

Copyright

Review of the
WORLD INTELLECTUAL PROPERTY
ORGANIZATION (WIPO)

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(c) Representatives of the Organization shall be invited, for purposes of consultation, to attend meetings of the General Assembly of the United Nations when questions as defined in paragraph (b) above are under discussion.

Article 4

Proposal of Agenda Items

Subject to such preliminary consultation as may be necessary, the Organization shall arrange for the inclusion in the provisional agenda of its appropriate bodies of items proposed by the United Nations, and the Economic and Social Council, its commissions and committees shall arrange for the inclusion in their provisional agenda of items proposed by the Organization.

Article 5

Recommendations of the United Nations

(a) The Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter of the United Nations and the function and power of the Economic and Social Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the appropriate organ of the Organization of all formal recommendations which the United Nations may make to it.

(b) The Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

Article 6

Information and Documents

(a) Subject to such arrangements as may be necessary for the safeguarding of confidential material, full and prompt exchange of appropriate information and documents shall be made between the United Nations and the Organization.

(b) The Organization shall submit to the United Nations an annual report on its activities.

Article 7

Statistical Services

(a) The United Nations and the Organization agree to strive for the maximum co-operation, the elimination of all undesirable duplication between them and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical informa-

tion and to minimize the burden placed upon Governments and other organizations from which such information may be collected.

(b) The Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

(c) The United Nations recognizes the Organization as an appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations, its organs and other agencies within the United Nations system to concern themselves with such statistics in so far as they may be essential for their own purposes or for the improvement of statistics throughout the world.

(d) The United Nations shall, in consultation with the Organization and other agencies within the United Nations system, develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations, the Organization and other agencies within the United Nations system brought into relationship with it.

(e) It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the agencies within the United Nations system whenever it is practicable for any of them to utilize information or materials which another may have available.

(f) In order to collect statistical information for general use, it is agreed that data supplied to the Organization for incorporation in its basic statistical series or special reports should, so far as practicable, be made available to the United Nations on request.

(g) It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should, so far as is practicable and appropriate, be made available to the Organization upon request.

Article 8

Assistance to the United Nations

The Organization shall, in accordance with the Charter of the United Nations and the basic instrument of the Organization, treaties and agreements administered by the Organization, co-operate with the United Nations by furnishing to it such information, special reports and studies, and by rendering such assistance to it, as the United Nations may request.

Article 9

Technical Assistance

The United Nations and the Organization undertake to co-operate in the provision of technical assistance for development in the field of intellectual creation. They also undertake to avoid undesirable duplication of activities and services relating to such technical assistance and agree to take such action as may be necessary to achieve effective co-ordination of their technical assistance activities within the framework of existing co-ordination machinery in the field of technical

assistance. To this end, the Organization agrees to give consideration to the common use of available services as far as practicable. The United Nations will make available to the Organization its administrative services in this field for use as requested.

Article 10

Transfer of Technology

The Organization agrees to co-operate within the field of its competence with the United Nations and its organs, particularly the United Nations Conference on Trade and Development, the United Nations Development Programme and the United Nations Industrial Development Organization, as well as the agencies within the United Nations system, in promoting and facilitating the transfer of technology to developing countries in such a manner as to assist these countries in attaining their objectives in the fields of science and technology and trade and development.

Article 11

Trust, Non-Self-Governing and Other Territories

The Organization agrees to co-operate within the field of its competence with the United Nations in giving effect to the principles and obligations set forth in Chapters XI, XII and XIII of the Charter of the United Nations and in the Declaration on the Granting of Independence to Colonial Countries and Peoples, with regard to matters affecting the well-being and development of the peoples of the Trust, Non-Self-Governing and other Territories.

Article 12

International Court of Justice

(a) The Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

(b) The General Assembly of the United Nations authorizes the Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

(c) Such requests may be addressed to the International Court of Justice by the General Assembly of the Organization, or by the Co-ordination Committee of the Organization acting in pursuance of an authorization by the General Assembly of the Organization.

(d) When requesting the International Court of Justice to give an advisory opinion, the Organization shall inform the Economic and Social Council of the request.

Article 13

Relations with Other International Organizations

Before the conclusion of any formal agreement between the Organization and any other specialized agency, any inter-governmental organization other than a specialized agency or any non-governmental organization, the Organization shall

inform the Economic and Social Council of the nature and scope of the proposed agreement; furthermore, the Organization shall inform the Economic and Social Council of any matter of interagency concern within its competence.

Article 14

Administrative Co-operation

(a) The United Nations and the Organization recognize the desirability of co-operation in administrative matters of mutual interest.

(b) Accordingly, the United Nations and the Organization undertake to consult together from time to time concerning these matters, particularly the most efficient use of facilities, staff and services and the appropriate methods of avoiding the establishment and operation of competitive or overlapping facilities and services among the United Nations and the agencies within the United Nations system and the Organization and with a view to securing, within the limits of the Charter of the United Nations and the Convention establishing the Organization, as much uniformity in these matters as shall be found practicable.

(c) The consultations referred to in this article shall be utilized to establish the most equitable manner in which any special services or assistance furnished, on request, by the Organization to the United Nations or by the United Nations to the Organization shall be financed.

Article 15

Personnel Arrangements

(a) The United Nations and the Organization agree to develop, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable and beneficial interchange of personnel.

(b) The United Nations and the Organization agree:

- (i) to consult together from time to time concerning matters of mutual interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;
- (ii) to co-operate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;
- (iii) to co-operate, on such terms and conditions as may be agreed, in the operation of a common pension fund;
- (iv) to co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connexion with the employment of personnel and related matters.

(c) The terms and conditions on which any facilities or services of the Organization or the United Nations in connexion with the matters referred to in this article are to be

extended to the other shall, where necessary, be the subject of subsidiary agreements concluded for this purpose after the entry into force of this Agreement.

Article 16

Budgetary and Financial Matters

(a) The Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and the agencies within the United Nations system shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

(b) The Organization agrees to conform, as far as may be practicable and appropriate, to standard practices and forms recommended by the United Nations.

(c) In the preparation of the budget of the Organization, the Director General of the Organization shall consult with the Secretary-General of the United Nations with a view to achieving, in so far as is practicable, uniformity in presentation of the budgets of the United Nations and of the agencies within the United Nations system for the purposes of providing a basis for comparison of the several budgets.

(d) The Organization agrees to transmit to the United Nations its draft triennial and annual budgets not later than when the said draft budgets are transmitted to its members so as to give the General Assembly sufficient time to examine the said draft budgets, or budgets, and make such recommendations as it deems desirable.

(e) The United Nations may arrange for studies to be undertaken concerning financial and fiscal questions of interest both to the Organization and to the other agencies within

the United Nations system, with a view to the provision of common services and the securing of uniformity in such matters.

Article 17

United Nations Laissez-Passer

Officials of the Organization shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Director General of the Organization, to use the laissez-passer of the United Nations.

Article 18

Implementation of the Agreement

The Secretary-General of the United Nations and the Director General of the Organization may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable.

Article 19

Amendment and Revision

This Agreement may be amended or revised by agreement between the United Nations and the Organization and any such amendment or revision shall come into force on approval by the General Assembly of the United Nations and the General Assembly of the Organization.

Article 20

Entry Into Force

This Agreement shall enter into force on its approval by the General Assembly of the United Nations and the General Assembly of the Organization.

Соглашение между Организацией Объединенных Наций и Всемирной организацией интеллектуальной собственности

Преамбула

Принимая во внимание положения статьи 57 Устава Организации Объединенных Наций и пункта 1 статьи 13 Конвенции, учреждающей Всемирную организацию интеллектуальной собственности, Организация Объединенных Наций и Всемирная организация интеллектуальной собственности соглашаются о нижеследующем:

Статья 1

Признание

Организация Объединенных Наций признает Всемирную организацию интеллектуальной собственности (в дальнейшем именуемую Организацией) в качестве специализированного учреждения, ответственного за принятие соответствующих мер, согласно ее основному документу и осуществляемым ею договорам и соглашениям, по содействию, среди прочего, творческой интеллектуальной деятельности и облегчению передачи развивающимся странам технологии, относящейся к промышленной собственности, в целях ускорения экономического, социального и культурного развития, с учетом компетенции и обязанностей Организации Объединенных Наций и ее органов, в частности Конференции Организации Объединенных Наций по торговле и развитию, Программы развития Организации Объединенных Наций и Организации Объединенных Наций по промышленному развитию, а также Организации Объединенных Наций по вопросам образования, науки и культуры и других учреждений, входящих в систему Организации Объединенных Наций.

Статья 2

Координация и сотрудничество

В своих отношениях с Организацией Объединенных Наций, ее органами и учреждениями, входящими в систему Организации Объединенных Наций, Организация признает ответственность Генеральной Ассамблеи и Экономического и Социального Совета за координацию, согласно Уставу Организации Объединенных Наций. В соответствии с этим Организация соглашается сотрудничать в принятии любых мер, которые могут оказаться необходимыми, с тем чтобы сделать координацию политики и деятельности Организации Объединенных Наций и органов и учреждений, входящих в систему Организации Объединенных Наций, полностью эффективной. Организация соглашается далее участвовать в работе любых органов Организации Объединенных Наций, которые были созданы или могут быть созданы с целью содействия такому сотрудничеству и координации, в частности путем вступления в члены Административного комитета по координации.

Статья 3

Взаимное представительство

a) Представители Организации Объединенных Наций приглашаются присутствовать на сессиях всех органов Организации и на всех других заседаниях, проводимых Организацией, и принимать участие без права голоса в обсуждениях, проводимых этими органами и на таких заседаниях. Письменные заявления, представляемые Организацией Объединенных Наций, распространяются Организацией среди ее членов.

b) Представители Организации приглашаются присутствовать на заседаниях и принимать участие без права голоса в прениях Экономического и Социального Совета, его комиссий и комитетов, главных комитетов и органов Генеральной Ассамблеи и других конференций и совещаний Организации Объединенных Наций по пунктам повестки дня, относящимся к вопросам интеллектуальной собственности и находящимся в сфере деятельности Организации, а также по другим вопросам, представляющим взаимный интерес. Письменные заявления, представленные Организацией, направляются Секретариатом Организации Объединенных Наций членам вышеупомянутых органов, согласно правилам процедуры.

c) Представители Организации приглашаются в целях проведения консультаций присутствовать на заседаниях Генеральной Ассамблеи Организации Объединенных Наций на обсуждении вопросов, указанных в пункте *b* выше.

Статья 4

Включение пунктов в повестку дня

По проведении необходимых предварительных консультаций Организация принимает меры для включения в предварительную повестку дня ее соответствующих органов пунктов, предложенных Организацией Объединенных Наций, а Экономический и Социальный Совет, его комиссии и комитеты принимают меры для включения в их предварительную повестку дня пунктов, предложенных Организацией.

Статья 5

Рекомендации Организации Объединенных Наций

a) Организация, принимая во внимание обязательство Организации Объединенных Наций способствовать достижению целей, изложенных в статье 55 Устава Организации Объединенных Наций, равно как и функции и полномочия Экономического и Социального Совета, предпринимать в соответствии со статьей 62 Устава исследование и составлять доклады по международным вопросам в области экономической, социальной, культуры, образования, здравоохранения и подобным вопросам или

побуждать к этому других, а также делать по любому из этих вопросов рекомендации заинтересованным специализированным учреждениям и, принимая также во внимание обязательство Организации Объединенных Наций делать в соответствии со статьями 58 и 63 Устава рекомендации по согласованию политики и деятельности таких специализированных учреждений, соглашается принимать меры по представлению в кратчайший срок соответствующему органу Организации всех официальных рекомендаций, которые могут быть сделаны ей Организацией Объединенных Наций.

b) Организация соглашается консультироваться с Организацией Объединенных Наций, по просьбе последней, по вопросам, связанным с такими рекомендациями, а также своевременно представлять доклады Организации Объединенных Наций о мерах, принятых Организацией или ее членами для проведения в жизнь таких рекомендаций, или о других результатах их рассмотрения.

Статья 6

Информация и документация

a) С соблюдением таких мер, которые могут оказаться необходимыми для обеспечения конфиденциальности материалов, Организация Объединенных Наций и Организация производят между собой полный и быстрый обмен соответствующей информацией и документацией.

b) Организация представляет Организации Объединенных Наций ежегодный доклад о своей деятельности.

Статья 7

Статистическая служба

a) Организация Объединенных Наций и Организация соглашаются стремиться к тесному сотрудничеству, к устранению нежелательного дублирования работы и к наиболее эффективному использованию своего технического персонала в области сбора, анализа, публикации и распространения статистической информации. Они соглашаются объединить свои усилия в целях обеспечения максимальной пригодности и использования статистической информации и облегчения бремени, лежащего на правительствах и других организациях, от которых такая статистическая информация может быть получена.

b) Организация признает Организацию Объединенных Наций в качестве центрального учреждения по сбору, анализу, публикации, стандартизации и улучшению статистических данных, используемых международными организациями для целей общего характера.

c) Организация Объединенных Наций признает Организацию в качестве надлежащего учреждения по сбору, анализу, публикации, стандартизации и улучшению статистических данных в своей специальной области, что не ограничивает права Организации Объединенных Наций, ее органов и других учреждений, входящих в систему Организации Объединенных Наций, заниматься статистической работой в той же области, поскольку такая

работа может оказаться необходимой для их собственных целей или для улучшения статистических методов во всем мире.

d) Организация Объединенных Наций, в консультации с Организацией и с другими учреждениями, входящими в систему Организации Объединенных Наций, выработает административные правила и процедуру, посредством которых может быть осуществлено плодотворное сотрудничество в области статистики между Организацией Объединенных Наций, Организацией и другими учреждениями системы Организации Объединенных Наций, связанными с ней.

e) Признается желательным, чтобы работа по сбору статистических данных не дублировалась Организацией Объединенных Наций или каким-либо учреждением системы Организации Объединенных Наций в тех случаях, когда какое-либо учреждение может использовать статистическую информацию и материалы, которыми уже располагает другое.

f) В целях сбора статистической информации для общего использования предусматривается, что данные, поступающие в Организацию для включения их в ее основные статистические ряды или специальные доклады, должны, по мере возможности, предоставляться в распоряжение Организации Объединенных Наций по ее просьбе.

g) Предусматривается, что данные, поступающие в Организацию Объединенных Наций для включения их в ее основные статистические ряды или специальные доклады, должны, насколько это практически возможно и целесообразно, предоставляться в распоряжение Организации по ее просьбе.

Статья 8

Помощь Организации Объединенных Наций

Организация, в соответствии с Уставом Организации Объединенных Наций и основным документом Организации, с договорами и соглашениями, осуществляемыми Организацией, сотрудничает с Организацией Объединенных Наций, предоставляет ей такую информацию, специальные доклады и исследования и оказывая ей такую помощь, о которых Организация Объединенных Наций может запросить.

Статья 9

Техническая помощь

Организация Объединенных Наций и Организация обязуются сотрудничать в оказании технической помощи в целях развития в области интеллектуального творчества. Они также обязуются избегать нежелательного дублирования в своей деятельности и в оказании услуг, относящихся к такой технической помощи, и соглашаются принимать такие меры, какие могут оказаться необходимыми для достижения эффективной координации их деятельности по технической помощи в рамках существующего механизма по координации в области технической помощи. С этой целью Организация соглашается

рассмотреть вопрос об общем использовании имеющихся служб в той мере, в какой это является практически целесообразным. Организация Объединенных Наций будет предоставлять Организации свое административное обслуживание в этой области для его использования в соответствии с поступающими просьбами.

Статья 10

Передача технологии

Организация соглашается сотрудничать в пределах своей компетенции с Организацией Объединенных Наций и ее органами, в частности с Конференцией Организации Объединенных Наций по торговле и развитию, Программой развития Организации Объединенных Наций и Организаций Объединенных Наций по промышленному развитию, а также с учреждениями, входящими в систему Организации Объединенных Наций, в содействии и облегчении передачи технологии развивающимся странам в целях оказания этим странам помощи в достижении их целей в области науки и техники, а также торговли и развития.

Статья 11

Подопечные, самоуправляющиеся и другие территории

Организация соглашается сотрудничать в пределах своей компетенции с Организацией Объединенных Наций в осуществлении принципов и обязательств, изложенных в главах XI, XII и XIII Устава Организации Объединенных Наций и в Декларации о предоставлении независимости колониальным странам и народам, по вопросам, затрагивающим благосостояние и развитие народов подопечных, самоуправляющихся и других территорий.

Статья 12

Международный Суд

a) Организация соглашается предоставлять любую информацию, которая может быть запрошена Международным Судом в соответствии со статьей 34 Статута Суда.

b) Генеральная Ассамблея Организации Объединенных Наций уполномочивает Организацию обращаться к Международному Суду за консультативными заключениями по правовым вопросам, возникающим в пределах ее компетенции, за исключением вопросов, касающихся взаимоотношений Организации с Организацией Объединенных Наций или другими специализированными учреждениями.

c) Такие запросы могут направляться Международному Суду Генеральной Ассамблеей Организации или Координационным комитетом Организации, действующим в соответствии с полномочиями, предоставленными ему Генеральной Ассамблеей Организации.

d) Обращаясь к Международному Суду за консультативным заключением, Организация информирует об этом запросе Экономический и Социальный Совет.

Статья 13

Отношения с другими международными организациями

До заключения любого официального соглашения между Организацией и любым другим специализированным учреждением, любой межправительственной организацией, не являющейся специализированным учреждением, или любой неправительственной организацией Организация информирует Экономический и Социальный Совет о характере и сфере действия предполагаемого соглашения; кроме того, Организация информирует Экономический и Социальный Совет о любом вопросе межучрежденческого характера, находящемся в пределах ее компетенции.

Статья 14

Административное сотрудничество

a) Организация Объединенных Наций и Организация признают желательность сотрудничества по административным вопросам, представляющим взаимный интерес.

b) В этой связи Организация Объединенных Наций и Организация обязуются проводить время от времени консультации по этим вопросам и, в частности, по вопросам более эффективного использования средств обслуживания, персонала, служб и надлежащих методов, направленных на недопущение создания и функционирования конкурирующих между собой или частично дублирующих друг друга средств обслуживания и служб Организации Объединенных Наций и учреждений, входящих в систему Организации Объединенных Наций, а также Организации, с целью обеспечения в рамках Устава Организации Объединенных Наций и Конвенции, учреждающей Организацию, единообразия в таких вопросах в той степени, в какой это практически возможно.

c) Упомянутые в данной статье консультации используются для установления наиболее справедливого порядка финансирования любых специальных услуг или помощи, предоставляемых в ответ на соответствующие просьбы, направляемые Организацией Организации Объединенных Наций или Организацией Объединенных Наций Организации.

Статья 15

Мероприятия в области персонала

a) Организация Объединенных Наций и Организация соглашаются разработать в интересах единообразия требований международной службы и в пределах возможного общие требования, методы и мероприятия в отношении персонала, с тем чтобы исключить возможность существования неоправданных различий в условиях работы и избежать конкуренции при наборе персонала, а также облегчить обмен персоналом, который желателен и выгоден обеим сторонам.

b) Организация Объединенных Наций и Организация соглашаются:

- (i) проводить время от времени консультации по вопросам, представляющим взаимный интерес и касающимся условий службы должностных лиц и персонала, для обеспечения как можно большего единообразия в этих вопросах;
- (ii) сотрудничать в обмене персоналом, когда таковой желателен, на временной или постоянной основе, обеспечивая должным образом сохранение служебного уровня и права на пенсионное обеспечение;
- (iii) сотрудничать в управлении общим пенсионным фондом на условиях, которые могут быть согласованы;
- (iv) сотрудничать в создании и управлении соответствующего механизма по урегулированию споров, возникающих в связи с наймом персонала и связанными с этим вопросами.

c) Условия, на которых Организация или Организация Объединенных Наций предоставляют друг другу любые средства обслуживания или услуги в связи с вопросами, упоминаемыми в настоящей статье, по мере необходимости, будут являться предметом дополнительных соглашений, заключаемых с этой целью после вступления в силу настоящего Соглашения.

Статья 16

Бюджетные и финансовые вопросы

a) Организация признает желательность установления тесных бюджетно-финансовых отношений с Организацией Объединенных Наций, с тем чтобы административная деятельность Организации Объединенных Наций и учреждений, входящих в систему Организации Объединенных Наций, осуществлялась, по возможности, наиболее эффективным и экономичным путем и чтобы при этом обеспечивалась максимальная степень координации и единообразия такой деятельности.

b) Организация соглашается соблюдать, насколько это практически возможно и целесообразно, стандартную практику и формы, рекомендованные Организацией Объединенных Наций.

c) При составлении бюджета Организации Генеральный директор Организации консультируется с Генеральным секретарем Организации Объединенных Наций, с тем чтобы добиться, насколько это практически осуществимо, единообразия в представлении бюджетов Организации Объединенных Наций и учреждений, входящих в систему Организации Объединенных Наций, в целях создания основы для сравнения ряда бюджетов.

d) Организация соглашается направлять Организации Объединенных Наций свои проекты трехгодичных и ежегодных бюджетов не позднее, чем упомянутые проекты бюджетов направляются на рассмотрение ее членом, с тем чтобы предоставить Генеральной Ассамблее достаточно времени для изучения упомянутых проектов бюджетов или бюджетов и внесения таких рекомендаций, какие она сочтет желательными.

e) Организация Объединенных Наций может организовать проведение исследований, касающихся финансовых и бюджетных вопросов, представляющих интерес как для Организации, так и для других учреждений, входящих в систему Организации Объединенных Наций, с тем чтобы обеспечить предоставление общего обслуживания и единообразия в таких вопросах.

Статья 17

Паспорт Организации Объединенных Наций

Сотрудники Организации имеют право в соответствии со специальными соглашениями, которые могут быть заключены между Генеральным секретарем Организации Объединенных Наций и Генеральным директором Организации, пользоваться паспортами Организации Объединенных Наций.

Статья 18

Выполнение Соглашения

Генеральный секретарь Организации Объединенных Наций и Генеральный директор Организации могут в целях выполнения настоящего Соглашения заключать любые дополнительные соглашения, какие они сочтут целесообразными.

Статья 19

Поправки и пересмотр

В настоящее Соглашение могут быть внесены поправки или оно может быть пересмотрено по обоюдному согласию Организации Объединенных Наций и Организации, и любая такая поправка или пересмотр вступает в силу по утверждению Генеральной Ассамблеей Организации Объединенных Наций и Генеральной Ассамблеей Организации.

Статья 20

Вступление в силу

Настоящее Соглашение вступает в силу после его утверждения Генеральной Ассамблеей Организации Объединенных Наций и Генеральной Ассамблеей Организации.

The World Intellectual Property Organization in 1974

Introduction

The main event of 1974 in the life of the World Intellectual Property Organization (WIPO) was its becoming, on December 17, 1974, a specialized agency of the United Nations system. WIPO is the fourteenth such specialized agency. It is expected from this change in the status of WIPO that its place among the international organizations will become better defined, its jurisdiction in matters of intellectual property more generally recognized, its possibilities of integrated and close cooperation with other intergovernmental organizations enhanced, and its membership increased. Furthermore — and this is probably the most urgent of the expectations — the fact that it is a member of the United Nations system should enable WIPO to increase its activities specially designed for the advancement of the developing countries, particularly in the fields of intellectual creativity, industrialization and international commerce.

The main activities of WIPO as such (as distinguished from those of the Unions administered by it) in 1974 were those of its legal-technical assistance program, in particular, the launching of the WIPO Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property.

Member States

Acceptance. The Democratic People's Republic of Korea, France, the Ivory Coast, Norway and the United Arab Emirates deposited instruments of ratification or accession and became party to the Convention Establishing the World Intellectual Property Organization, thus bringing the number of such States to 38 at the end of 1974 (see Table of States, below). Belgium, Brazil, Cuba, Dahomey, Luxembourg, Monaco, the Netherlands, Poland, South Africa and Zaire also deposited instruments of ratification in 1974; these ratifications will become effective on January 31, March 20, March 27, March 9, March 19, March 3, January 9, March 23, March 23 and January 28, 1975, respectively (see Table of States, below).

Five-year privilege. Three States — Cyprus, Indonesia and the Republic of Viet-Nam — gave notification in terms of Article 21(2)(a) of the WIPO Convention, thus bringing to 34 at the end of 1974 the total number of States which may, until April 26, 1975, exercise the same rights as if they had become party to the Convention. However, eight of those States — Belgium, Brazil, Cuba, Dahomey, Luxembourg, the Netherlands, Poland and South Africa — will become party to the Convention during 1975, as mentioned above.

Wider acceptance of the WIPO Convention and the treaties administered by WIPO. Pursuant to the resolutions adopted by the Administrative Bodies of WIPO and of the Unions administered by WIPO at their fourth series of meet-

ings in 1973, calling upon the States concerned to become party to the WIPO Convention, to the most recent Acts of the Paris Convention and of the Special Agreements concluded within the framework of that Convention as well as of the Berne Convention, and to the Rome and Phonograms Conventions, the International Bureau of WIPO intensified its efforts to promote the wider acceptance of those conventions and agreements. These efforts included bringing the relevant resolutions to the attention of the States concerned, preparing for the benefit of government officials memoranda giving information on the procedure for ratification or accession and on the advantages of becoming party to the Convention establishing WIPO and to the treaties administered by it. Special emphasis was placed on the consequences arising from the loss of the so-called five-year privilege under the WIPO Convention and the Stockholm Acts of the Paris and Berne Conventions and of the Madrid, Lisbon and Nice Agreements. Missions were carried out to that end by officials of the International Bureau, who visited government authorities in various countries, particularly developing countries.

Administrative Bodies

Membership. The membership of the Administrative Bodies of WIPO is set forth below (p. 20).

June 1974 session. The Coordination Committee met in an extraordinary session in order to consider and to make comments on the preliminary draft program and budget for the year 1975 prepared by the Director General¹.

September 1974 sessions. The Coordination Committee also met in ordinary session, as did the Executive Committees of the Paris and Berne Unions, during the fifth series of meetings of the Administrative Bodies of WIPO and of the Unions administered by WIPO in September 1974; the General Assembly of WIPO also met, in an extraordinary session, during this period of meetings².

The principal decisions taken by the Administrative Bodies were as follows. The Committees noted with approval the report of the Director General on the activities of the International Bureau since November 19, 1973, the accounts of the International Bureau, the report of the auditors on those accounts and other information concerning finances for 1973. The Coordination Committee and the Executive Committee of the Paris Union invited the Director General to circulate the study "The Role of the Patent System in the Transfer of Technology to Developing Countries" to the Governments of the States members of WIPO and of the States members of the Paris Union for their comments. The Coordination Committee established the WIPO Legal-Technical Assistance Program and Budget for 1975. The Executive Committee of

¹ See *Copyright*, 1974, p. 179.

² *Ibid.*, p. 246.

the Paris Union approved the program and budget for 1975 in so far as the Paris Union and the PCT, ICIREPAT and IPC activities are concerned. These activities include the convening by the Director General of an ad hoc group of government experts coming from States both members and non-members of the Paris Union to study all aspects of the question of revising the Paris Convention for the Protection of Industrial Property including, inter alia, additional provisions of special benefit to developing countries. The Executive Committee of the Berne Union approved the program and budget for 1975 as far as the Berne Union is concerned. The Coordination Committee approved the appointment by the Director General of Mr. Klaus Pfanner to the post of Deputy Director General reserved for a national of a country other than a Socialist or developing country. The General Assembly, acting pursuant to Article 6(3)(f) of the WIPO Convention, approved unanimously the agreement with the United Nations under Articles 57 and 63 of the Charter of the United Nations by which WIPO would become a specialized agency of the United Nations system.

Legal-Technical Assistance to Developing Countries

WIPO continued to implement its technical assistance program for developing countries. This program was complemented by the approved programs for the year 1974 of the various Unions, which included projects also of benefit to developing countries.

Training Program

In cooperation with the various industrial property offices or copyright offices, 17 traineeships for a duration of two or three months were organized, under the 1974 program, for officials from Algeria, Chad, Ecuador, Egypt, India, Indonesia, Jordan, Malawi, the Philippines, the Republic of Korea, the Syrian Arab Republic, Thailand, Togo, Uganda, Yemen and Zambia. The training was conducted in Australia, Canada, Czechoslovakia, Egypt, France, the German Democratic Republic, Germany (Federal Republic of), Israel, Japan, the Netherlands, the Soviet Union, Spain, Switzerland, the United Kingdom and the United States of America. A number of trainees also participated in the WIPO Licensing Seminar convened within the framework of the WIPO Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property, held at Geneva in November 1974 (see below).

Assistance to Certain Developing Countries and Regional Institutions of Developing Countries

Algeria. Discussions took place between Algerian authorities and the International Bureau, both by correspondence and during visits by the Director General to Algeria in April 1974 and by Algerian authorities to Geneva in July 1974, concerning the possible assistance which could be provided by WIPO in connection with the plans of the Government of Algeria to modernize its industrial property legislation and industrial property office. The International Bureau has started the studies which will enable such assistance.

Antigua, West Indies. At the request of a United Nations legal expert assigned to work with the Law Reform Advisory Committee in Antigua, West Indies, to help update the laws of Antigua and draft development legislation, information on the model laws prepared and published in the fields of industrial property and copyright and on the various international treaties in these fields was provided in June 1974.

Bahrain. In June 1974, the Government of Bahrain requested the assistance of the International Bureau in revising the industrial property legislation of Bahrain. The International Bureau has undertaken an examination of this legislation with a view to offering suggestions to the government authorities.

Brazil. Implementation of the project to assist the Government of Brazil in modernizing the Brazilian patent system continued. The project is financed by the United Nations Development Programme (UNDP) and is being carried out by WIPO under a contract concluded with UNDP.

Under the direction of the project manager, an expert in industrial property administration, and with the advice of a consultant and the collaboration of national counterpart staff, 15 experts in systems analysis, classification, searching, examination and training — coming from the industrial property offices of Germany (Federal Republic of), Sweden and the United States of America, and the International Patent Institute (IIB), and totaling a hundred man-months of services since the commencement of the work in October 1973 — organized and executed the following work program.

An organizational plan was prepared for the patent operations of the National Institute of Industrial Property (INPI), located in Rio de Janeiro and Brasilia. A centralized file of patent documents classified according to the International Patent Classification (IPC) and in numerical order was established. The INPI collections of patent documents were enhanced with patent documents contributed by the industrial property offices of France, Germany (Federal Republic of), Switzerland, the United Kingdom and the United States of America. Four hundred and forty thousand documents of the INPI collections have so far been distributed over the newly-created search file established according to the finest subdivisions of the IPC. This distribution was carried out with the aid of search file inventory lists provided by the German Patent Office (Munich).

A series of training courses in patent classification, searching techniques and patent examination in the chemical, electrical and mechanical fields of either three or six months' duration are being given or are under preparation for the benefit of the national counterpart staff. As part of the preparations for the training program, a manual on patent office operations in classification, search and examination is being prepared.

Officials of the International Bureau, together with representatives of the UNDP and authorities of the Government of Brazil, conducted in June/July 1974 a tripartite review of the progress in implementing the project. The representatives of the UNDP and the government authorities expressed their

general satisfaction with the project and with the efficient performance of WIPO in executing it. Officials of the International Bureau also discussed matters concerning the implementation of the project with representatives of the UNDP and authorities of the Government of Brazil in October and December 1974.

Chile. An official of the Chilean Institute of Technology (INTEC) had discussions in July 1974 with officials of the International Bureau in connection with the organization of a foreign patent documentation unit as part of a national industrial information and documentation center which is being established within INTEC with the financial assistance of the United Nations Development Programme (UNDP).

Honduras. At the request of the Government of Honduras, the International Bureau prepared and sent to the government authorities in February 1974 a plan on the feasibility and scope of a possible technical assistance project for the drafting of new patent and copyright laws and for the reorganization of the industrial property office. Comments were also made on a draft trademark law prepared by the government authorities.

Indonesia. At the request of the Government of Indonesia, information on the substantive and procedural aspects of patent legislation of other countries was provided in March 1974 to the government authorities in connection with their plans for setting up a patent system in Indonesia.

Ivory Coast. Discussions took place in December 1974 with representatives of the Government of the Ivory Coast at that Government's request for assistance from the International Bureau in connection with the Government's plans to establish a copyright office in accordance with the Ivory Coast's proposed new legislation on copyright.

Malaysia. At the request of the Government of Malaysia, information on the Model Laws for Developing Countries on Inventions and on Industrial Designs was provided in March 1974 to the government authorities in connection with their plans for the revision of the legislation in Malaysia on patents and designs.

Qatar. At the request of the Government of Qatar, the International Bureau advised the government authorities in June and July 1974 on the organization and staffing of its trademark office.

Sri Lanka. The Government of Sri Lanka requested the assistance of the International Bureau in connection with that Government's plans for the revision of its copyright legislation and the preparation of legislation on trademarks, patents and technical know-how. In January and February 1974, the Secretary of the Patents, Trademarks and Copyright Committee of the Government of Sri Lanka visited the International Bureau and had consultations on these matters. With the financial assistance of WIPO, a training course was also arranged for this government official at the International Bureau and with the competent authorities of the United Kingdom. In addition, at the request of the Government of Sri

Lanka, the International Bureau in August 1974 provided the Patents, Trademarks and Copyright Committee of that Government with comments on draft legislation, prepared by the government authorities, on trademarks, patents and technical know-how and on copyright.

Yemen. At the request of the Government of Yemen, information on the Model Laws for Developing Countries on Inventions and on Marks, Trade Names, and Acts of Unfair Competition was provided to the government authorities in connection with their plans for adopting industrial property legislation.

English-speaking countries in Africa. A meeting of Registrars General and Heads of Industrial Property Offices of the English-speaking countries in Africa was held in Addis Ababa in June 1974³. The meeting, entitled "The Conference on Industrial Property Laws of English-Speaking Africa", was convened jointly by the United Nations Economic Commission for Africa (ECA) and WIPO. Of the 19 African States invited, the following were represented: Botswana, Ethiopia, Ghana, Kenya, Nigeria, Sierra Leone, Sudan, Uganda, United Republic of Tanzania, Zambia (10). Representatives of four inter-governmental organizations and one international non-governmental organization were also present.

The Conference reviewed the summaries of national patent legislations and the analytical summary of the patent systems of the English-speaking countries in Africa, prepared by the International Bureau. The Conference also discussed a framework for cooperation and harmonization in the field of industrial property in the English-speaking countries in Africa on the basis of two documents, one concerning regional cooperation in the patent field, prepared by the International Bureau, and the other suggesting a framework for cooperation in the field of industrial property law in these countries, prepared by the Secretariat of the ECA.

As a result of its discussions, the Conference adopted a resolution which draws attention to the importance of industrial property laws as a tool for social and economic development and to the need for effective harmonization of laws and activities and of regional cooperation in the field of industrial property in English-speaking countries in Africa. The Conference invited these States to consider urgently the creation of an Industrial Property Organization of English-speaking Africa for such States and approved a draft agreement to that end for their consideration and eventual adoption at a diplomatic conference to be held as soon as possible. The Conference requested the ECA and WIPO, during the interim period until the entry into force of the Agreement, to assist the Conference in any preparatory work required and, as appropriate, to prepare and facilitate the work of the envisaged organization and the implementation of its mandate.

The Conference also established, for the duration of the interim period, a Committee for Patent Matters and a Committee for Trademark and Industrial Design Matters, both open to all 19 invited members of the Conference, which are to draft the recommendations to be made by the Conference

³ See *Industrial Property*, 1974, p. 346.

in the preparation of the work of the future organization. Finally, the Conference invited all the English-speaking countries in Africa not represented at the Addis Ababa meeting to participate as soon as possible in the work to be performed during the interim period.

French-speaking countries of Africa, Madagascar and Mauritius (African Seminar on Industrial Property). A seminar on industrial property was organized by WIPO in cooperation with the African and Malagasy Industrial Property Office (OAMPI), upon the invitation of the Government of Cameroon, at Yaoundé in December 1974. Fifteen States sent participants: Burundi, Cameroon, Central African Republic, Chad, Congo, Dahomey, Gabon, Ivory Coast, Madagascar, Mali, Mauritius, Niger, Senegal, Togo, Zaire. In addition, the United Nations Development Programme (UNDP), the African and Mauritian Common Organization (OCAM), the African and Malagasy Industrial Property Office (OAMPI) and the International Association for the Protection of Industrial Property (AIPPI) were represented by observers.

The Seminar was devoted to recent developments in the field of industrial property. The participants first proceeded to an exchange of information and views on industrial property in the African countries. The importance of industrial property for developing countries was discussed. This was followed by a review of the principal treaties, conventions and agreements administered by WIPO, and the role of OAMPI in regional cooperation in the field of industrial property. The Seminar also discussed questions related to the technical information contained in patent documents and the interest for developing countries of the WIPO program, in particular the legal-technical assistance program.

Industrial Development Centre for Arab States (IDCAS). Examination of the possibilities of creating a regional patent documentation service under the aegis of IDCAS continued. To complete the information obtained in a survey to establish what collections of patent documents exist in which government authorities in Arab States, a mission to Algeria, Egypt, Lebanon and Tunisia was carried out by officials of the International Bureau and IDCAS in January 1974. A Model Law for Arab States on Inventions, prepared by IDCAS with the assistance of the International Bureau, has been published and distributed by IDCAS. In addition, IDCAS has requested the International Bureau for assistance in the preparation of a Model Law for Arab States on Trademarks. A representative of IDCAS had discussions in Geneva in September 1974 with officials of the International Bureau concerning the preparation of a first draft of such a model law.

African and Malagasy Industrial Property Office (OAMPI). The Director General of OAMPI has submitted a request for assistance in revising the Libreville Agreement of September 13, 1962, which established OAMPI, with a view to harmonizing the provisions of the Agreement with those of the Patent Cooperation Treaty (PCT), modernizing the Agreement in so far as trademarks and industrial designs are concerned, and extending the jurisdiction of the Office to questions of literary and artistic property. At its session in Janu-

ary 1974, the Administrative Council of OAMPI approved proposals submitted by the Director General of OAMPI for the preparation, with the assistance of the International Bureau, of studies on such harmonization, modernization and extension. At the request of the Director General of OAMPI, the International Bureau prepared a draft of the guidelines which should be taken into account in the preparation of the studies.

Discussions also continued to determine the ways and means of providing other assistance requested by OAMPI, including the sending of a preparatory mission, to be financed by the United Nations Development Programme (UNDP), which would explore the possibilities of assisting OAMPI in establishing a regional patent documentation center. At its meeting in January 1974, the Administrative Council of OAMPI approved the plan for such a mission which had been drawn up by the Director General of OAMPI with the assistance of the International Bureau. In accordance with the procedures of the UNDP, three countries of the region must endorse the request for such a preparatory mission. By the end of May 1974, three countries — Cameroon, Gabon and the Ivory Coast — had done so. The request has been submitted by OAMPI to the UNDP and discussions have been entered into with a view to its implementation.

In addition, at the request of the Director General of OAMPI, the International Bureau prepared comments, taking into account the provisions of the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works, on the draft of a regional convention concerning uniform copyright protection, which was considered by an ad hoc Copyright Committee of OAMPI in December 1974.

Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA). Officials of SIECA had discussions with officials and a consultant of the International Bureau in Geneva in August 1974 on the basis of a preliminary draft of a proposed Central American Patent Convention which would provide the legislative basis for a regional system of patents and industrial designs, including related provisions on transfer of technology, and for the establishment of a Central American Regional Office for Industrial Property. The preliminary draft had been prepared by the International Bureau at the request of SIECA.

Model Laws for Developing Countries

Appellations of origin. On the basis of the discussions of a Committee of Experts which met in April 1973, the International Bureau established the final text of the Model Law on Appellations of Origin and Indications of Source and its Commentary. This text will be published in January 1975.

Inventions and know-how. A Working Group on the Model Law for Developing Countries on Inventions and Know-how met in Geneva in November 1974. The Working Group was composed of experts designated by the Governments of the following eighteen countries: Argentina, Brazil, Cameroon, Chile, Egypt, France, Germany (Federal Republic of), Hungary, Indonesia, Israel, Kenya, Mexico, Poland, Sri Lanka, Tunisia, United Kingdom, United States of America,

Yugoslavia. In addition, the United Nations Conference on Trade and Development (UNCTAD) and the Industrial Development Centre for Arab States (IDCAS) and eleven international non-governmental organizations were represented.

The Working Group was convened pursuant to the decision of the WIPO Permanent Committee for the Acquisition by Developing Countries of Technology Related to Industrial Property (see below) which recommended that the BIRPI model law for developing countries on inventions and know-how published in 1965 should be revised.

The Working Group examined draft model law provisions, prepared by the International Bureau, on contractual licenses, know-how, the state control of license contracts and two new special types of patents ("transfer of technology patents" and "industrial development patents"). The Working Group also considered the replies to the questionnaire, prepared by the International Bureau in the light of the discussions at the first session of the Permanent Committee, concerning the said two special types of industrial property facilitating the acquisition of technology.

The draft model law provisions will be revised by the International Bureau on the basis of the discussions of the Working Group and will form part of a new model law, to be published by the International Bureau in due course.

Copyright. The draft of a Model Law on Copyright for Developing Countries with a Commentary on it, compatible with the Paris (1971) revisions of the Berne Convention for the Protection of Literary and Artistic Works and of the Universal Copyright Convention, was completed by the International Bureau of WIPO and the Secretariat of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in May 1974. The draft has been circulated for comments to the Governments of States party to the Berne Convention and to the Universal Copyright Convention and to interested international organizations. A committee of experts, consisting of representatives of developing countries, will be convened in 1975 to establish a model law on copyright for developing countries on the basis of the draft and comments referred to.

Acquisition by Developing Countries of Technology Related to Industrial Property

Permanent Program. In November 1973, the WIPO Conference established the WIPO Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property. The Organizational Rules for the Permanent Program, as adopted by the WIPO Conference, define the objectives of the Permanent Program and establish a Permanent Committee consisting of all Member States of WIPO and the Paris Union which desire to be members of the Permanent Committee (see Table of States, below). The objective of the Permanent Program is to promote and facilitate, by all means within the competence of WIPO, the acquisition by developing countries, under fair and reasonable terms and conditions, of technology related to industrial property. The task of the Permanent Committee is to keep the Permanent Program under review and to make

recommendations in this connection to the WIPO Conference and Coordination Committee.

Permanent Committee. The Permanent Committee of the Permanent Program held its first session in Geneva in March 1974⁴. At that time the Permanent Committee had 40 members⁵, 37 of which were represented at the session; fifteen observer States were also represented, and six intergovernmental and seven international non-governmental organizations were represented by observers.

After an extensive general discussion, the Permanent Committee considered the program and budget of the Permanent Program for 1974 to 1976 and the question of the financing of the Permanent Program for 1975. The Permanent Committee decided to make the following recommendations: (1) the International Bureau should hold a licensing seminar in 1974 (see below); (2) a working group on the revision of the BIRPI Model Law for Developing Countries on Inventions should be convened in 1974 (see above); (3) the International Bureau should, by paying their expenses, facilitate the participation of persons from a certain number of developing countries, members of the Permanent Committee, in the Moscow Symposium of October 7 to 11, 1974, on the Role of Patent Information in Research and Development; (4) a questionnaire should be sent to all developing countries asking them to indicate those sectors of technology in which they would be most interested to see the start of a publication of a periodical on licensing opportunities (see below). The Permanent Committee also considered a draft questionnaire on special types of patents, which was sent to member countries and interested organizations in April 1974.

Licensing Seminar. A Licensing Seminar was convened by WIPO within the framework of the Permanent Program in November 1974. Nearly 50 persons attended the Seminar. The Governments of the following States designated participants: Argentina, Brazil, Chile, Congo, Egypt, Indonesia, Ivory Coast, Jordan, Kenya, Romania, Senegal, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Turkey, Zaire. Six officials of developing countries who had received fellowships under the 1974 WIPO traineeship program also participated in the Seminar. Experts were provided by the Governments of Brazil, Czechoslovakia and Mexico and by five international non-governmental organizations. Representatives of the United Nations Conference on Trade and Development (UNCTAD), the United Nations Industrial Development Organization (UNIDO), the Industrial Development Centre for Arab States (IDCAS) and the African and Malagasy Industrial Property Office (OAMPI) and six non-governmental organizations participated as observers.

The immediate purpose of the Seminar was to provide training, with emphasis on the points which developing country licensees should look out for in negotiating and drafting technology license agreements, and to provide experience on which work could be based for the preparation of draft guidelines and model provisions for license agreements appropriate

⁴ See *Industrial Property*, 1974, p. 175.

⁵ On January 1, 1975, the number of members was 44 (see Membership of the Administrative Bodies of WIPO, p. 20 below).

to the needs of developing countries, including the revision and bringing up to date of the WIPO Guide to "Legal Aspects of License Agreements in the Field of Patents, Trademarks and Know-how" published in 1972.

Each expert presented a short lecture on a topic chosen by him within the general framework of the legal aspects of license agreements for the acquisition by developing countries of technology related to industrial property, on the basis of the WIPO Guide. These lectures were followed by questions and discussion among the participants, the experts and the observers. The Licensing Seminar concluded with a summary prepared by the Chairman. The lectures and the summary will be published and distributed by WIPO to the persons in attendance and to the Governments of the States members of the Permanent Committee.

Publication on licensing opportunities. In accordance with the recommendation of the Permanent Committee, the International Bureau prepared and distributed to all developing countries a questionnaire asking them to indicate those sectors of technology in which they would be most interested to see the publication of a periodical on licensing opportunities start. The replies to this questionnaire will be considered by a Group of Editorial Consultants which is scheduled to meet in January 1975 to advise on such a publication.

Model law on inventions and know-how. See p. 14 above.

Other Relations with Developing Countries

Meetings. WIPO was represented at the Second Conference of African Ministers of Industry, organized by the United Nations Economic Commission for Africa (ECA), the Organization for African Unity (OAU) and the United Nations Industrial Development Organization (UNIDO) at Cairo in December 1973, at the Administrative Council of the African and Malagasy Industrial Property Office (OAMPI) at Abidjan in January 1974, at the Third Conference on Industrial Development for Arab States organized by IDCAS and UNIDO at Tripoli in April 1974, and at the annual meeting of the Association for the Protection of Industrial Property in the Middle East and North Africa (APPIMAF) at Beirut in November 1974. An official of the International Bureau attended the United Nations Industrial Development Organization (UNIDO) Seminar on Know-how on Licensing Arrangements in Manila in May/June 1974.

Missions. The Director General made a visit to Algeria in April 1974 and to Cameroon in December 1974. Extensive talks on matters concerned with WIPO and industrial property were held with Ministers or other government officials.

Visits were made to Algeria, Bahrain, Brazil, Cameroon, Chad, Congo, Dahomey, Egypt, Ethiopia, Gabon, Indonesia, Iran, Iraq, Ivory Coast, Lebanon, the Libyan Arab Republic, Mauritania, Mexico, Niger, the Philippines, Qatar, Senegal, Singapore, the Syrian Arab Republic, Togo, Tunisia, Turkey, the United Arab Emirates, the Upper Volta, Venezuela and Zaire by other officials of the International Bureau for the purpose of exchanging views with the government authorities in those countries on matters concerning WIPO or in the industrial property or copyright fields.

Similarly, talks took place on such matters with the Secretariats of the African and Malagasy Industrial Property Office (OAMPI) at Yaoundé, the Industrial Development Centre for Arab States (IDCAS) at Cairo, and the United Nations Economic Commission for Africa (ECA) at Addis Ababa.

Cooperation Between WIPO and Other International Organizations

Organizations of the United Nations System

Agreement with the United Nations. In May 1974, at the United Nations Headquarters in New York, joint discussions were held between the Committee on Negotiations with Intergovernmental Organizations of the Economic and Social Council of the United Nations (ECOSOC) and the WIPO negotiators (appointed at the November 1973 session of the General Assembly of WIPO) on the text of a proposed agreement between the United Nations and WIPO. The said Committee and the said negotiators agreed on a text which was essentially the same as that of the draft endorsed by the WIPO Coordination Committee at its session in 1973 and by the General Assembly of WIPO in November 1973.

In July/August 1974, ECOSOC, at its fifty-seventh session, adopted on the recommendation of its Policy and Programme Coordination Committees, a resolution recommending approval by the General Assembly of the United Nations of the text in question.

In September 1974, the General Assembly of WIPO, in an extraordinary session (as indicated on p. 12 above), approved the same text.

On December 17, 1974, the General Assembly of the United Nations, at its twenty-ninth session, approved the said text.

In accordance with its terms, the agreement between the United Nations and WIPO (hereinafter referred to as "the Agreement") entered into force on the date on which it was approved by the General Assembly of the United Nations.

The first article of the Agreement reads as follows:

Recognition

The United Nations recognizes the World Intellectual Property Organization (hereinafter called the "Organization") as a specialized agency and as being responsible for taking appropriate action in accordance with its basic instrument, treaties and agreements administered by it, *inter alia*, for promoting creative intellectual activity and for facilitating the transfer of technology related to industrial property to the developing countries in order to accelerate economic, social and cultural development, subject to the competence and responsibilities of the United Nations and its organs, particularly the United Nations Conference on Trade and Development, the United Nations Development Programme and the United Nations Industrial Development Organization, as well as of the United Nations Educational, Scientific and Cultural Organization and of other agencies within the United Nations system.

The other main articles of the Agreement concern cooperation in measures to make coordination of the policies and activities of the United Nations system more effective (Article 2), particularly in the provision of technical assistance for development in the field of intellectual creation (Article 9) and in promoting and facilitating the transfer of technology

to developing countries in such a manner as to assist those countries in attaining their objectives in the field of science and technology and trade and development (Article 10).

The remaining provisions of the Agreement cover matters which are also the subject of the agreements concluded by the United Nations with the existing specialized agencies. These relate to reciprocal representation at meetings, the inclusion of items by the United Nations in the provisional agenda of appropriate bodies of WIPO and by the latter in the provisional agenda of the Economic and Social Council, its commissions and committees, the submission by WIPO to its appropriate organs of formal recommendations made by the United Nations, the exchange of information and documents, the collection and publication of statistics, the furnishing of information, reports, studies and other assistance to the United Nations, the use of common facilities, staff and services, personnel arrangements, budgetary and financial matters, and relations with other international organizations.

The full text of the Agreement is published on page 3 above.

The Director General promptly notified all the States which have the right to be members of WIPO of the fact that WIPO had become a specialized agency and invited them to become members of WIPO by ratifying or acceding to the Convention establishing WIPO.

United Nations and UNCTAD. A report entitled "The Role of the Patent System in the Transfer of Technology to Developing Countries" (UNCTAD documents TD/B/AC.11/19 and Add. 1) was submitted to the Intergovernmental Group on Transfer of Technology of the United Nations Conference on Trade and Development (UNCTAD) at its session in July 1974. This report was prepared jointly by the United Nations Department of Economic and Social Affairs, the UNCTAD Secretariat and the International Bureau of WIPO in response to paragraph 10 of Resolution 39(III) adopted in May 1972 at the third session of the United Nations Conference on Trade and Development (UNCTAD III). The report has been transmitted by the Secretary-General of UNCTAD to the Governments of the countries members of UNCTAD and by the Director General of WIPO to the Governments of the States members of WIPO and of the Paris Union for their written comments.

UNCTAD. The International Bureau contributed to a study by the Secretary-General of UNCTAD in implementation of UNCTAD Resolution 62(III) and Decision 100(XIII) of the Trade and Development Board of UNCTAD concerning measures adopted by intergovernmental organizations to meet the needs of the least developed among the developing countries. Notable among the measures taken by WIPO are the granting of traineeships to officials nominated by the governments of such countries (Chad, Lesotho, Malawi, Uganda and Yemen) and the decision of the WIPO Permanent Committee to give preference to the less developed over the more developed of a limited number of developing countries, whose participation in meetings under the WIPO Permanent Program would be financed by WIPO.

Consultations have taken place on the intersecretariat level between UNCTAD and WIPO with respect to other decisions of UNCTAD III which call for studies to be carried out by the Secretary-General of UNCTAD in cooperation with other United Nations bodies and with other organizations, including WIPO. These studies include those relating to possible bases for new international legislation regulating the transfer from developed to developing countries of patented and unpatented technology, including related commercial and legal aspects of such transfer, called for by paragraph 9 of Resolution 39(III).

Unesco. On the initiative of the United Nations Educational, Scientific and Cultural Organization (UNESCO), a general agreement concerning cooperation between WIPO and Unesco was negotiated between the Secretariats of the two Organizations in August 1973, and, later in the same year, was approved by the Executive Board of Unesco and by the WIPO Coordination Committee. The Agreement was signed by the Directors General of the two Organizations in March 1974.

Unesco and ILO. Close cooperation was maintained with Unesco and the International Labour Organisation (ILO) on matters relating to copyright and neighboring rights. The Secretariats of the three Organizations cooperated in the preparation of a draft model law on neighboring rights and in the arrangements for convening the Intergovernmental Committee established under the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) (see below p. 25).

Various United Nations bodies. WIPO continued to be represented at various meetings of United Nations bodies at which questions were discussed concerning the application of science and technology to development, scientific or technical cooperation, the creation or development of information systems, data banks, centers for the transfer of technology and related activities.

Other Intergovernmental Organizations

Industrial Development Centre for Arab States (IDCAS). An agreement establishing working relations and cooperation between WIPO and IDCAS, approved by the WIPO Coordination Committee and the Council of the League of Arab States, of which IDCAS forms a part, came into force upon signature by the Director General of IDCAS and the Director General of WIPO on June 15 and 27, 1974 (see also p. 14 above).

African and Malagasy Industrial Property Office (OAMPI). See p. 14 above.

Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA). See p. 14 above.

International Non-Governmental Organizations

Meetings. WIPO was represented at the Annual Meeting of the International Federation of Library Associations (IFLA) and at the meetings of various international non-governmental organizations and national organizations concerned with copyright matters (see p. 25 below).

WIPO Publications

Reviews. The reviews *Copyright* and *Industrial Property* continued to appear every month in English and French, whereas the review *La Propiedad Intelectual* continued to appear in Spanish every quarter.

Other publications. Updated editions of the WIPO brochure entitled *General Information* were published in English and French in January 1974, in German in March 1974 and in Russian and Spanish in April 1974. A new catalogue of WIPO publications was published in March 1974. An updated edition of the *WIPO General Rules of Procedure* and the *Organizational Rules of the WIPO Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property* were published in March 1974.

Official texts in various languages of international agreements administered by WIPO were published in brochure form during 1974.

WIPO Headquarters Building

Construction of a new building. Progress continued to be made in the construction of the new building which will be connected with the existing headquarters building of WIPO. The excavation work, which was started in March 1973, has been completed. The drainage and the floor foundations as well as the frame of the central stairs and service unit have also been completed. In addition, the supports and floor foundations of the 4th, 3rd, 2nd and 1st basements have been completed.

Member States of the World Intellectual Property Organization as on January 1, 1975 *

State			Date of the deposit of instrument	Date on which membership in WIPO took effect
Australia	P-B ¹	A ²	May 10, 1972	August 10, 1972
Austria	P-B	R	May 11, 1973	August 11, 1973
Belgium	P-B	R	October 31, 1974	January 31, 1975
Brazil	P	A	December 20, 1974	March 20, 1975
Bulgaria	P-B	R	February 19, 1970	May 19, 1970
Byelorussian SSR		R	March 19, 1969	April 26, 1970
Cameroon	B	R	August 3, 1973	November 3, 1973
Canada	P-B	A	March 26, 1970	June 26, 1970
Chad	P-B	A	June 26, 1970	September 26, 1970
Cuba	P	A	December 27, 1974	March 27, 1975
Czechoslovakia	P	A	September 22, 1970	December 22, 1970
Dahomey	P-B	A	December 9, 1974	March 9, 1975
Democratic People's Republic of Korea		A	May 17, 1974	August 17, 1974
Denmark	P-B	R	January 26, 1970	April 26, 1970
Fiji	B	A	December 11, 1971	March 11, 1972
Finland	P-B	R	June 8, 1970	September 8, 1970
France	B	R	July 18, 1974	October 18, 1974
German Democratic Republic	P-B	A	June 20, 1968	April 26, 1970
Germany, Federal Republic of	P-B	R	June 19, 1970	September 19, 1970
Hungary	P-B	R	December 18, 1969	April 26, 1970
Ireland	P-B	S	January 12, 1968	April 26, 1970
Israel	P-B	R	July 30, 1969	April 26, 1970
Ivory Coast	P-B	R	February 1, 1974	May 1, 1974
Jordan	P	A	April 12, 1972	July 12, 1972
Kenya	P	R	July 5, 1971	October 5, 1971
Liechtenstein	P-B	R	February 21, 1972	May 21, 1972
Luxembourg	P	R	December 19, 1974	March 19, 1975
Malawi	P	A	March 11, 1970	June 11, 1970
Monaco	B	R	December 3, 1974	March 3, 1975
Morocco	P-B	R	April 27, 1971	July 27, 1971
Netherlands ³	P-B	R	October 9, 1974	January 9, 1975
Norway	P-B	R	March 8, 1974	June 8, 1974
Poland	P	R	December 23, 1974	March 23, 1975
Romania	P-B	R	February 28, 1969	April 26, 1970
Senegal	P-B	R	September 19, 1968	April 26, 1970
South Africa	P-B	R	December 23, 1974	March 23, 1975
Soviet Union	P	R	December 4, 1968	April 26, 1970
Spain	P-B	R	June 6, 1969	April 26, 1970
Sudan		A	November 15, 1973	February 15, 1974
Sweden	P-B	R	August 12, 1969	April 26, 1970
Switzerland	P-B	R	January 26, 1970	April 26, 1970
Uganda	P	A	July 18, 1973	October 18, 1973
Ukrainian SSR		R	February 12, 1969	April 26, 1970
United Arab Emirates		A	June 24, 1974	September 24, 1974
United Kingdom	P-B	R	February 26, 1969	April 26, 1970
United States of America	P	R	May 25, 1970	August 25, 1970
Yugoslavia	P	R	July 11, 1973	October 11, 1973
Zaire	P-B	R	October 28, 1974	January 28, 1975

(Total: 48 States)

* This list includes all the entities to which the Convention has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ "P" means that the State has ratified or acceded to at least the administrative provisions of the Stockholm Act of the Paris Convention;

"B" means that the State has ratified or acceded to at least the administrative provisions of the Stockholm or Paris Act of the Berne Convention.

² "A" means accession; "R" means ratification; "S" means signature without reservation as to ratification; see Article 14(1) of the Convention establishing WIPO.

³ Ratification for the Kingdom in Europe, Surinam and the Netherlands Antilles.

Notifications made under Article 21(2) of the Convention Establishing the World Intellectual Property Organization

The States listed below have availed themselves of Article 21(2)(a) of the Convention, which enables them to exercise, until April 26, 1975, the same rights as if they had become party to the Convention:

Algeria	India	Portugal
Argentina	Indonesia	Republic of Viet-Nam
Chile	Italy	Syrian Arab Republic
Congo	Japan	Thailand
Cyprus	Madagascar	Togo
Egypt	Malta	Tunisia
Gabon	Mauritania	Turkey
Greece	Mexico	Upper Volta
Holy See	Niger	

(Total: 26 States)

Membership of the Administrative Bodies of WIPO

On January 1, 1975, the membership of the Administrative Bodies of the World Intellectual Property Organization was as follows:

General Assembly: Algeria *, Argentina *, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chad, Chile *, Congo *, Cuba, Cyprus *, Czechoslovakia, Dahomey, Denmark, Egypt *, Fiji, Finland, France, Gabon *, German Democratic Republic, Germany (Federal Republic of), Greece *, Holy See *, Hungary, India *, Indonesia *, Ireland, Israel, Italy *, Ivory Coast, Japan *, Jordan, Kenya, Liechtenstein, Luxembourg, Madagascar *, Malawi, Malta *, Mauritania *, Mexico *, Monaco (as from March 3, 1975), Morocco, Netherlands, Niger *, Norway, Poland, Portugal *, Republic of Viet-Nam *, Romania, Senegal, South Africa, Soviet Union, Spain, Sweden, Switzerland, Syrian Arab Republic *, Thailand *, Togo *, Tunisia *, Turkey *, Uganda, United Kingdom, United States of America, Upper Volta *, Yugoslavia, Zaire (as from January 28, 1975) (69).

Conference: The same States as above, with Byelorussian SSR, Democratic People's Republic of Korea, Sudan, Ukrainian SSR and United Arab Emirates (74).

Coordination Committee: Algeria, Argentina, Australia, Brazil, Cameroon, Canada, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, India, Iran, Israel, Italy, Japan, Kenya, Mexico, Morocco, Netherlands, Nigeria, Philippines, Poland, Romania, Senegal, Soviet Union, Spain, Sri Lanka, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia (33).

Permanent Committee of the WIPO Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property: Algeria, Argentina, Austria, Brazil, Cameroon, Chile, Congo, Cuba, Czechoslovakia, Denmark, Egypt, Finland, France, Gabon, Germany (Federal Republic of), Hungary, Indonesia, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Malta, Mauritania, Mexico, Netherlands, Poland, Portugal, Romania, Senegal, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Togo, Tunisia, Turkey, United Kingdom, United States of America, Yugoslavia, Zaire (44).

WIPO Headquarters Building Subcommittee: Argentina, Cameroon, France, Germany (Federal Republic of), Italy, Netherlands, Switzerland, United States of America (8).

* Member until April 26, 1975, unless, in the meantime, it ratifies or accedes to the Convention establishing WIPO.

Accessions to the WIPO Convention

BRAZIL

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Federative Republic of Brazil deposited, on December 20, 1974, its instrument of accession to the Convention Establishing the World Intellectual Property Organization (WIPO).

The Federative Republic of Brazil has fulfilled the conditions set forth in Article 14(2) of the Convention by concurrently acceding to the Stockholm Act (1967) of the

Paris Convention with the limitation provided for in Article 20(1)(b)(i) of the said Act to the effect that the accession shall not apply to Articles 1 to 12.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Federative Republic of Brazil, three months after the date of deposit of the instrument of accession, that is, on March 20, 1975.

WIPO Notification No. 65, of December 24, 1974.

DAHOMÉY

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Republic of Dahomey deposited, on December 9, 1974, its instrument of accession to the Convention Establishing the World Intellectual Property Organization (WIPO).

The Republic of Dahomey has fulfilled the conditions set forth in Article 14(2) of the Convention by concurrently

acceding to the Stockholm Act (1967) of the Paris Convention and to the Paris Act (1971) of the Berne Convention, as provided for in Article 29^{bis} of that Act.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Republic of Dahomey, three months after the date of deposit of the instrument of accession, that is, on March 9, 1975.

WIPO Notification No. 63, of December 12, 1974.

Ratifications of the WIPO Convention

LUXEMBOURG

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Grand Duchy of Luxembourg deposited, on December 19, 1974, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO).

The Grand Duchy of Luxembourg has fulfilled the conditions set forth in Article 14(2) of the Convention by con-

currently ratifying the Stockholm Act of the Paris Convention in its entirety.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Grand Duchy of Luxembourg, three months after the date of deposit of the instrument of ratification, that is, on March 19, 1975.

WIPO Notification No. 64, of December 24, 1974.

POLAND

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Polish People's Republic deposited, on December 23, 1974, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO).

The Polish People's Republic has fulfilled the conditions set forth in Article 14(2) of the Convention by concurrently

ratifying the Stockholm Act of the Paris Convention in its entirety.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Polish People's Republic, three months after the date of deposit of the instrument of ratification, that is, on March 23, 1975.

WIPO Notification No. 66, of December 24, 1974.

SOUTH AFRICA

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Republic of South Africa deposited, on December 23, 1974, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO).

The Republic of South Africa has fulfilled the conditions set forth in Article 14(2) of the Convention by concurrently ratifying the Stockholm Act of the Paris Convention in its entirety and acceding to the Paris Act (1971) of the Berne

Convention, as provided for in Article 29^{bis} of the said Act and with the declaration provided for in Article 28(1)(b) to the effect that the accession shall not apply to Articles 1 to 21 and the Appendix.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Republic of South Africa, three months after the date of deposit of the instrument of ratification, that is, on March 23, 1975.

WIPO Notification No. 67, of December 24, 1974.

1974; Sweden, on September 20, 1973; Zaire, on January 31, 1975. This brings to 34 the number of States bound, as of December 31, 1974, by Articles 22 to 38 of the Stockholm Act (1967) or the Paris Act (1971) of the Berne Convention.

Five-year privilege. At the end of 1974, 23 States had given notification, in terms of Article 38(2) of the Stockholm Act (1967) or Article 38(1) of the Paris Act (1971), whereby they may, until April 26, 1975, exercise the rights provided for under Articles 22 to 26 of the Stockholm Act (1967) as if they were bound by those Articles. Belgium, Dahomey, India, the Netherlands and South Africa, which had given such notification, will become bound during 1975 by Articles 22 to 26 of the Stockholm (1967) or the Paris (1971) Act (see above).

Declarations under Article VI of the Appendix. In accordance with Article VI(1)(ii) of the Appendix of the Paris Act, Norway declared that it admits the application of the Appendix to works of which it is the country of origin by countries which have made a declaration under Article VI(1)(i) of the Appendix or deposited a notification under Article I of the Appendix. Norway's declaration became effective on March 8, 1974. It is to be recalled that the United Kingdom and the Federal Republic of Germany made similar declarations which became effective on September 27, 1971, and October 18, 1973, respectively.

Records of the Paris Diplomatic Conference. The Records of the Diplomatic Conference for the Revision of the Berne Convention, 1971, were published in French and in English.

Administrative Bodies

The Executive Committee of the Berne Union held an ordinary session in September 1974¹. The Executive Committee noted with approval the activities of the International Bureau since November 1973. It also noted with approval the accounts of the International Bureau and the report of the auditors on those accounts as well as other information concerning finances for 1973. The Executive Committee approved the program and budget for 1975 of the Berne Union (see also under WIPO, above, p. 12).

II. International Copyright

Reprographic Reproduction of Works Protected by Copyright

The International Bureau continued to study, in cooperation with the Secretariat of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the question of the reprographic reproduction of works protected by copyright. Documentation is being prepared for the subcommittees of the Executive Committee of the Berne Union and the Intergovernmental Copyright Committee established under the Universal Copyright Convention scheduled to meet together in June 1975.

Copyright Model Law for Developing Countries

A draft Copyright Model Law for Developing Countries with a Commentary on it was completed by the International Bureau and the Secretariat of the United Nations Educational,

Scientific and Cultural Organization (UNESCO) in May 1974 (see under WIPO above, at p. 15).

Protection of Type Faces

Under the Vienna Agreement for the Protection of Type Faces and their International Deposit, adopted at the Vienna Diplomatic Conference on Industrial Property, held in May and June 1973, States party to the Vienna Agreement undertake to afford a minimum of protection, at the national level, to creators of type faces, either by establishing a special national deposit, or by adapting the deposit provided for in their national industrial design laws, or by means of their national copyright provisions. By the end of the period of signature (December 31, 1973), the Vienna Agreement had been signed on behalf of 11 States; the Protocol to that Agreement, which substitutes a 25-year term for the minimum 15-year term of protection required by the Agreement, had been signed on behalf of seven States.

Computer Programs

An Advisory Group of Non-Governmental Experts on the Protection of Computer Programs met in June 1974². Fourteen non-governmental organizations nominated experts who participated in the work of the Advisory Group. The Governments of seven States and the Office for Science and Technology of the United Nations were also represented.

The Advisory Group discussed the general lines of the proposed study of appropriate legal protection of computer programs, examined recent and current developments concerning the legal protection of computer programs, considered available information concerning the structure and value of trade and other activities concerning computer programs, and considered what recommendations could be made at this stage with respect to methods of computer program protection suited to the identified needs of software producers and users, including the interests of developing countries as potential producers and their priority needs as users of programs.

The Advisory Group concluded that, in view of the intellectual effort and the investment involved in their creation, it was desirable that some form of legal protection of computer programs be clearly established. The Advisory Group recommended that the International Bureau, with the assistance of expert groups, should continue its study of the possible forms which such legal protection should take and the limits which it should have. The Advisory Group recommended that the study should, inter alia: explore copyright or copyright-type protection of original programs without examination as to substance; consider possible changes in traditional copyright concepts which might be appropriate; deal in particular with the desirability and feasibility of a system of depositing programs with a public authority, not necessarily as a condition of protection but as a procedure which would provide an added advantage for the owners of programs and which would facilitate proof and licensing; investigate what, if any, traditional features of patent protection or patent procedure might need to be adapted to meet special problems in the case of computer programs; include proposals for tentative definitions

¹ See *Copyright*, 1974, pp. 247 et seq.

² *Ibid.*, 1974, pp. 226 et seq.

of the concept of "computer program", and consider whether the same definition would be applicable in the case of copyright (or copyright-type) and patent protection.

With respect to the possibility of setting up a computer programs register, the Advisory Group recommended that the International Bureau should, in the course of its study, concentrate first on the establishment of the facts, in particular as far as existing registration and publication schemes, both public and private, were concerned; the results of this inquiry and a draft questionnaire should be submitted to an expert group for examination, whereupon the questionnaire should be distributed and, on the basis of the replies received, the study should be completed, again with the assistance of an expert group. The Advisory Group further recommended that, if, after study, it appeared that the proposed computer programs register would serve for the dissemination of information only, then an alternative could also be considered, consisting in the coordination of registration schemes or catalogues set up at the national level or privately, bearing in mind the possibility of such a register or registers being successfully adapted to serve as a basis for a form of protective right.

Pursuant to the recommendation of the Working Group, a survey was carried out by the International Bureau concerning existing registration and publication (catalogues) schemes of computer programs.

Other Activities

The International Bureau continued its study of the desirability and feasibility of establishing an international service for the identification of literary and artistic works.

In addition, the International Bureau, in cooperation with the Secretariat of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and with the assistance of consultants, has undertaken studies of the copyright problems arising in connection with the making and use of video cassettes, the copyright problems in connection with the storage in, and retrieval from, computers of works protected by copyright and on the question of the use of works protected by copyright in cable television.

Relations with States

The Director General and other officers of WIPO visited government authorities of several countries (Algeria, Belgium, Cameroon, Dahomey, Egypt, Ivory Coast, Lebanon, Mauritania, Mexico, Niger, Senegal, Togo, Tunisia) in order to discuss, exclusively or among others, questions concerning the Berne Union and copyright in general.

Relations with International and National Organizations

WIPO was represented at the following meetings of inter-governmental and non-governmental organizations having an interest in copyright and related matters: at a meeting of the United Nations Working Group on Direct Broadcasting by Satellites (Geneva); at the General Conference and the Executive Board of the United Nations Educational, Scientific and Cultural Organization (UNESCO) (Paris); at a meeting of a Working Group to assist the International Copyright Information Centre of Unesco (Paris); at the General Assembly of the

International Literary and Artistic Association (ALAI) (Paris); at the Congress of the International Writers Guild (IWG) (Monte Carlo); at the Legal and Legislative Commission of the International Confederation of Societies of Authors and Composers (CISAC) (Madrid). WIPO was also represented at the Mexican National Symposium for Intellectual Workers organized by the Government of Mexico with the collaboration of the International Labour Office (ILO) (Mexico City).

III. Rome Convention

Acceptance

Chile deposited an instrument of ratification. The International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) entered into force for Chile on September 5, 1974. The number of States party to the Rome Convention, as of December 31, 1974, was 15 (see Table of States, below, p. 32).

Intergovernmental Committee

The Intergovernmental Committee established under Article 32 of the Rome Convention held an extraordinary session at Brussels in May 1974.

The Intergovernmental Committee considered the results of the consultations with international non-governmental organizations concerned on certain points which had been raised in the course of the discussion, during its ordinary session at Paris in December 1973, of the draft model law and commentary relating to the Rome Convention. The decision of the Intergovernmental Committee at its extraordinary session is indicated below (see Model Law).

Model Law

The Non-Governmental Study Group to Consider the Draft Model Law Relating to the Rome Convention met for a second time at Geneva in January 1974.

This meeting was convened by the Secretariat of the Intergovernmental Committee established under Article 32 of the Rome Convention, in accordance with a decision taken by the Committee at its fourth ordinary session held at Paris in December 1973. The Committee requested the three Organizations forming the Secretariat to consult the international non-governmental organizations concerned on the objections to the text of the draft model law raised during the course of the December meeting of the Committee. As a result, a compromise formula was suggested for each of the points discussed, subject to subsequent confirmation by the organizations concerned.

The matter was then submitted to the extraordinary session of the Intergovernmental Committee which was held at Brussels in May 1974. At that session, the Committee adopted the text of the draft model law and its commentary.

The Model Law concerning the Protection of Performers, Producers of Phonograms and Broadcasting Organizations with a Commentary on it was published by the three Organizations, ILO, Unesco and WIPO, in October 1974.

IV. Phonograms Convention

Member States

Acceptance. During 1974, seven States — Australia, Ecuador, Germany (Federal Republic of), India, Monaco, Panama and Spain — deposited instruments of ratification of or accession to the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (Phonograms Convention).

Entry into force. The Phonograms Convention entered into force on April 18, 1973, with respect to Fiji, Finland, France, Sweden and the United Kingdom, on June 30, 1973, with respect to Argentina, and on December 21, 1973, with respect to Mexico. During 1974, the Phonograms Convention entered into force for Australia on June 22, 1974, for Ecuador on September 14, 1974, for Germany (Federal Republic of) on May 18, 1974, for Monaco on December 2, 1974, for Panama on June 29, 1974, for Spain on August 24, 1974, for the United States of America on March 10, 1974, and will enter into force for India on February 12, 1975. On the latter date, the number of States party to the Phonograms Convention will be 15.

Declarations under Article 7(4). Finland and Sweden have declared, in accordance with Article 7(4) of the Phonograms Convention, that they will apply the criterion according to which they afford protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer.

Declaration under Article 11(3). The United Kingdom declared by notification on December 4, 1974, that the Phonograms Convention shall apply to Bermuda, the British Virgin Islands, the Cayman Islands, Gibraltar, the Isle of Man, Hong Kong, Montserrat, St. Lucia and the Seychelles. This notification will take effect on March 4, 1975.

V. Satellites Convention

The International Conference of States on the Distribution of Programme-Carrying Signals Transmitted by Satellite (hereinafter referred to as "the Conference"), convened jointly by Unesco and WIPO, took place, at the invitation of the Government of the Kingdom of Belgium, in Brussels, from May 6 to 21, 1974³.

Fifty-seven States, five intergovernmental organizations and seventeen international non-governmental organizations were represented. Of the 57 States, 47 were voting participants and 10 were observers. The number of participants amounted

³ See *Copyright*, 1974, pp. 143 *et seq.*

to over 200. The Secretariat was provided jointly by WIPO and Unesco.

The Conference adopted the text of the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (hereinafter referred to as "the Convention") and a report on its work, drafted by its General Rapporteur⁴.

The Convention imposes an obligation on any Contracting State to take adequate measures to prevent the distribution on or from its territory of any programme-carrying signal by any distributor for whom the signal is not intended. The Convention does not apply where the signals are intended for direct reception from the satellite by the general public. No Contracting State is required to apply the said measures to signals which carry short excerpts consisting of quotations or reports of current events if these are justified by their informatory purpose and are compatible with fair practice or which are distributed for the purpose of teaching or scientific research if the Contracting State is regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations.

The text of the Convention was established in the English, French, Russian and Spanish languages, the four versions being equally authentic⁵. Official texts of the Convention will be established in the Arabic, Dutch, German, Italian and Portuguese languages.

The Convention was opened for signature on May 21, 1974. On that day, the Convention was signed on behalf of the following fifteen States: Belgium, Brazil, Cyprus, Germany (Federal Republic of), Israel, Italy, Ivory Coast, Kenya, Lebanon, Mexico, Morocco, Senegal, Spain, Switzerland, United States of America.

The Convention remains open for signature at the Headquarters of the United Nations in New York, until March 31, 1975.

VI. National Legislation

Several laws, decrees and orders on copyright, some of them promulgated earlier, were published in this review during the year 1974. They included those of the following countries: Austria, Brazil, Israel, Pakistan, Philippines, Senegal, Sweden, the United Kingdom⁶.

⁴ *Ibid.*, 1974, pp. 267 *et seq.*

⁵ The English and Russian texts have been published in *Copyright*, 1974, pp. 151 *et seq.*; the French and Spanish in *Le Droit d'Auteur*, 1974, pp. 159 *et seq.*

⁶ Some included provisions on neighboring rights. This is the case with the legislative texts of Austria, Brazil, Philippines, Sweden and the United Kingdom.

Accessions to the Paris Act (1971) of the Berne Convention

DAHOMÉY

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of member countries of the Berne Union that the Government of the Republic of Dahomey deposited, on December 9, 1974, its instrument of accession to the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Paris on July 24, 1971.

Pursuant to the provisions of Article 28(2)(c) and (3), the Paris Act (1971) of the said Convention will enter into force, with respect to the Republic of Dahomey, three months after the date of this notification, that is, on March 12, 1975.

Berne Notification No. 63, of December 12, 1974.

SOUTH AFRICA

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of member countries of the Berne Union that the Government of the Republic of South Africa deposited, on December 23, 1974, its instrument of accession to the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Paris on July 24, 1971, with the declaration provided for in Article 28(1)(b) of the said Act to the effect that this accession shall not apply to Articles 1 to 21 and the Appendix.

Furthermore, the said instrument of accession contains the following declaration:

“In terms of Article 33(2) of the Convention it will not be bound by and [its accession to] the Paris Act of the Convention shall not apply to Article 33(1) of the Convention concerning the settlement of disputes by the International Court of Justice.”

Pursuant to the provisions of Article 28(3) of the Paris Act (1971) of the said Convention, Articles 22 to 38 will enter into force, with respect to the Republic of South Africa, three months after the date of this notification, that is, on March 24, 1975.

Berne Notification No. 64, of December 24, 1974.

Members of the Berne Union

as on January 1, 1975 *

State	Class	Date on which membership in the Union took effect	Latest Act by which the State is bound and date on which the ratification of or accession to such Act became effective
Argentina	IV	June 10, 1967	Brussels: June 10, 1967 ²
Australia	III	April 14, 1928 ¹	Brussels: June 1, 1969
Austria	VI	October 1, 1920	Stockholm: August 25, 1972 ⁷
			Brussels: October 14, 1953
Belgium	III	December 5, 1887	Stockholm: August 18, 1973 ⁷
			Brussels: August 1, 1951
Brazil	III	February 9, 1922	Stockholm: February 12, 1975 ⁷
			Brussels: June 9, 1952 ²
Bulgaria	VI	December 5, 1921	Paris: December 4, 1974 ^{3, 6}
Cameroon	VI	September 21, 1964 ⁴	Paris: October 10, 1974
			Paris: November 10, 1973
Canada	II	April 10, 1928 ¹	Rome: August 1, 1931
			Stockholm: July 7, 1970 ⁷
Chad	VII	November 25, 1971 ¹	Brussels: November 25, 1971 ^{5, 10, 14}
			Stockholm: November 25, 1971 ¹⁰
Chile	VI	June 5, 1970	Brussels: June 5, 1970 ²
Congo	VII	May 8, 1962 ^{1, 4}	Brussels: May 8, 1962 ^{2, 4, 5}
Cyprus	VI	February 24, 1964 ^{1, 4}	Rome: February 24, 1964 ^{4, 8}
Czechoslovakia	IV	February 22, 1921	Rome: November 30, 1936 ²
Dahomey	VI	January 3, 1961 ^{1, 4}	Paris: March 12, 1975
Denmark	IV	July 1, 1903	Brussels: February 19, 1962
			Stockholm: May 4, 1970 ⁷
Fiji	VII	December 1, 1971 ^{1, 4}	Brussels: December 1, 1971 ^{4, 5}
			Stockholm: March 15, 1972 ⁷
Finland	IV	April 1, 1928	Brussels: January 28, 1963
			Stockholm: September 15, 1970 ⁷
France	I	December 5, 1887	Paris: October 10, 1974
Gabon	VI	March 26, 1962 ¹	Paris: December 15, 1972
			Brussels: March 26, 1962 ^{2, 5}
German Democratic Republic	IV	December 5, 1887 ⁹	Rome: October 21, 1933 ^{10, 11}
			Stockholm: January 29 or February 26, 1970 ^{10, 16}
Germany (Federal Republic of)	I	December 5, 1887 ⁹	Paris: October 10, 1974 ¹⁷
			Paris: January 22, 1974
Greece	VI	November 9, 1920	Brussels: January 6, 1957 ²
Holy See	VI	September 12, 1935	Brussels: August 1, 1951 ²
Hungary	VI	February 14, 1922	Paris: October 10, 1974
			Paris: December 15, 1972 ⁶
Iceland ¹²	VI	September 7, 1947	Rome: September 7, 1947
India	IV	April 1, 1928 ¹	Brussels: October 21, 1958
			Paris: January 10, 1975 ^{6, 15}
Ireland	IV	October 5, 1927 ¹	Brussels: July 5, 1959
			Stockholm: December 21, 1970 ⁷
Israel	V	March 24, 1950 ¹	Brussels: August 1, 1951
			Stockholm: January 29 or February 26, 1970 ^{7, 16}
Italy	I	December 5, 1887	Brussels: July 12, 1953 ²
Ivory Coast	VI	January 1, 1962 ¹	Paris: October 10, 1974
			Paris: May 4, 1974
Japan ¹²	II	July 15, 1899	Brussels: July 12, 1974 ²
Lebanon	VI	September 30, 1947 ¹	Rome: September 30, 1947 ⁸
Liechtenstein	VII	July 30, 1931	Brussels: August 1, 1951
			Stockholm: May 25, 1972 ⁷
Luxembourg	VI	June 20, 1888	Brussels: August 1, 1951 ²
Madagascar	VI	January 1, 1966 ¹	Brussels: January 1, 1966 ⁵
Mali	VI	March 19, 1962 ^{1, 4}	Brussels: March 19, 1962 ^{4, 5}
Malta	VII	September 21, 1964 ¹	Rome: September 21, 1964 ^{2, 8}
Mauritania	VII	February 6, 1973 ¹	Brussels: February 6, 1973 ^{5, 10, 14}
			Stockholm: February 6, 1973 ¹⁰

State	Class	Date on which membership in the Union took effect	Latest Act by which the State is bound and date on which the ratification of or accession to such Act became effective
Mexico	IV	June 11, 1967	Paris: December 17, 1974
Monaco	VII	May 30, 1889	Paris: November 23, 1974
Morocco	VI	June 16, 1917	Substance: Brussels: May 22, 1952 Administration: Stockholm: August 6, 1971 ⁷
Netherlands	III	November 1, 1912	Substance: Brussels: January 7, 1973 Administration: Paris: January 10, 1975 ¹⁵
New Zealand	V	April 24, 1928 ¹	Rome: December 4, 1947
Niger	VI	May 2, 1962 ^{1, 4}	Brussels: May 2, 1962 ^{2, 4, 5}
Norway	IV	April 13, 1896	Substance: Brussels: January 28, 1963 ¹⁷ Administration: Paris: June 13, 1974 ¹⁵
Pakistan	VI	July 5, 1948 ¹	Substance: Rome: July 5, 1948 ^{3, 8, 10} Administration: Stockholm: January 29 or February 26, 1970 ^{10, 16}
Philippines	VI	August 1, 1951	Brussels: August 1, 1951
Poland	V	January 28, 1920	Rome: November 21, 1935
Portugal	V	March 29, 1911	Brussels: August 1, 1951 ²
Romania	V	January 1, 1927	Substance: Rome: August 6, 1936 ¹⁰ Administration: Stockholm: January 29 or February 26, 1970 ^{6, 10, 16}
Senegal	VI	August 25, 1962 ¹	Substance: Brussels: August 25, 1962 ^{3, 5, 10} Administration: Stockholm: January 29 or February 26, 1970 ^{10, 16}
South Africa	IV	October 3, 1928 ¹	Substance: Brussels: August 1, 1951 Administration: Paris, March 24, 1975 ^{6, 15}
Spain	II	December 5, 1887	Substance: Paris: October 10, 1974 Administration: Paris: February 19, 1974
Sri Lanka	VI	July 20, 1959 ^{1, 4}	Rome: July 20, 1959 ^{4, 8}
Sweden	III	August 1, 1904	Substance: Paris: October 10, 1974 ³ Administration: Paris: September 20, 1973
Switzerland	III	December 5, 1887	Substance: Brussels: January 2, 1956 Administration: Stockholm: May 4, 1970 ⁷
Thailand ¹³	VI	July 17, 1931	Berlin: July 17, 1931
Tunisia	VI	December 5, 1887	Brussels: May 22, 1952 ²
Turkey ¹²	VI	January 1, 1952	Brussels: January 1, 1952 ²
United Kingdom	I	December 5, 1887	Substance: Brussels: December 15, 1957 ¹⁷ Administration: Stockholm: January 29 or February 26, 1970 ^{7, 16}
Uruguay	VI	July 10, 1967	Brussels: July 10, 1967 ²
Yugoslavia ¹²	IV	June 17, 1930	Brussels: August 1, 1951 ²
Zaire	VI	October 8, 1963 ^{1, 4}	Paris: January 31, 1975

(Total: 63 States)

* This list includes all the entities to which the Convention has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ The Convention had also been applied, by virtue of the provisions concerning dependent territories, to the territories of the States listed hereafter before their accession to independence as from the following dates: December 5, 1887 (Australia, Cameroon, Canada, Chad, Congo, Dahomey, Fiji, Gahon, India, Ireland, Ivory Coast, Madagascar, Mali, Malta, Mauritania, New Zealand, Niger, Pakistan, Senegal, South Africa); March 21, 1924 (Israel); August 1, 1924 (Lebanon); October 1, 1931 (Cyprus, Sri Lanka); December 20, 1948 (Zaire).

² This country has deposited the notification provided for in Article 38(2) of the Stockholm Act or Article 38(1) of the Paris Act. It may exercise the rights provided for in Articles 22 to 26 of the Stockholm Act as if it were bound by those Articles. It is deemed to be a member of the Assembly. These privileges shall expire on April 26, 1975.

³ This country has made a declaration under Article 5(1) of the Protocol Regarding Developing Countries of the Stockholm Act. The text of that paragraph reads as follows:

"(1) Any country of the Union may declare, as from the signature of this Convention, and at any time before becoming bound by Articles 1 to 21 of this Convention and by this Protocol,

(a) in the case of a country referred to in Article 1 of this Protocol, that it intends to apply the provisions of this Protocol to works whose country of origin is a country of the Union which admits the application of the reservations under the Protocol, or

(b) that it admits the application of the provisions of the Protocol to works of which it is the country of origin by countries which, on becoming bound by Articles 1 to 21 of this Convention and by this Protocol, or on making a declaration of application of this Protocol by virtue of the provision of subparagraph (a), have made reservations permitted under this Protocol."

The declaration became effective on the day of its deposit, namely: on November 14, 1967, for Senegal (sub-paragraph (a)); on January 11, 1968, for Bulgaria (sub-paragraph (b)); on August 12, 1969, for Sweden (sub-paragraph (b)); on November 26, 1969, for Pakistan (sub-paragraph (a)).

⁴ Date on which the declaration of continued adherence was sent, after the accession of the country to independence.

⁵ The Brussels Act had also been applied, by virtue of its Article 26, to the territories of the following States before their accession to independence as from the date indicated: May 22, 1952 (Chad, Congo, Gabon, Madagascar, Mali, Mauritania, Niger, Senegal); March 6, 1962 (Fiji).

⁶ Accession or ratification with the declaration provided for in Article 33(2).

Notes — continued

- ⁷ In ratifying (or acceding to) the Stockholm Act, this country made a declaration to the effect that its ratification (or accession) did not apply to Articles 1 to 21 and to the Protocol Regarding Developing Countries (see Article 28(1)(b)(i) of the Stockholm Act). Accordingly, this country is bound by the said Act only as far as the administrative provisions (Articles 22 to 26) and the final clauses (Articles 27 to 38) are concerned.
- ⁸ The Rome Act had also been applied, by virtue of its Article 26, to the territories of the following States before their accession to independence as from the dates indicated: Cyprus (October 1, 1931), Lebanon (December 24, 1933), Malta (October 1, 1931), Pakistan (August 1, 1931) and Sri Lanka (October 1, 1931).
- ⁹ Date on which the accession of the German Empire became effective.
- ¹⁰ This country deposited its instrument of ratification of (or of accession to) the Stockholm Act in its entirety; however, Articles 1 to 21 (substantive clauses) of the said Act have not entered into force.
- ¹¹ Date on which the accession of the German *Reich* became effective. The German Democratic Republic declared, on May 11, 1955, that it considered the Berne Convention as again applicable to the territory of the German Democratic Republic in its version of June 2, 1928 (Rome Act).
- ¹² Accession subject to the reservation concerning the right of translation (for Japan, until December 31, 1980).
- ¹³ Accession subject to reservations concerning works of applied art, conditions and formalities required for protection, the right of translation, the right of reproduction of articles published in newspapers or periodicals, the right of performance, and the application of the Convention to works not yet in the public domain at the date of its coming into force.
- ¹⁴ In accordance with the provisions of Article 29 of the Stockholm Act applicable to the countries outside the Union which accede to the said Act, this country is bound by Articles 1 to 20 of the Brussels Act pending the entry into force of Articles 1 to 21 of the Stockholm Act.
- ¹⁵ In ratifying (or acceding to) the Paris Act, this country made a declaration to the effect that its ratification (or accession) did not apply to Articles 1 to 21 and to the Appendix (see Article 28(1)(b) of the Paris Act). Accordingly, this country is bound by the said Act only as far as the administrative provisions (Articles 22 to 26) and the final clauses (Articles 27 to 38) are concerned.
- ¹⁶ These are the alternative dates of entry into force which the Director General of WIPO communicated to the States concerned.
- ¹⁷ This country has declared that it admits the application of the Appendix to the Paris Act to works of which it is the country of origin by countries which have made a declaration under Article VI(1)(i) of the Appendix or a notification under Article I of the Appendix. The declarations took effect on October 18, 1973, for Germany (Federal Republic of), on March 8, 1974, for Norway, and on September 27, 1971, for the United Kingdom.

Explanation of type:

- Italics*: States bound by the Rome Act (1928).
 Roman type: States bound by the Brussels Act (1948).
 Heavy type: States bound by the Paris Act (1971).
 Thailand: State bound by the Berlin Act (1908).

Membership of the Administrative Bodies of the Berne Union

On January 1, 1975, the membership of the Administrative Bodies of the Berne Union was as follows:

Assembly: Argentina *, Australia, Austria, Belgium, Brazil *, Bulgaria, Cameroon, Canada, Chad, Chile *, Congo *, Czechoslovakia *, Dahomey, Denmark, Fiji, Finland, France, Gabon *, German Democratic Republic, Germany (Federal Republic of), Greece *, Holy See *, Hungary, India, Ireland, Israel, Italy *, Ivory Coast, Japan *, Liechtenstein, Luxembourg *, Malta *, Mauritania, Mexico, Monaco, Morocco, Netherlands,

* Member until April 26, 1975, unless, in the meantime, it ratifies or accedes to at least the administrative provisions of the Paris Act (1971) of the Berne Convention.

Niger *, Norway, Pakistan, Portugal *, Romania, Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia *, Turkey *, United Kingdom, Uruguay *, Yugoslavia *, Zaire (as from January 31, 1975) (53).

Conference of Representatives: Cyprus, Iceland, Lebanon, Madagascar, Mali, New Zealand, Philippines, Poland, Sri Lanka, Thailand (10).

Executive Committee: ORDINARY MEMBERS: Argentina, Canada, France, Germany (Federal Republic of), Hungary, India, Israel, Italy, Morocco, Senegal, Spain, Switzerland, United Kingdom, Yugoslavia. ASSOCIATE MEMBERS: Philippines, Poland (16).

**International Convention for the Protection of Performers, Producers of Phonograms
and Broadcasting Organizations**

(Rome, October 26, 1961)

State of Ratifications and Accessions as on January 1, 1975

Contracting States	Deposit of instrument	Entry into force	Ratification (R) or accession (A)
Austria *	March 9, 1973	June 9, 1973	R
Brazil	June 29, 1965	September 29, 1965	R
Chile	June 5, 1974	September 5, 1974	R
Congo *	June 29, 1962	May 18, 1964	A
Costa Rica	June 9, 1971	September 9, 1971	A
Czechoslovakia *	May 13, 1964	August 14, 1964	A
Denmark *	June 23, 1965	September 23, 1965	R
Ecuador	December 19, 1963	May 18, 1964	R
Fiji *	January 11, 1972	April 11, 1972	A
Germany, Federal Republic of *	July 21, 1966	October 21, 1966	R
Mexico	February 17, 1964	May 18, 1964	R
Niger *	April 5, 1963	May 18, 1964	A
Paraguay	November 26, 1969	February 26, 1970	R
Sweden *	July 13, 1962	May 18, 1964	R
United Kingdom *	October 30, 1963	May 18, 1964	R
(Total: 15 States)			

Note: The secretarial tasks relating to this Convention are performed jointly with the International Labour Office and Unesco.

* The instruments of ratification or accession deposited with the Secretary-General of the United Nations contain declarations made under the Articles mentioned hereafter: for Austria, Article 16(1)(a)(iii) and (iv) and (1)(b) [*Copyright*, 1973, p. 67]; for Congo, Articles 5(3) (concerning Article 5(1)(c)) and 16(1)(a)(i) [*Le Droit d'Auteur (Copyright)*, 1964, p. 127]; for Czechoslovakia, Article 16(1)(a)(iii) and (iv) [*ibid.*, 1964, p. 110]; for Denmark, Articles 6(2), 16(1)(a)(ii) and (iv) and 17 [*Copyright*, 1965, p. 214]; for Fiji, Articles 5(3) (concerning Article 5(1)(b)), 6(2) and 16(1)(a)(i) [*ibid.*, 1972, pp. 88 and 178]; for Germany (Federal Republic of), Articles 5(3) (concerning Article 5(1)(b)) and 16(1)(a)(iv) [*ibid.*, 1966, p. 237]; for Niger, Articles 5(3) (concerning Article 5(1)(c)) and 16(1)(a)(i) [*Le Droit d'Auteur (Copyright)*, 1963, p. 155]; for Sweden, Articles 6(2), 16(1)(a)(ii) and (iv), 16(1)(b) and 17 [*ibid.*, 1962 p. 138]; for the United Kingdom, Articles 5(3) (concerning Article 5(1)(b)), 6(2) and 16(1)(a)(ii), (iii) and (iv) [*ibid.*, 1963, p. 244]; the same declarations were made for Gibraltar and Bermuda [*Copyright*, 1967, p. 36, and 1970, p. 108].

CONVENTIONS NOT ADMINISTERED BY WIPO

Universal Copyright Convention

(Geneva, September 6, 1952)

State of Ratifications and Accessions as on January 1, 1975

Contracting States	Deposit of instrument	Entry into force	Ratification (R) or accession (A)	Contracting States	Deposit of instrument	Entry into force	Ratification (R) or accession (A)
Algeria	May 28, 1973	August 28, 1973	A	Luxembourg	July 15, 1955	October 15, 1955	R
Andorra	December 31, 1952 ¹ January 22, 1953 ²	September 16, 1955 September 16, 1955	R	Malawi	July 26, 1965	October 26, 1965	A
Argentina	November 13, 1957	February 13, 1958	R	Malta	August 19, 1968	November 19, 1968	A
Australia	February 1, 1969	May 1, 1969	R	Mauritius ⁴	August 20, 1970	March 12, 1968	R
Austria	April 2, 1957	July 2, 1957	R	Mexico	February 12, 1957	May 12, 1957	R
Belgium	May 31, 1960	August 31, 1960	R	Monaco	June 16, 1955	September 16, 1955	R
Brazil	October 13, 1959	January 13, 1960	R	Morocco	February 8, 1972	May 8, 1972	A
Cameroon	February 1, 1973	May 1, 1973	A	Netherlands	March 22, 1967	June 22, 1967	R
Canada	May 10, 1962	August 10, 1962	R	New Zealand	June 11, 1964	September 11, 1964	A
Chile	January 18, 1955	September 16, 1955	R	Nicaragua	May 16, 1961	August 16, 1961	R
Costa Rica	December 7, 1954	September 16, 1955	A	Nigeria	November 14, 1961	February 14, 1962	A
Cuba	March 18, 1957	June 18, 1957	R	Norway	October 23, 1962	January 23, 1963	R
Czechoslovakia	October 6, 1959	January 6, 1960	A	Pakistan	April 28, 1954	September 16, 1955	A
Denmark	November 9, 1961	February 9, 1962	R	Panama	July 17, 1962	October 17, 1962	A
Ecuador	March 5, 1957	June 5, 1957	A	Paraguay	December 11, 1961	March 11, 1962	A
Fiji ³	December 13, 1971	October 10, 1970	R	Peru	July 16, 1963	October 16, 1963	R
Finland	January 16, 1963	April 16, 1963	R	Philippines	August 19, 1955	November 19, 1955	A
France	October 14, 1955	January 14, 1956	R	Portugal	September 25, 1956	December 25, 1956	R
German Democratic Republic	July 5, 1973	October 5, 1973	A	Senegal	April 9, 1974	July 9, 1974	A
Germany, Federal Republic of	June 3, 1955	September 16, 1955	R	Soviet Union	February 27, 1973	May 27, 1973	A
Ghana	May 22, 1962	August 22, 1962	A	Spain	October 27, 1954	September 16, 1955	R
Greece	May 24, 1963	August 24, 1963	A	Sweden	April 1, 1961	July 1, 1961	R
Guatemala	July 28, 1964	October 28, 1964	R	Switzerland	December 30, 1955	March 30, 1956	R
Haiti	September 1, 1954	September 16, 1955	R	Tunisia	March 19, 1969	June 19, 1969	A
Holy See	July 5, 1955	October 5, 1955	R	United Kingdom	June 27, 1957	September 27, 1957	R
Hungary	October 23, 1970	January 23, 1971	A	United States of America	December 6, 1954	September 16, 1955	R
Iceland	September 18, 1956	December 18, 1956	A	Venezuela	June 30, 1966	September 30, 1966	A
India	October 21, 1957	January 21, 1958	R	Yugoslavia	February 11, 1966	May 11, 1966	R
Ireland	October 20, 1958	January 20, 1959	R	Zambia	March 1, 1965	June 1, 1965	A
Israel	April 6, 1955	September 16, 1955	R				
Italy	October 24, 1956	January 24, 1957	R				
Japan	January 28, 1956	April 28, 1956	R				
Kenya	June 7, 1966	September 7, 1966	A				
Khmer Republic	August 3, 1953	September 16, 1955	A				
Laos	August 19, 1954	September 16, 1955	A				
Lebanon	July 17, 1959	October 17, 1959	A				
Liberia	April 27, 1956	July 27, 1956	R				
Liechtenstein	October 22, 1958	January 22, 1959	A				

¹ Date upon which an instrument of ratification of the Convention and of Protocols 2 and 3 was deposited on behalf of the Bishop of Urgel, co-prince of Andorra.

² Date upon which an instrument of ratification of the Convention and of Protocols 1, 2 and 3 was deposited on behalf of the President of the French Republic, co-prince of Andorra.

³ In accordance with the provisions of Article XIII, the Universal Convention was already applicable, as from March 1, 1962, to the territory of this State before its independence.

⁴ In accordance with the provisions of Article XIII, the Universal Convention was already applicable, as from January 6, 1965, to the territory of this State before its independence.

Editor's Note: The three Protocols annexed to the Convention were ratified, accepted or acceded to separately; they concern: (1) the application of that Convention to the works of stateless persons and refugees, (2) the application of that Convention to the works of certain international organizations, and (3) the effective date of instruments of ratification or acceptance of or accession to that Convention. For detailed information in this respect, and as to notifications made by governments of certain Contracting States concerning the territorial application of the Convention and the Protocols, see the *Copyright Bulletin*, quarterly review published by Unesco.

The Universal Copyright Convention was revised at Paris on July 24, 1971 (see *Copyright*, 1972, pp. 22 et seq.). The Convention so revised entered into force on July 10, 1974, for the first twelve States which deposited their instruments of ratification, acceptance or accession, that is: Algeria, Cameroon, France, Germany (Federal Republic of), Hungary, Kenya, Senegal, Spain, Sweden, United Kingdom, United States of America, Yugoslavia. By the end of 1974, two more States (Monaco and Norway) deposited their instruments of ratification.

European Agreements

State of Signatures, Ratifications and Accessions as on January 1, 1975

European Agreement concerning Programme Exchanges by Means of Television Films (Paris, December 15, 1958)

Contracting States	Deposit of instrument	Entry into force	Signature without reservation in respect of ratification (S) or ratification (R) or accession (A)
Belgium	March 9, 1962	April 8, 1962	R
Cyprus	January 21, 1970	February 20, 1970	R
Denmark	October 26, 1961	November 25, 1961	R
France	December 15, 1958	July 1, 1961	S
Greece	January 10, 1962	February 9, 1962	R
Ireland	March 5, 1965	April 4, 1965	S
Luxembourg	October 1, 1963	October 31, 1963	R
Netherlands	February 3, 1967	March 5, 1967	R
Norway	February 13, 1963	March 15, 1963	R
Spain	December 5, 1973	January 4, 1974	A
Sweden	May 31, 1961	July 1, 1961	R
Tunisia	January 23, 1969	February 22, 1969	A
Turkey	February 27, 1964	March 28, 1964	R
United Kingdom	December 15, 1958	July 1, 1961	S

European Agreement for the Prevention of Broadcasts Transmitted from Stations Outside National Territories (Strasbourg, January 22, 1965)

Contracting States	Deposit of instrument	Entry into force	Ratification (R) or accession (A)
Belgium	September 18, 1967	October 19, 1967	R
Cyprus	September 1, 1971	October 1, 1971	R
Denmark	September 22, 1965	October 19, 1967	R
France	March 5, 1968	April 6, 1968	R
Germany, Federal Republic of	January 30, 1970	March 1, 1970	R
Ireland	January 22, 1969	February 23, 1969	R
Netherlands	August 26, 1974	September 27, 1974	R
Norway	September 16, 1971	October 16, 1971	R
Portugal	August 6, 1969	September 6, 1969	A
Sweden	June 15, 1966	October 19, 1967	R
United Kingdom	November 2, 1967	December 2, 1967	R

European Agreement on the Protection of Television Broadcasts (Strasbourg, June 22, 1960)

Contracting States	Deposit of instrument	Entry into force	Signature without reservation in respect of ratification (S) or ratification (R) or accession (A)
Belgium *	February 7, 1968	March 8, 1968	R
Cyprus	January 21, 1970	February 22, 1970	R
Denmark *	October 26, 1961	November 27, 1961	R
France	June 22, 1960	July 1, 1961	S
Germany, Federal Republic of *	September 8, 1967	October 9, 1967	R
Norway *	July 9, 1968	August 10, 1968	R
Spain	September 22, 1971	October 23, 1971	A
Sweden **	May 31, 1961	July 1, 1961	R
United Kingdom *	March 9, 1961	July 1, 1961	R

* The instruments of ratification were accompanied by "options" in accordance with Article 3, paragraph 1, of the Agreement. As to Belgium, see *Copyright*, 1968, p.147; as to Denmark, see *Le Droit d'Auteur*, 1961, p. 360; as to the United Kingdom, see *ibid.*, 1961, p.152; as to Germany (Fed. Rep.), see *Copyright*, 1967, p.217; as to Norway, see *ibid.*, 1968, p. 191.

** Sweden availed itself of the reservations contained in subparagraphs (b), (c) and (f) of paragraph 1 of Article 3 of the Agreement.

Protocol to the said Agreement (Strasbourg, January 22, 1965)

Contracting States	Deposit of instrument	Entry into force	Signature without reservation in respect of ratification (S) or ratification (R) or accession (A)
Belgium	February 7, 1968	March 8, 1968	R
Cyprus	January 21, 1970	February 22, 1970	R
Denmark	January 22, 1965	March 24, 1965	S
France	January 22, 1965	March 24, 1965	S
Germany, Federal Republic of	September 8, 1967	October 9, 1967	R
Norway	July 9, 1968	August 10, 1968	R
Spain	September 22, 1971	October 23, 1971	A
Sweden	January 22, 1965	March 24, 1965	S
United Kingdom	February 23, 1965	March 24, 1965	S

European Agreement on the Protection of Television Broadcasts

Additional Protocol to the

Protocol to the European Agreement on the Protection of Television Broadcasts

Entry into force

In a letter dated December 11, 1974, the Secretary-General of the Council of Europe informed the Director General of WIPO that, on November 30, 1974, the Assistant Permanent Representative of Belgium to the Council of Europe deposited the instrument of ratification of the Additional Protocol to the Protocol to the European Agreement on the Protection of Television Broadcasts* and that, in accordance with the

* The text of the Additional Protocol was published in *Copyright*, 1974, pp. 110 and 111.

provisions of Article 3, the said Additional Protocol will enter into force on December 31, 1974, in respect of all the Parties to the Agreement, namely: Belgium, Cyprus, Denmark, France, Germany (Federal Republic of), Norway, Spain, Sweden and the United Kingdom.

UPOV Meetings in 1975

Council: October 7 to 10 — Consultative Committee: March 5 and 6; October 6 and 10 — Technical Steering Committee: April 17 and 18; November 6 and 7 — Committee of Experts on International Cooperation in Examination: April 14 to 16; November 3 to 5 — Committee of Experts on the Interpretation and Revision of the Convention: February 25 to 28; December 2 to 5.

Note: All these meetings will take place in Geneva at the headquarters of UPOV

Technical Working Parties: (i) for Vegetables: May 28 to 30, 1975 (Lund - Sweden); (ii) for Forest Trees: August 19 and 20, 1975 (Hannover - Federal Republic of Germany); (iii) for Ornamental Plants: September 9 to 11, 1975 (Hornum - Denmark)

Meetings of Other International Organizations concerned with Intellectual Property

March 10 to 12, 1975 (Rijswijk) — International Patent Institute — Administrative Board

April 21 to 25, 1975 (Hamburg) — International Confederation of Societies of Authors and Composers — Congress

May 3 to 10, 1975 (San Francisco) — International Association for the Protection of Industrial Property — Congress

June 15 to 22, 1975 (Madrid) — International Chamber of Commerce — Congress

June 18 to 20, 1975 (Rijswijk) — International Patent Institute — Administrative Board

September 17 to 20, 1975 (London) — Union of European Professional Patent Representatives — General Assembly

May 25 to June 1, 1976 (Tokyo) — International Publishers Association — Congress
