

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY

GENEVA

BIRPI

**WORLD INTELLECTUAL PROPERTY ORGANIZATION
COORDINATION COMMITTEE**

**First Ordinary Session
Geneva, September 21 to 29, 1970**

ADDENDUM TO DOCUMENT WO/CC/I/7

presented by the Director of BIRPI

SUMMARY

The present document is a supplement to document WO/CC/I/7.

It reports on the choice made by the Headquarters Building Subcommittee among the various projects submitted for the construction of an extension of BIRPI's present building, the expected cost of the new building, and the financing of such cost.

Introduction

1. The present document is a supplement to document WO/CC/I/7, dated August 12, 1970. That document recalled the decisions of the September 1969 session of the Interunion Coordination Committee in the matter of the construction of a new building and the results of the first session of the Headquarters Building Subcommittee. The said first session evaluated the needs of the International Bureau for the next ten to fifteen years and expressed an opinion on the site on which the new building should be built and on the financing of the construction costs.

2. The present document reports on the results of the second session of the Headquarters Building Subcommittee. That session took place on September 14 and 15, 1970. Nine of the ten members of the Subcommittee were represented: Argentina, Cameroon, France, Germany (Federal Republic), Italy, Netherlands, Soviet Union, Switzerland, United States of America. Mr. A. Krieger, Head of the Delegation of Germany (Federal Republic), Chairman of the Subcommittee, presided.

3. The second session dealt with the choice among the various projects for the new building and with further details of the financing of the construction.

Choice of Projects

4. The Subcommittee recommends the project submitted by Mr. Pierre Braillard.

5. The choice was made among six projects and the decision is in conformity with the recommendation of a nine-member committee of experts or jury (hereinafter referred to as "the jury"). The jury, composed of architects delegated by the Governments of Germany (Federal Republic), Italy and the United States, an architect of the Swiss Federal Service of Constructions, the Director of one of the Geneva services directly concerned, a Geneva architect in charge of the extension of the building of the Geneva Headquarters of the United Nations and three representatives of the party commissioning the work met for three days before the second session of the Subcommittee and arrived at its recommendation on the basis of an examination of the projects without knowing the identity of their authors since they were presented under a code name. (The name of the preferred project was "ARC.")

6. Mr. Braillard is an architect-builder exercising his profession in Geneva. He planned and executed the present building of BIRPI.

7. Of the nine members participating in the second session of the Subcommittee eight favored the project "ARC" submitted by Mr. Braillard.

8. The Director of BIRPI is satisfied with the Subcommittee's recommendation. The project in question amounts to a solution

which appears to offer optimum working conditions both for meetings of delegations and for the secretariat in a building with remarkably practical and economical arrangements. It is to be noted also that among the six projects presented the volume (in cubic feet) of the project "ARC" is the smallest.

9. The Director of BIRPI proposes consequently that Mr. Braillard's plan be accepted.

Financing

10. As to the financing of the construction of the new building, the Subcommittee noted that the volume of Mr. Braillard's plan was such that the estimation made last year of 20 million Swiss francs as the cost of construction was still realistic.

11. The Subcommittee also noted the following points:

(i) The cost of the construction would be covered by a loan from the Fondation des Immeubles pour les Organisations internationales (FIPOI) to the World Intellectual Property Organization (WIPO). It is expected that the loan would have to be repaid in 40 equal annual instalments with 3½% interest per annum on the balance of the capital owed. The first instalment would be due once the construction was terminated. Consequently, if, for example, the construction was terminated in 1973 and it cost 20 million Swiss francs, WIPO would have to pay FIPOI, in 1974, 500,000 Swiss francs in capital (one fortieth of 20 million) and 700,000 Swiss francs in interest (3½% of 20 million), that is, a total of 1.2 million. In the following years, this amount would diminish gradually to reach in the 40th year (that is, in 2013) 517,500 Swiss francs.

(ii) The present budget of BIRPI is around 10 million Swiss francs. By 1974, it would probably be well above 12 million. In that case, the first--and largest--instalment would represent less than 10% of the budget. This percentage would probably rapidly diminish throughout the years, because the instalments would become smaller and the budgets, in all probability, higher.

(iii) The above computation does not take into account the fact that, at least in the nineteen-seventies, WIPO will probably not need all the office space available in the new building and that the space not required would be rented to third parties. Rental fees paid by such parties would be

used for repaying part of the loan so that the amounts to be covered from WIPO's own sources would be less than those indicated above.

(iv) The amounts necessary each year for covering the repayments would be budgeted for in the ordinary budgets of the various Unions in the proportion in which, in the relevant year, each of them has used the surfaces of the old and the new buildings. This proportion would vary from year to year, as the needs of the Unions expand or diminish, or new Unions are created and installed in the buildings. Consequently, it is impossible to indicate in advance exactly how much each Union would have to pay in each of the 40 years in which repayments would have to be made. It can, however, be estimated that the contribution of each Union would be roughly in proportion to the relation of its budget to the total of the budgets of all the Unions and thus, if, for example, the total payment in any given year represents 10% of the budget of the International Bureau in that year, the payment will also represent a percentage in the neighborhood of 10% of the budget of each Union. If the resulting amounts proved to be too high for any Union in any year, one could envisage covering the interest from a short-term loan specially contracted for that purpose.

(v) Finally, it would be necessary to establish an accounting system among the Unions, firstly in order to take into account the payments which some of them have made in connection with the construction of the present building and, secondly, in order to compensate the effect of inflation on the amounts paid in different years before and during the relatively long period of 40 years. This accounting would allow the proprietary interest of each Union in the two buildings to be determined at any given moment. Such determination would be needed, for example, if the buildings were sold and the proceeds of the sale had to be distributed.

12. As to the ground rent, the Subcommittee noted that it is expected to be 34,000 Swiss francs per year until 1980 when its amount will be re-negotiated.

13. As to the furnishing of the offices, the Subcommittee noted that it was expected to cost 100,000 Swiss francs per year over a period of approximately seven years (1975-1981).

Annexes to the Present Document

14. The full text of the report of the second session of

the Subcommittee is contained in document HB/II/5, a copy of which is annexed to this report.

15. Fifteen drawings of the project "ARC" are also annexed to this report.

Future Procedure

16. The Director of BIRPI proposes that the Headquarters Building Subcommittee be maintained with the mandate of assisting him whenever important decisions are required to be made between sessions of the Coordination Committee in respect of the further planning, execution and financing of the building program.

17. If any of the States members of the Coordination Committee which are not members of the Subcommittee wish to serve on the Subcommittee, the Director will welcome their appointment as members by the Coordination Committee.

18. The Coordination Committee is invited to examine the report of the Headquarters Building Subcommittee and make the appropriate decisions.

19. It is further invited to make a decision on the proposal to maintain the Headquarters Building Subcommittee, as well as on its composition and mandate.

/The Annexes follow/

Annexes: document HB/II/5
drawings of the project "ARC"

BUREAUX INTERNATIONAUX
RÉUNIS POUR LA PROTECTION
DE LA PROPRIÉTÉ INTELLECTUELLE
GENÈVE, SUISSE

BIRPI

UNITED INTERNATIONAL
BUREAUX FOR THE PROTECTION
OF INTELLECTUAL PROPERTY
GENEVA, SWITZERLAND

Comité de Coordination Interunions / Interunion Coordination Committee

SOUS-COMITÉ POUR LE BATIMENT DU SIÈGE DES BIRPI BIRPI HEADQUARTERS BUILDING SUBCOMMITTEE

Deuxième session : Genève, 14 et 15 septembre 1970
Second Session: Geneva, September 14 and 15, 1970

REPORT

Introduction

1. The BIRPI Headquarters Building Subcommittee, set up in September 1969 by the Interunion Coordination Committee of BIRPI, held its second session in Geneva on September 14 and 15, 1970, under the chairmanship of Mr. A. Krieger (Germany (Federal Republic)).
2. The Subcommittee is composed of ten member countries, the following nine of which were represented at the session: Argentina, Cameroon, France, Germany (Federal Republic), Italy, Netherlands, Soviet Union, Switzerland, United States of America. Japan was not represented.
3. Spain was represented by an observer.
4. Mr. A. Lozeron, Chairman of the group of experts set up by the Director of BIRPI to study the projects submitted by the architects who had been commissioned (hereinafter called "the Group of Experts"), attended the session as an observer.
5. Dr. Arpad Bogsch, First Deputy Director of BIRPI, acted as Secretary of the Subcommittee.
6. The list of participants is attached to the present report (Annex II).

7. The Chairman opened the proceedings by recalling that the Subcommittee had been entrusted with three tasks: advising the Director of BIRPI on (i) the needs of WIPO as far as premises are concerned, (ii) the best methods of meeting those needs, and (iii) the financing of the construction. The first of those questions was dealt with in full at the first session, and a few points remained unsettled in relation to the third question; as to the second question, it was to be discussed at the present session, during which the Subcommittee would be required to make a decision on the projects submitted by the architects.

Financial Questions

8. As to the question of financing the construction of the new building, the Subcommittee noted the following points:

(a) The volume of most of the plans submitted by the architects, including ARC and GARDEN, was such that the estimation made last year of 20 million Swiss francs as the cost of the construction was still realistic.

(b) The cost of the construction would be covered by a loan from the Fondation des Immeubles pour les Organisations internationales (FIPOI) to the World Intellectual Property Organization (WIPO). It is expected that the loan would have to be repaid in 40 equal annual instalments with 3½% interest per annum on the balance of the capital owed. The first instalment would be due once the construction was terminated. Consequently, if, for example, the construction was terminated in 1973 and it cost 20 million Swiss francs, WIPO would have to pay FIPOI, in 1974, 500,000 Swiss francs in capital (one fortieth of 20 million) and 700,000 Swiss francs in interest (3½% of 20 million), that is, a total of 1.2 million. In the following years, this amount would diminish gradually to reach in the 40th year (that is, in 2013) 517,500 Swiss francs.

(c) The present budget of BIRPI is around 10 million Swiss francs. By 1974, it would probably be well above 12 million. In that case, the first--and largest--instalment would represent less than 10% of the budget. This percentage would probably rapidly diminish throughout the years, because the instalments would become smaller and the budgets, in all probability, higher.

(d) The above computation does not take into account

the fact that, at least in the nineteen-seventies, WIPO will probably not need all the office space available in the new building and that the space not required would be rented to third parties. Rental fees paid by such parties would be used for repaying part of the loan so that the amounts to be covered from WIPO's own sources would be less than those indicated above.

(e) The amounts necessary each year for covering the repayments would be budgeted for in the ordinary budgets of the various Unions in the proportion in which, in the relevant year, each of them has used the surfaces of the old and the new buildings. This proportion would vary from year to year, as the needs of the Unions expand or diminish, or new Unions are created and installed in the buildings. Consequently, it is impossible to indicate in advance exactly how much each Union would have to pay in each of the 40 years in which repayments would have to be made. It can, however, be estimated that the contribution of each Union would be roughly in proportion to the relation of its budget to the total of the budgets of all the Unions and thus, if, for example, the total payment in any given year represents 10% of the budget of the International Bureau in that year, the payment will also represent a percentage in the neighborhood of 10% of the budget of each Union. If the resulting amounts proved to be too high for any Union in any year, one could envisage covering the interest from a short-term loan specially contracted for that purpose.

(f) Finally, it would be necessary to establish an accounting system among the Unions, firstly in order to take into account the payments which some of them have made in connection with the construction of the present building and, secondly, in order to compensate the effect of inflation on the amounts paid in different years before and during the relatively long period of 40 years. This accounting would allow the proprietary interest of each Union in the two buildings to be determined at any given moment. Such determination would be needed, for example, if the buildings were sold and the proceeds of the sale had to be distributed.

9. As to the question of the ground rent for the Horngacher lot, the Subcommittee noted the following points:

(a) The contract between the Canton of Geneva, owner of the Horngacher lot, and WIPO has not yet been signed but an oral agreement has already been reached. According to this agreement, the ground rent on the Horngacher lot would be 3.75 Swiss francs per square meter and per year, that is, 34,000 Swiss francs per year for the entire lot. This amount

would be in force until at least 1980 when the rate would be re-negotiated, probably resulting in an increase.

(b) The contract would be concluded for 60 years and would be renewable.

(c) The ground rent is not included in the construction costs and would have to be covered from the ordinary budgets of the Unions.

(d) The share of each Union in the ground rent would be determined on the basis of principles similar to those proposed for determining the share of the various Unions in the construction costs.

10. As to the question of the furnishing of the offices in the new building, the Subcommittee noted the following points:

(a) The average cost of new furniture and other equipment for each employee is estimated to be 3,000 Swiss francs.

(b) The new building contains space for 340 employees.

(c) By the time the new building is available, the International Bureau would have bought (during the years 1968 to 1974) furniture for around 100 employees. This furniture would simply be transferred from the temporary building (to be erected in 1970) and other outside premises to the new building.

(d) Since the number of staff would increase gradually, the cost of furnishing the rooms in the new building would also be gradual and would be spread over five to ten years.

(e) If the cost of furnishing for each employee is estimated to be 3,000 francs and the number of new employees to be added over a period of seven years is estimated at 240, the yearly average amount required would be approximately 100,000 Swiss francs, an amount which would and could come out of the ordinary budgets of the Unions.

Choice Between Projects Submitted

11. The Subcommittee discussed this question on the basis of the Rules and Program (documents HB/P and HB/P/Add.) as well as the plans and models of the six projects submitted and the report of the Group of Experts (document HB/R).

12. The Subcommittee noted first that the Rules and Program for the commissioning of projects were in conformity with the decisions it had made at its first session, except on one point: the requirement to make provision for a later extension of the building capable of housing 100 employees had had to be abandoned. The Subcommittee considered this reservation justified.

13. The Chairman of the Group of Experts explained the projects and submitted the Group's conclusions.

14. The Subcommittee decided to retain for consideration only those two projects selected by the Group of Experts as being the best tall building and the best low building, namely, the ARC project and the GARDEN project.

15. The choice between these two projects gave rise to considerable discussion and a wide exchange of views, in the course of which the relative advantages and disadvantages of the projects were compared.

16. At the beginning of this discussion, the Delegation of Italy had declared that it was firmly in favor of the GARDEN project. Its statement is reproduced, at the Delegation's request, in an annex to this report (Annex I).

17. The Delegations of Germany (Federal Republic) and the United States of America summed up by stating their decided preference for the ARC project. In their view, it was distinctly superior to the GARDEN project from a functional point of view and its integration into the site should not pose any serious problems.

18. The Delegation of the Soviet Union also expressed its preference for the ARC project but said that the acoustic and meteorological repercussions of the curved shape of the main building in this project would have to be studied.

19. The Delegation of Cameroon said that it concurred with the opinion of the majority of the Group of Experts, as this was also the view of the administration, and was therefore in favor of the ARC project.

20. The Delegation of Switzerland said that the question of integrating the building into the site was a matter for the Geneva authorities to decide and that, as a member of the

Subcommittee, it had a slight preference for the ARC project from an essentially functional point of view.

21. The Delegation of France also expressed itself in favor of the ARC project, adding that the architect in charge of the work should make certain improvements to take account of the remarks made by the Group of Experts.

22. The Delegation of the Netherlands stated its preference for the ARC project, both from the functional and the aesthetic points of view.

23. In conclusion, the Chairman noted that, seven members having expressed their preference for the ARC project and one for the GARDEN project, the Subcommittee recommended the ARC project.*

Future Procedure

24. As to future procedure, the Subcommittee noted that the Director of BIRPI intended to propose to the Coordination Committee of WIPO when it meets at the end of September 1970 to maintain the Subcommittee to assist him whenever important decisions are required to be made between sessions of the Coordination Committee in respect of the further planning, execution and financing of the building program.

25. This report was unanimously adopted by the Subcommittee in its session of September 15, 1970.

* The Delegation of Argentina, absent from the conference room at the time of voting, informed the Chairman later that it favored ARC.

ANNEX I

STATEMENT BY THE DELEGATION OF ITALY

Having been called upon in the capacity of architect to act as member of the Group of Experts entrusted with the task of examining the six projects, I can assure you that I have studied them both with the other experts of the Group and, later, on my own.

I must state that I am perfectly convinced that the better of the two projects, ARC and GARDEN, is the GARDEN project. My opinion is based on all the criteria generally applicable in such matters, with special emphasis on the functional criteria, which are just as good in the case of the GARDEN project as in that of the ARC project.

As regards the choice, I should like to stress two points:

First: As you can see in its report, the Group of Experts, convinced of the need for clarification of the question of the possibility of integrating a tall building into the site, asked the competent authority who had been specially invited by BIRPI to take part in the Group of Experts, Mr. Harmann, Directeur de l'Aménagement of the Canton of Geneva, to give a precise and detailed account of the studies relating to the area reserved for international activities, including the perimeter of the Place des Nations, as well as a description of the Gutton Plan. Mr. Harmann very carefully and clearly gave the required explanations and added that he saw no possibility of integrating a tall building into the site, in view both of the spirit of the Gutton Plan and of the forecasts he could make on the subject of the arrangements for this area by the competent Geneva authorities.

I feel I must say that some of the Group have not thought it necessary to take this fundamental consideration--or rather, prejudicial premise--into account. Sufficient importance has not been given to a declaration which, in my opinion, ought to carry serious weight in reaching a conclusion as regards our choice. You are well aware that we cannot underestimate the fundamental importance of town-planning considerations and I think that we are all bound to have confidence in the declarations of the competent Swiss cantonal authorities who have been invited to participate in the Group of Experts.

Secondly: I must point out that the decision of the majority (five votes to four!) in favor of the ARC project

has been influenced more by the administrative members than the technical members of the Group. Preference has thus been given to a pseudo-functional solution and a pretentious style of architecture which, in my view, would fit in very badly with the surrounding district and would take no account of the gifts of nature which, fortunately, are still today the greatest glory and beauty of Geneva.

Thank you, Mr. Chairman.

/End of Annex I/

LISTE DES PARTICIPANTS/LIST OF PARTICIPANTS

ETATS MEMBRES DU SOUS-COMITE/ MEMBER STATES OF THE SUBCOMMITTEE

ALLEMAGNE (REPUBLIQUE FEDERALE)/GERMANY (FEDERAL REPUBLIC)

Mr. A. KRIEGER, Ministerialdirektor, Federal Ministry of Justice, Bonn

Mr. K. LANGE, Architect, Ministerialrat, Federal Ministry of Finance, Bonn

Mr. S. SCHUM, Counsellor, Permanent Mission of Germany (Federal Republic), Geneva

Mr. W. TILMANN, Amtsgerichtsrat, Federal Ministry of Justice, Bonn

ARGENTINE/ARGENTINA

Mr. Luis M. LAURELLI, Secretary of Embassy, Permanent Mission of Argentina, Geneva

CAMEROUN/CAMEROON

M. J. EKEDI-SAMNIK, Ambassade du Cameroun, Bonn

ETATS-UNIS D'AMERIQUE/UNITED STATES OF AMERICA

Mr. Harvey J. WINTER, Chief, Business Practices Division, Department of State, Washington, D.C.

Mr. L.H. DINSMORE, Architect, Chief, Engineering Branch, Office of Foreign Buildings Operations, Department of State, Washington, D.C.

FRANCE

M. R. LABRY, Conseiller d'Ambassade, Ministère des Affaires étrangères, Direction des Affaires économiques et financières, Paris.

ITALIE/ITALY

M. le Professeur A. BACCIN, Architecte et Urbaniste, membre du Conseil supérieur du Ministère des Travaux publics, Rome

M. M. MELONI, Conseiller de lère classe, Présidence du Conseil des ministres, Rome

Mlle Marta VITALI, V. Inspecteur, Ministère des Affaires étrangères, Rome

PAYS-BAS/NETHERLANDS

Mr. H.J.A.M. VROUWENVELDER, Ministry of Economic Affairs, The Hague

Mr. P.H. WITMUS, Ministry of Economic Affairs, The Hague

SUISSE/SWITZERLAND

M. M. LEUTHOLD, Chef de Section, Bureau fédéral de la Propriété intellectuelle, Berne

M. A. WEBER, Architecte, Inspecteur des Constructions fédérales, Lausanne

UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES/
UNION OF SOVIET SOCIALIST REPUBLICS

Mr. Y. MAKSAREV, Chairman, Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR, Moscow

Mr. V. CHATROV, Chief of External Relations Department, Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR, Moscow

Mr. V. ROSLOV, Senior Engineer, Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR, Moscow

OBSERVATEURS/OBSERVERS

ESPAGNE/SPAIN

M. C. MARQUEZ LABAJO, Chef de la Section des Brevets, Registre de la Propriété industrielle, Madrid

GROUPE D'EXPERTS/GROUP OF EXPERTS

M. A. LOZERON, Architecte, Président du Groupe d'experts

BUREAU DU SOUS-COMITE/OFFICERS OF THE SUBCOMMITTEE

Président/Chairman: M. A. KRIEGER (Allemagne (Rép.féd.))/
Germany (Fed.Rep.)

Vice-Président/
Vice-Chairman: M. H.J. WINTER (Etats-Unis d'Amérique/
United States of America)

Secrétaire/Secretary: Dr. Arpad BOGSCH (BIRPI)

BUREAUX INTERNATIONAUX REUNIS POUR LA PROTECTION DE LA
PROPRIETE INTELLECTUELLE/ UNITED INTERNATIONAL BUREAUX
FOR THE PROTECTION OF INTELLECTUAL PROPERTY (BIRPI)

Professeur G.H.C. BODENHAUSEN, Directeur/Director
Dr. Arpad BOGSCH, Premier Vice-Directeur/First Deputy Director
M. Joseph VOYAME, Second Vice-Directeur/Second Deputy Director
M. B.A. ARMSTRONG, Conseiller, Chef de la Division administrative/
Counsellor, Head, Administrative Division
M. M. LAGESSE, Conseiller, Division administrative/
Counsellor, Administrative Division
M. Cl. KINDLER, Chef de la Section des constructions/
Head, New Buildings Section

