delegation pointed out that, as agreed upon as part of the consensus, the participation of a representative of China was to be also financed by the International Bureau.

117. At the proposal of the Delegation of the United States of America, it was decided that, in addition to the non-governmental organizations on the invitation of which the Governing Bodies had already taken a decision, also the Commercial Internet Exchange Association (CIX) should be invited as an observer organization to the Diplomatic Conference.

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\* This reflects the clarifications of the consensus provided during the report session.



ITEM 6 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE DRAFT PATENT LAW TREATY

118. Discussions were based on document AB/XXIX/6.

119. The International Bureau stated that the additional topics which had been suggested by the Committee of Experts on the Patent Law Treaty for inclusion in the Patent Law Treaty and in respect of which approval by the WIPO General Assembly and the Assembly of the Paris Union was sought concerned the filing date, unity of invention, recordal of licensing agreements, belated claiming of priority, and restoration of rights where a time limit has been missed and extension of time limits which have not yet expired but whose extension has been requested.

120. The Delegation of Portugal, speaking on behalf of Group B, stated that, in general, the additional topics referred to in document AB/XXIX/6 could be accepted by the Group B countries for inclusion in the draft Treaty. However, certain countries of Group B had expressed reservations with respect to some of those topics, namely, unity of invention and belated claiming of priority. Therefore, the Group was of the opinion that the provisions concerning those two topics should be presented by the International Bureau in brackets in order to draw attention that those provisions, depending on the views expressed in the Committee of Experts, could possibly be deleted from the draft Treaty.

121. The Delegation of China stated that it supported the proposals of the Director General in document AB/XXIX/6 and expressed the hope that agreement could be reached on the draft Treaty at an early date so that the Diplomatic Conference could be held in the near future.

122. The Delegation of Chile indicated that it could accept the inclusion of the provisions concerning the additional topics referred to in document AB/XXIX/6 in the draft Treaty, without taking at this stage any position on the substance of those topics.

123. The WIPO General Assembly and the Assembly of the Paris Union approved the inclusion in the draft Patent Law Treaty of the additional topics referred to in document AB/XXIX/6, on the understanding that the Committee of Experts on the Patent Law Treaty would be informed, in a document, of the fact that the provisions concerning unity of invention and belated claiming of priority should be treated as having been presented in brackets by the International Bureau.

ITEM 7 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE DRAFT TREATY ON THE SETTLEMENT OF  
DISPUTES BETWEEN STATES IN THE FIELD OF INTELLECTUAL PROPERTY

124. See the report on the session of the WIPO General Assembly (document WO/GA/XIX/4).

## ITEM 8 OF THE CONSOLIDATED AGENDA:

## MATTERS CONCERNING THE PROTECTION OF FOLKLORE

125. Discussions were based on document AB/XXIX/8.

126. The Director General introduced the above-mentioned document. He said that WIPO and Unesco had agreed to share the costs, on an equal basis, for organizing the Unesco/WIPO World Forum on the Protection of Folklore, in cooperation with the Government of Thailand, in Phuket, from April 8 to 10, 1997. He indicated that the costs to be shared applied to the speakers, eight of which were from developing countries, and to the direct organizational costs, but that financing of other participants from developing countries had not been foreseen. The Director General then offered that WIPO, in addition to the speakers, would finance the participation of three representatives from each of the three regions of developing countries (altogether nine) and suggested that Unesco also finance the participation of three representatives from each of the three regions of developing countries.

127. The representative of Unesco said that the proposal to also finance nine participants from developing countries was new and that consultation was needed within Unesco before it could be indicated whether or not Unesco could also finance the participation of participants (other than speakers) from developing countries.

128. The Delegation of Côte d'Ivoire, speaking on behalf of the group of African countries, thanked the Director General for its offer, but requested that WIPO provide financing for more participants from developing countries. This was supported by the Delegation of Sri Lanka, speaking on behalf of the group of Asian and the Pacific countries, by the Delegation of Chile, speaking on behalf of the group of Latin American and Caribbean countries, as well as by the Delegations of Brazil, Senegal, Ghana and China.

129. The Delegation of Chile, speaking on behalf of the group of Latin American and Caribbean countries, stressed the importance that the countries of the group attach to appropriate protection of folklore.

130. The Delegation of Brazil stressed the importance its Government gives to the protection of folklore and traditional practices and knowledge in the field of intellectual property. It welcomed the possibility for WIPO to examine the interfaces between folklore and intellectual property protection issues.

131. The Delegation of Ghana stressed the importance of the protection of folklore, and said that Ghana had established a Folklore Board of Trustees expressly for the purpose of administration of folklore in that country. The Delegation emphasized that it would be unfortunate if the beneficiaries of the symposium would not be able to attend.

132. The Delegation of China also stressed the importance of folklore, drawing attention to the fact that, in China, the Ministry of Culture, in conjunction with the National Copyright Administration of China, had established draft regulations for the protection of folklore. The Delegation expressed its hope that WIPO would make efforts to work out a possible new instrument for the protection of folklore.

133. The Director General, responding to the requests for additional funding for participants from developing countries, stated that additional financing was possible, and it would be taken from the budget foreseen for other development cooperation activities. He said that WIPO would be ready to finance in addition to the eight speakers, as agreed with Unesco, and in addition to the nine participants from developing countries as he had proposed, nine more participants from developing countries. If Unesco was able to also finance nine participants, it would be above this number.

134. The General Assembly of WIPO and the Assembly of the Berne Union noted the foregoing with approval.

ITEM 9 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING PREMISES

135. See the report on the session of the WIPO General Assembly (document WO/GA/XIX/4).

ITEM 10 OF THE CONSOLIDATED AGENDA:

DRAFT AGENDAS OF THE 1997 ORDINARY SESSIONS OF THE WIPO GENERAL ASSEMBLY, THE WIPO CONFERENCE, THE PARIS UNION ASSEMBLY AND THE BERNE UNION ASSEMBLY

136. Discussions were based on document AB/XXIX/7.

137. The WIPO Coordination Committee adopted Annexes I and II, the Paris Union Executive Committee adopted Annex III, and the Berne Union Executive Committee adopted Annex IV of document AB/XXIX/7.

138. As regards the agenda items for the 1997 Governing Bodies, the representative of Sri Lanka stated on behalf of the Asian Group that the procedural steps for the appointment of the Director General ought to be laid down in the relevant regulations on a more permanent footing. He proposed that this issue be addressed in the agenda of the 1997 session of the General Assembly of WIPO, with a view to finalizing a permanent set of procedural steps for the appointment of future Directors General of the Organization.

139. The Delegate of Côte d'Ivoire, in the name of the African Group, and the Delegate of Chile, in the name of the Latin American and Caribbean Group, supported the proposal made by the Delegate of Sri Lanka on behalf of the Asian Group.

140. The Delegation of France stated that the provisions of the Convention Establishing WIPO concerning the role of the various Governing Bodies in the election process were sufficiently flexible to be adapted when necessary. It suggested that, if at all necessary, the matter should be studied later than next year.

141. The Delegation of the Russian Federation concurred with the statement made by the Delegation of France.

142. The Delegation of Spain expressed its support for the position taken by the Delegation of France.

143. The Chairman suggested that the decision made for the draft agendas of the 1997 sessions (see paragraph 137) should not be changed. The proposal could be brought up for later sessions.

144. The Delegation of Nigeria supported the suggestion made by the Chairman.

145. The suggestion of the Chairman was noted.

ITEM 11 OF THE CONSOLIDATED AGENDA:

PROCEDURAL STEPS FOR THE APPOINTMENT OF  
A NEW DIRECTOR GENERAL IN 1997

146. See the report of the session of the WIPO Coordination Committee (document WO/CC/XXXVI/6).

ITEM 12 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

147. See the report of the session of the WIPO Coordination Committee (document WO/CC/XXXVI/6).

ITEM 13 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE GENERAL REPORT AND OF THE INDIVIDUAL  
REPORTS OF THE VARIOUS SESSIONS

*148. This General Report was unanimously adopted by the Governing Bodies concerned on October 2, 1996.*

*149. Each of the six Governing Bodies unanimously adopted the separate Reports concerning its session, at a separate meeting of the Governing Body concerned, on October 2, 1996.*

ITEM 14 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

150. After the usual interventions the twenty-ninth series of meetings of the Governing Bodies of WIPO and the Unions administered by it were closed by the Chairman of the WIPO General Assembly.

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