

# Industrial Property

Published monthly  
Annual subscription :  
Sw.fr. 110.—  
Each monthly issue :  
Sw.fr. 10.—

16<sup>th</sup> year — No. 3  
**March 1977**

Monthly Review of the  
World Intellectual Property Organization

---

## Contents

INTERNATIONAL UNIONS	
— The Industrial Property Unions in 1976 .....	67
PLANT VARIETIES	
— UPOV in 1976 .....	84
— Table of Member States as on January 1, 1977 .....	86
— <b>International Convention for the Protection of New Varieties of Plants</b>	
I. Ratification of the Additional Act, Netherlands .....	87
II. Entry Into Force of the Additional Act .....	87
WIPO MEETINGS	
— <b>Trademark Registration Treaty (TRT)</b> , Interim Advisory Committee .....	87
ACTIVITIES OF OTHER ORGANIZATIONS	
— <b>International Association for the Protection of Industrial Property (IAPIP)</b> , Executive Committee .....	89
NEWS ITEMS	
— Mexico .....	93
BOOK REVIEWS .....	94
CALENDAR OF MEETINGS .....	94

## INDUSTRIAL PROPERTY LAWS AND TREATIES

— <i>Editor's Note</i>	
— <b>Bahamas</b>	
The Industrial Property Rules, 1967 (S.I. No. 33 of 1967) .....	Text 1-003
The Industrial Property (Amendment) Rules, 1975 (S.I. No. 96 of 1975) .....	Text 1-004

---

© WIPO 1976

Any reproduction of official notes or reports, articles and translations of laws or agreements, published in this review, is authorized only with the prior consent of WIPO.

---



## International Unions

### The Paris Union and Industrial Property in 1976

#### Introduction

The most important events during 1976 in the industrial property field were: the decision of the Paris Union Assembly to convene a diplomatic conference for the revision of the Paris Convention and the establishment of the Preparatory Intergovernmental Committee on the Revision of the Paris Convention for the Protection of Industrial Property, which held its first session in November 1976; the decision of the Nice Union Assembly to convene a diplomatic conference for the revision of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks; the decision of the Paris Union Assembly to convene a diplomatic conference (at Budapest) for the conclusion of a treaty on the international recognition of the deposit of microorganisms for the purposes of patent procedure; and the continuation of the preparatory work for the entry into force of the Patent Cooperation Treaty (PCT).

#### I. Paris Union

##### *Member States*

During 1976, three States deposited instruments of accession to the Paris Convention for the Protection of Industrial Property (Stockholm Act, 1967) and became members of the Industrial (Paris) Union for the Protection of Industrial Property on the dates indicated after each: Ghana (on September 28, 1976); Libyan Arab Republic (on September 28, 1976); Mauritius (on September 24, 1976). In addition, the Bahamas, to which the Lisbon Act (1958) of the Paris Convention had been applied, and Surinam, to which the Stockholm Act (1967) of the Paris Convention had been applied, made declarations of continued application of the Paris Convention, and became, as from the date of their accession to independence (on July 10, 1973, for the Bahamas, and on November 25, 1975, for Surinam), members of the Paris Union. As of December 31, 1976, there were 87 members of the Paris Union (see Table of Member States, *Industrial Property*, January 1977, pp. 5-7).

##### *Stockholm Act (1967)*

*Acceptance.* Eight States (Ghana, Greece, Libyan Arab Republic, Mauritania, Mauritius, Mexico, Surinam and Tunisia) ratified, acceded to, or otherwise became bound by the Stockholm Act (1967) of the Paris Convention in its entirety, whereas two States (Bahamas and Turkey) acceded to or became bound by only the administrative provisions and final clauses (Articles 13 to 30) of the said Act.

*Declarations under Article 28(2).* The Libyan Arab Republic and Tunisia declared, pursuant to Article 28(2) of the Stockholm Act (1967) of the Paris Convention, that they did not consider themselves bound by the provisions of Article 28(1) of the said Act concerning the settlement of disputes before the International Court of Justice.

##### *Acts in Force*

As far as the substantive provisions of the Paris Convention (Articles 1 to 12) are concerned, of the 87 States which were members of the Paris Union as of December 31, 1976, two were bound by the Hague Act (1925), nine by the London Act (1934), 15 by the Lisbon Act (1958) and 61 by the Stockholm Act (1967). As of the same date, 65 of the 87 States were bound by the administrative provisions and final clauses (Articles 13 to 30) of the Stockholm Act (1967) of the Paris Convention (see Table of Member States, *Industrial Property*, January 1977, pp. 5-7).

##### *Changes in Contribution Classes*

With effect from the beginning of the year 1977, Bulgaria chose Class VI (instead of Class V), Israel Class VI (instead of Class V), Italy Class III (instead of Class I), Luxembourg Class VII (instead of Class VI) and Mauritania Class VII (instead of Class VI), for the purpose of establishing their contributions towards the budget of the Paris Union.

##### *Governing Bodies*

The Assembly, the Conference of Representatives and the Executive Committee of the Paris Union met in ordinary session in September/October 1976, during the seventh series of meetings of the Governing

Bodies of WIPO and of the Unions administered by WIPO (see *Industrial Property*, February 1977, pp. 31-32, and below).

### *Revision of the Paris Convention*

*Ad Hoc Group of Governmental Experts.* The Ad Hoc Group of Governmental Experts on the Revision of the Paris Convention held its third session in June 1976.

All member States of the United Nations, of WIPO or of any other United Nations specialized agency were invited. Fifty-six of those States were represented. Three United Nations bodies, three inter-governmental organizations and 13 international non-governmental organizations were represented by observers.

In addition to the meeting of the Group of Experts, groups of countries held informal consultations. These groups were the Group of 77 and other developing countries according to UN and WIPO practice, Group B (developed market economy countries) and other countries, and Group D (Socialist countries).

The Group of Experts examined in detail those of the 14 questions dealt with in the study, prepared by the Director General for the second session, which, owing to lack of time, it had not been possible to examine at that session. These questions were the following: special types of patents, matters concerning marks (time limit in Article 5C(1) of the Paris Convention, geographical designations used as trademarks, conflict between an appellation of origin and a trademark, well-known marks, compulsory licenses, independence of marks), false indications of source and unfair competition, industrial designs, right of priority, territorial clause, reservations and unanimity or majority. The Group of Experts formulated various recommendations in respect of those questions.

The Group of Experts also studied the proposal concerning inventors' certificates made by the Soviet Union at its second session and supplemented by a document prepared by the International Bureau and by written comments submitted by a number of governments. The Group of Experts decided to continue its examination on the basis of the Soviet Union's proposal and any other proposals put forward by other governments.

Owing to lack of time, the Group of Experts did not discuss the following questions concerning patents: working, importation, sanctions for non-working and special measures protecting the public interest (Article 5A of the Paris Convention).

*Decisions of the Paris Union Assembly.* The Paris Union Assembly, at its September/October 1976 session, decided that a Diplomatic Conference for

the Revision of the Paris Convention should be convened by the Director General on a date to be determined by the Paris Union Executive Committee. In the same session, the Paris Union Assembly established the Preparatory Intergovernmental Committee on the Revision of the Paris Convention for the Protection of Industrial Property and entrusted it with the preparatory work for the Diplomatic Conference. The decision on the place of the Diplomatic Conference is to be made by the Paris Union Executive Committee. In this connection, the Paris Union Assembly noted the declaration of the Delegation of Romania according to which the Government of Romania was ready to host the Diplomatic Conference and authorized the Director General to examine all organizational questions with the Government of Romania.

*Preparatory Intergovernmental Committee.* The Preparatory Intergovernmental Committee on the Revision of the Paris Convention for the Protection of Industrial Property held its first session in November 1976.

All member States of the Paris Union, of WIPO, of the United Nations or of the United Nations specialized agencies were invited. Seventy-four States were represented. Two United Nations bodies, five intergovernmental organizations and 14 international non-governmental organizations were represented by observers.

In addition to the meeting of the Preparatory Intergovernmental Committee, informal consultations were held by groups of countries. These groups were the Group of 77 and other developing countries in accordance with UN and WIPO practice, Group B (developed market economy countries) and other countries, and Group D (Socialist countries).

The agenda of the first session of the Preparatory Intergovernmental Committee included four items, all of which had already been discussed by the Ad Hoc Group of Governmental Experts on the Revision of the Paris Convention.

After a thorough discussion of the questions concerning Article 5A (compulsory licenses, etc.) of the Paris Convention and of the questions concerning inventor's certificates, the Preparatory Intergovernmental Committee decided that it should consider those questions again at its next (June 1977) session after preparation in two separate Working Groups to be convened by the Director General to meet early in 1977.

After examining the third item on its agenda—preferential treatment without reciprocity in connection with fees and the priority period—the Preparatory Intergovernmental Committee decided to ask the Director General to propose a draft text for a possible Article which, in essence, would allow any developing country to charge, where the owner was a national of that country, half of the amount of the fees

which it would charge if the owner were a national of another country.

Owing to lack of time, the Preparatory Intergovernmental Committee was not able to consider the fourth item on the agenda, namely, the question of unanimity or qualified majorities for the next Diplomatic Conference.

As regards future procedure, the Preparatory Intergovernmental Committee decided that the agenda of its second session would include the four items referred to above, as well as the consideration of Article *Squater* and Article *4bis* of the Paris Convention.

*Studies on the Revision of the Paris Convention.* The Director General invited a number of consultants to prepare studies on various questions concerning the revision of the Paris Convention. Studies concerning licenses of right, Article *Squater* of the Paris Convention, sanctions for non-working, time limits for working, inventors' certificates, state control of licensing, use of foreign brand names and use requirements for marks have been reproduced in a separate series of documents. Other studies on geographical indications as trademarks and on industrial designs are in preparation.

*Round Table Conference in Mexico City on the Revision of the Paris Convention.* A Round Table on the Revision of the Paris Convention for the Protection of Industrial Property and its Relation to the Process of the Transfer of Technology within the Legal and Economic Framework in Latin America was jointly organized by WIPO and the Government of Mexico in Mexico City in May 1976.

The participants included officials of the Government of Mexico responsible for the control of technology transfer, industrial property, economic planning, investment and industrial development, as well as officials from seven other Governments (Argentina, Brazil, Colombia, Ecuador, Guatemala, Peru, Venezuela). Officials of the Economic Commission for Latin America (ECLA), the Institute for Latin American Integration (INTAL), the Inter-American Development Bank (IDB), as well as the Secretariat of the Junta del Acuerdo de Cartagena (Andean Group) and the Permanent Secretariat of the General Treaty for Central American Economic Integration (SIECA), also participated in the discussions. A total of 33 persons were present at the Round Table.

The Round Table also discussed the new Mexican Law on Inventions and Marks adopted in February 1976.

#### *Coordination of the Technical Activities of WIPO*

The Ad Hoc Committee for Coordination of the Technical Activities of WIPO met in March 1976 and

in November 1976. The task for the Ad Hoc Committee is to review the related technical activities within the framework of the Patent Cooperation Treaty (PCT), the Strasbourg Agreement Concerning the International Patent Classification (IPC Agreement) and the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) for the purpose of making recommendations to the competent bodies to facilitate coordination of their activities.

Its work will continue in 1977.

#### *Relations with States*

The Director General participated in the celebration in London marking the centenary of the founding of the Trade Mark Registry of the United Kingdom. An exhibition commemorating the centenary was organized by the United Kingdom Patent Office and WIPO at the Palais des Nations, Geneva, in September 1976.

The Director General made a visit to Austria in March/April 1976 and met with the Head of the Government of Austria and other officials of that Government. Visits were also made by the Director General to Tunisia in February 1976 and to Mexico in May 1976, where he met with the Head of State and government officials in each of these countries.

Officials of the International Bureau visited government authorities of several countries (Algeria, Austria, Belgium, Bolivia, Brazil, Burundi, Cuba, Cameroon, Colombia, Ecuador, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Indonesia, Iraq, Ivory Coast, Kenya, Kuwait, Libyan Arab Republic, Malaysia, Mali, Mauritania, Mauritius, Mexico, Nigeria, Pakistan, Peru, Philippines, Poland, Rwanda, Senegal, Singapore, Soviet Union, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, United Kingdom, United States of America, Venezuela, Zaire and Zambia), as well as officials of regional industrial property offices (Benelux Trademark Office, African Intellectual Property Organization (OAPI), Secretariat of the Interim Committee established for the European Patent Convention), to discuss questions concerning the Paris Convention, the international registration of marks and other industrial property matters.

## **II. Patent Cooperation Treaty (PCT)**

### *Acceptance*

The Federal Republic of Germany deposited its instrument of ratification of the Patent Cooperation Treaty (PCT) on July 19, 1976. The Federal Republic

of Germany is the second State ratifying or acceding to the PCT which fulfills the requirement of major patent activities under Article 63(1)(a) of the PCT. The United States of America is the other such State. Entry into force of the PCT requires the ratification or accession of four such States. Eight other States have ratified or acceded to the PCT (Cameroon, Central African Empire, Chad, Gabon, Madagascar, Malawi, Senegal, Togo). Thus, by the end of 1976, ten States had ratified or acceded to the PCT (see Table of Member States, *Industrial Property*, January 1977, p. 14).

#### *Records of the Washington Diplomatic Conference*

The French edition of the *Records of the Washington Diplomatic Conference on the Patent Cooperation Treaty 1970* was published in September 1976.

#### *Preparatory Work for the Entry Into Force of the PCT*

The preparatory work for the entry into force of the PCT continued throughout the year.

*Interim Committees.* The three PCT Interim Committees established by the Paris Union in implementation of the recommended measures for the entry into force of the PCT met in November 1976. Twenty-six States were represented. In addition, three intergovernmental organizations and eight non-governmental organizations were represented by observers.

The Interim Committees took action on the following matters, for which the International Bureau had prepared documentation.

#### *Interim Advisory Committee for Administrative Questions*

*Administrative Instructions.* This Interim Committee examined and approved, subject to some amendments, a document containing a fourth revised draft of the Administrative Instructions relating to Chapters I and II of the PCT as well as to matters found in the other Chapters of the PCT.

*Forms.* The Interim Committee approved, subject to certain amendments, the forms which would be used in the PCT procedure by the applicant, the receiving Offices, the International Searching and Preliminary Examining Authorities and the International Bureau.

*Guidelines for Applicants.* The Interim Committee made a number of suggestions relating to the form and content of the draft Guidelines for Applicants filing international applications under the PCT.

*Guidelines for Receiving Offices.* The Interim Committee suggested various amendments to the draft Receiving Office Guidelines for the Processing of International Applications under the PCT.

*Draft Model Agreement between an International Searching Authority and the International Bureau.* The Interim Committee discussed the Draft Model Agreement and made suggestions for amendments.

*Draft Guidelines for Publication and for Drawings.* The Interim Committee formulated general comments on the Draft Guidelines on Publication under the PCT and decided to establish a PCT Working Group on Guidelines for Publication and for Drawings, the first session of which would be held from February 21 to 25, 1977, for the purpose of assisting in the establishment of the Guidelines for Publication and the Guidelines for Drawings.

*Preliminary Study of the Staff, Equipment and Budgetary Requirements of the International Bureau.* The Interim Committee considered a document containing a preliminary study of the staff, equipment and budgetary requirements of the International Bureau in the year before and in the first year of effective operation of the PCT. It decided to establish a PCT Working Group on Budgetary Questions, the first session of which would be held from February 28 to March 4, 1977, for the purpose of assisting in the preparation of a study on the budgetary questions connected with the implementation of the PCT in its initial period.

#### *Interim Committee for Technical Assistance*

*Patent Document Collections Available to Developing Countries.* The Interim Committee noted a progress report stating that four million patent documents had been disposed of since the last session of the Interim Committee, and recommended that the International Bureau actively continue its efforts towards locating further collections of patent documents and channeling them to developing countries. Document donors were requested to give early notice of expected availability of collections and were urged to store them for sufficiently long periods to allow the necessary negotiations for transportation, where needed, to take place.

*Technical Assistance Projects.* The Interim Committee urged the International Bureau to pursue its activities in relation to the project for the modernization of the Brazilian Patent Office, the project envisaging the creation of a patent documentation center at OAPI (the African Intellectual Property Organization), and other PCT related technical assistance projects.

*Technical Periodicals Available Free of Charge or at Little Cost.* The Interim Committee noted all offers from commercial enterprises received so far and

expressed itself in favor of a continuation of the efforts to expand the list of periodicals offered free of charge to developing countries.

*Usefulness of INPADOC Services to Developing Countries.* The Interim Committee was informed of the services available from INPADOC, including new services, and urged developing countries to take advantage of the possibility offered of testing INPADOC services free of charge.

*Training Program to be Implemented in Cooperation between Austria and WIPO.* The Interim Committee noted the progress made in preparing the envisaged training program for developing countries. It expressed its appreciation to the Government of Austria and voiced the hope that an agreement would shortly be concluded between that Government and WIPO whereby the implementation of the training program could soon start in a way which would avoid financial burdens for developing countries.

#### *Interim Committee for Technical Cooperation*

*Minimum Documentation: Non-Patent Literature.* The Interim Committee noted that the International Bureau had published and distributed the PCT Minimum List of Non-Patent Literature, it being understood that any new information relevant to that list would be reflected by the International Bureau in the ongoing work of keeping the list up to date.

The Interim Committee invited INSPEC (Information Services in Physics, Electro-Technology, Computers and Control) (operated by the Institution of Electrical Engineers, London) to prepare a list of the periodicals from the PCT minimum list which would be covered during the fourth subscription year by the Patent Associated Literature (PAL) system, a system which is designed to facilitate access to selected areas of non-patent literature, and to organize, under the auspices of WIPO, a meeting of users and prospective users of the PAL system.

*Minimum Documentation: Patent Documents.* The Interim Committee entrusted the International Bureau with the task of updating, by June 1977, the inventory relating to the state of completeness of the search files of the prospective International Searching Authorities in respect of the national patent documents to be included in the PCT minimum documentation.

The Interim Committee considered a progress report concerning the inclusion in the PCT minimum documentation of those patent documents in English, French and German in which no priority is claimed, as offered by Australia, Austria and Canada.

The Interim Committee also considered an inventory of the English-language abstracts of the patent documents of Japan and the Soviet Union presently in the possession of the prospective International

Searching Authorities and noted information supplied by the Japanese Patent Office, the State Committee for Inventions and Discoveries of the USSR Council of Ministers and the United States Patent and Trademark Office with respect to future coverage of English-language abstracts of the patent documents of Japan and the Soviet Union, through services provided either by private suppliers or by national Patent Offices.

*Searching and Preliminary Examination under the PCT.* The Interim Committee decided to establish a PCT Working Group on Guidelines for International Searches and for International Preliminary Examination, for the purpose of assisting in the establishment of the PCT Guidelines for International Searches and for International Preliminary Examination.

With respect to the question of the inclusion in the search files and the citation in the international search report of members of a patent family, the Interim Committee decided that the decision on this question should be left to the International Searching Authorities, provided that, as far as the inclusion of the patent documents considered in the search files was concerned, there was systematic access to other members of the patent family.

### **III. International Patent Classification (IPC) Union**

#### *Strasbourg (IPC) Agreement*

*Acceptance.* During 1976, three States deposited instruments of ratification of or accession to the Strasbourg Agreement Concerning the International Patent Classification of March 24, 1971: German Democratic Republic, Japan, Luxembourg. In addition, Surinam, to which the Strasbourg (IPC) Agreement had been applied, deposited a declaration of continued application of the said Agreement and became, as from the date of its independence on November 25, 1975, a party to the said Agreement.

The Strasbourg (IPC) Agreement will enter into force for the German Democratic Republic on August 24, 1977, for Japan on August 18, 1977, and for Luxembourg on April 9, 1977.

On August 24, 1977, the number of States members of the International Patent Classification (IPC) Union will be 24 (see Table of Member States, *Industrial Property*, January 1977, p. 13).

*Declarations Under Article 4(4).* Six States have made declarations under Article 4(4) of the Strasbourg (IPC) Agreement to the effect that they do not undertake to include the symbols relating to groups or subgroups of the International Patent Classification (IPC) in applications referred to in Article 4(3) which are only laid open for public inspection and in notices relating thereto (Australia, Finland, Ireland, Norway, Spain, United Kingdom), whereas five States have

made such declarations with respect to all documents referred to in Article 4(3) and notices relating thereto (Belgium, France, Luxembourg, Monaco, Spain) (see Table of Member States, *Industrial Property*, January 1977, p. 13).

*Official Text.* The official text in Japanese of the Strasbourg (IPC) Agreement of 1971 was established in January 1976 and published in the form of a brochure in August 1976.

#### *Governing Bodies and Other Organs of the IPC Union*

*Assembly of the IPC Union.* The Assembly of the IPC Union held an ordinary session in September/October 1976 during the seventh series of meetings of the Governing Bodies of WIPO and of the Unions administered by WIPO (see *Industrial Property*, February 1977, pp. 31-32).

*Committee of Experts and Steering Committee.* The Committee of Experts and its Steering Committee each held two sessions in 1976 (in January and October). The matters they dealt with are referred to below.

*Procedure for the Revision of the IPC.* The Committee of Experts prepared a tentative time schedule for the preparation of the third edition of the IPC, which is now planned to enter into force on January 1, 1980.

The Steering Committee and the Committee of Experts discussed a new Procedure for Revision of the IPC and a new draft of the Instructions for Revision of the IPC.

*Amendments to the IPC.* In conformity with the existing Procedure for Revision of the IPC, the Steering Committee and the Committee of Experts approved a certain number of amendments to the IPC, whereas some other proposed amendments were referred back to the Working Groups for further consideration. The Committee of Experts decided that amendments to the IPC approved during the earlier part of a revision period would not undergo further amendments during the same revision period except when absolutely necessary.

*Layout and Presentation of the Third Edition of the IPC.* The Committee of Experts asked the International Bureau to prepare a document proposing a detailed layout and presentation for consideration at the next session of the Committee of Experts. The Committee of Experts noted the plans of the International Bureau to publish the third edition of the IPC by photocomposition techniques from a machine-readable data base.

*Revision of the Guide to the IPC.* The Committee of Experts endorsed the recommendation of the Steering Committee to the effect that the Guide to the third edition of the IPC should more clearly identify the matter in a patent document which should be clas-

sified, that the Guide should be amended in this respect to include the text formulated by the Steering Committee concerning the "obligatory" and "non-obligatory" classification of certain information in a patent document, and that the International Bureau should issue a recommendation under Article 5(3)(ii) of the Strasbourg (IPC) Agreement of 1971 embodying that text. The said recommendation was issued by the International Bureau in March 1976.

The Committee of Experts noted the comments received on the revision of the Guide and agreed with the recommendation of the Steering Committee to set up an Ad Hoc Working Group on the Revision of the Guide to the IPC, which should agree at its first meeting on how the Guide should be divided, the contents of each of its parts and the order of presentation.

*Advice to Searchers.* The Steering Committee agreed to request Working Group V to reconsider the Advice to Searchers, mainly in view of the increased use of the "last place rule," and also to study whether the Advice to Classifiers was in need of revision.

*Establishment of a Common Computerized Listing of Patent Documents for the Purpose of Constituting Search Files Based on the IPC.* The Steering Committee considered a proposal by the United States of America to establish a common computerized listing of patent documents for the purpose of constituting search files based on the IPC and recommended that a pilot project should be undertaken in accordance with the proposal of the United States of America. Class C 12, which had been put on the priority program of Working Group I by the Steering Committee, was selected for the pilot project. The Committee of Experts endorsed this recommendation.

*Indication on Published Patent Documents of the Second Edition of the IPC.* The Committee of Experts confirmed the recommendation of the former Joint Ad Hoc Committee that offices should indicate, on each published patent document classified in accordance with the second edition of the IPC, the fact that that edition had been used when allocating the symbols. The indication should preferably be presented near the IPC Symbols (INID Code 51) as a superscript Arabic two, e.g., "Int. Cl.<sup>2</sup>: C 12 C 1/04."

*Working Groups.* Four of the five Working Groups continued to deal with detailed proposals for the second revision period concerning various sections of the IPC: Working Group I, which met in Munich in March/April 1976 and in Rijswijk (Netherlands) in November/December 1976, dealt with the revision of Sections C and D; Working Group II, which met in Rijswijk in September/October 1976, dealt with the revision of Sections G and H; Working Group III, which met in Washington in September 1976, dealt with the revision of Section B; Working Group IV, which met in London in February 1976 and in



Stockholm in November 1976, dealt with the revision of Sections A, E and F. Working Group V, which met in Geneva in May 1976, dealt with the progress of reclassification according to the IPC, inconsistencies in classification, the training of staff in the use of the IPC, the selection of training examples, the preparation of a comprehensive set of training documents, the adoption of the English version and the preparation of the French version of the Advice to Searchers, and other matters relating to the use of the IPC and its uniform application.

#### *Second Edition of the International Patent Classification (IPC)*

*Translations and Publication.* Since the publication of the Second Edition of the IPC in July 1974, 1388 copies of the English edition and 418 copies of the French edition had been distributed by the end of 1976.

*Catchword Index to the IPC.* A revised edition in German of the Catchword Index to the IPC was prepared by the German Patent Office (Munich) and was published in January 1976.

*General Information.* A new brochure, entitled *The International Patent Classification — General Information*, was published in March 1976.

#### *Classification of Search Files*

An Agreement between WIPO and INPADOC concerning the computerized administration of patent documents reclassified according to the IPC (CAPRI System) was signed on December 16, 1975, by the Director General of WIPO and on December 22, 1975, by the Director General of INPADOC. It entered into force on January 28, 1976. The "CAPRI System" means the System for Computerized Administration of Patent Documents Reclassified according to the IPC. The CAPRI System was approved by the Executive Committee of the Paris Union at its session in September 1975.

With a view to the implementation of the said Agreement between WIPO and INPADOC, the International Bureau prepared drafts for and assisted INPADOC in the negotiation of, agreements of cooperation between INPADOC and the industrial property offices of Austria, the Federal Republic of Germany and the Soviet Union, as well as the International Patent Institute (IIB). The said agreements specify the conditions for the delivery of input to INPADOC, including the format and content, of the machine-readable inventories of the contents of search files arranged according to the IPC.

Upon completion, the CAPRI data bank will consist of inventories of all 614 IPC sub-classes, organizing the approximately 15 million published

patent documents into more than 51,000 subdivisions of the IPC, and of an "inverted file" prepared from the said inventories, giving for each document stored in numerical order the appropriate IPC symbol or symbols.

## IV. ICIREPAT

### *Participating Countries*

The following 22 countries are members ("participating countries") of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) and are represented in its executive body, which is the Plenary Committee (PLC): Austria, Canada, Cuba, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Ireland, Israel, Japan, Netherlands, Norway, Romania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America. The International Patent Institute (IIB) also participates in the activities of ICIREPAT.

### *Activities and Committees*

ICIREPAT's main activities continued to be carried out in the framework of the Technical Committees and the Plenary Committee (PLC). The PLC, which met in February and September 1976, reviewed the activities of the Technical Committees and acted upon their conclusions and recommendations. The Technical Committee for Search Systems (TCSS) and the Technical Committee for Standardization (TCST) each met in April, May and October 1976, respectively. The work programs of the Technical Committees were carried out in accordance with the Long-Term Program of ICIREPAT. By a decision of the PLC, taken at its session in September 1976, the mandate of a third Technical Committee—the Technical Committee for Computerization (TCCR)—was divided between the TCSS and the TCST.

The PLC and the Technical Committees, assisted by the International Bureau, dealt with the following matters.

### *Needs of Developing Countries in the Field of Patent Documentation and Patent Information Retrieval*

In March 1976, the International Bureau sent to 40 developing countries, including the members States of the African Intellectual Property Organization (OAPI), a questionnaire, approved by the PLC at its session in February 1976, on the needs of developing countries in the field of patent documentation and

patent information retrieval. At its session in September 1976, the PLC concluded that, in the light of the replies then received to that questionnaire, Algeria, Egypt, Iraq, Kenya, the Philippines, Portugal, Turkey, Uruguay, Yugoslavia, Zambia and OAPI should be invited to participate as observers in the sessions of the TCST during 1977, and that an informative one-day meeting with representatives from developing countries should be held before one of the sessions.

### *Search Systems*

The monitoring and supervision of the implementation of search systems which have been developed cooperatively and the keeping track of search systems being worked on by individual offices continued to be carried out by the TCSS.

*Operational Systems.* For operational systems, the updating indexing continued to be regularly performed by the offices participating in the systems and, for certain systems, where development has been finalized (up to Stage 5), arrangements for backlog indexing were made; backlog indexing for those systems also progressed.

*Search System Development.* The TCSS continued to work on revising the ICIREPAT Manual to accommodate new routes for search system development. Chapters on "Characteristics of ICIREPAT Shared Use Systems," "Guiding Principles for Non-Conventional Retrieval Systems" and "Instructions for Monitoring Offices for Systems Proceeding According to the ICIREPAT Procedure for Cooperative Development of Systems" were revised by the TCSS and adopted by the PLC.

The TCSS approved a scheme of main stages of decision-making during the development of search systems regarding procedures and guidelines for cost/benefit estimates.

The TCSS considered the question of indexing on the basis of abstracts and came to the conclusion that the use of abstracts for indexing could not be recommended generally in the development of mechanized search systems for purposes of patent search.

The TCSS reviewed the principles concerning the problem of cut-off dates for mechanized search systems and decided that at its next session it would consider the elaboration of a methodology for the determination of cut-off dates on the basis of the earlier studies made in this respect within ICIREPAT.

*Search Systems Implementation.* The TCSS discussed implementation problems of mechanized search systems in the general framework of finding ways and means to improve search procedures and formulated recommendations which should be taken into account in the implementation of mechanized systems in any given office. The TCSS felt that the

problems which arise when implementing search systems were highly related to the organization and administration of an industrial property office. The TCSS requested the PLC to issue a recommendation that all ICIREPAT participating countries endeavor to coordinate closely the efforts of the classification experts and mechanized retrieval experts towards a common aim: the improvement of search files and search quality.

*Search System Revision.* With regard to search system revision, the TCSS decided that efforts should be concentrated on the elaboration of principles governing the character of the revision to be undertaken in various circumstances, and the manner in which the revised system should be brought into use.

*Commercial Systems.* The TCSS approved principles and steps to be used as a basis for guidelines for testing commercial systems.

### *Standardization*

The Technical Committee for Standardization (TCST) and the International Bureau continued to assemble information and to carry out studies on problems relating to the size and other physical characteristics of published patent documents, the characteristics pertaining to layout and presentation, and the production and reproduction as well as the identification of patent documents.

*ICIREPAT Country Code.* The PLC decided, in principle, that the ICIREPAT Country Code should be aligned with the ISO Alpha-2 Code (ISO Standard 3166) and that the extension of the ICIREPAT Country Code to include entities other than independent States should be restricted to those entities which issue patent documents. As requested by the PLC, a revised draft Standard Code for the Representation of the Names of Independent States and Other Entities which Issue Patent Documents and International Organizations in the Field of Industrial Property was prepared and approved by the TCST at its session in October 1976.

*INID Codes.* The TCST discussed the creation of new INID Codes ("ICIREPAT Numbers for Identification of Data") for bibliographic data not yet covered by INID Codes, in particular, the kind of document, exhibition filing date, starting date of the period of validity, number of claims, filing date of related document, number of drawings, and certain bibliographic data related to the implementation of PCT procedures. In this connection, the TCST had before it a survey prepared by the International Bureau on the legal provisions in 85 countries concerning the starting date of validity of patents.

*Titles of Inventions in Patent Documents.* The TCST considered a draft of General Guidelines for Mean-

ingful Titles of Inventions in Patent Documents, prepared by the International Bureau, and concluded that a collection of existing international or national regulations relating to the preparation of titles and collection of examples in English (and for the French version in French) should be annexed to the Guidelines. In addition, in view of the fact that the preparation of the Guidelines was in response to a request by the developing countries, the TCST asked the International Bureau also to transmit the new draft of the Guidelines to those countries for their comments.

*References Cited in Patent Documents.* The TCST requested the International Bureau to prepare a draft recommendation on the inclusion of references cited in patent documents, including published examined patent applications.

*Identification of Different Kinds of Patent Documents.* The TCST decided to amend the Standard Code for the Identification of Different Kinds of Patent Documents (Standard SI.8) to include the document identification "P" for Plant Patents.

*Numbering of Patent Documents.* The TCST decided that the International Bureau should revise, in view of the discussions and the comments to be received, the draft recommendation on the numbering of patent and like documents.

*Content, Layout, Production and Reproduction of Patent Documents.* The following recommendations or amendments to recommendations were agreed upon by the TCST: guidelines on the layout and presentation of the composed and non-composed first page of patent documents; guidelines on the minimum size of margins of published patent documents produced by the reproduction of composed and non-composed masters.

A first draft of guidelines on physical characteristics of patent documents particularly relevant to their reproducibility and legibility was also prepared.

*Microforms.* The TCST discussed first drafts of recommendations for the standardization of computer output microforms (COM) and photo-optically generated microfiches for exchange between patent offices and came to the conclusion that two different guidelines, one for COM microfiches and the other for photo-optically generated microfiches, should be prepared, on the basis of existing ISO standards.

*Official Gazettes.* The International Bureau compiled data relating to bibliographic information contained in Official Gazettes and Cumulative Indexes, the use of ICIREPAT Standards (Codes) in such Gazettes and Indexes and on the physical characteristics, layout and presentation, as well as the printing process of such Gazettes and Indexes.

The TCST agreed that the said data should be published in the next edition of the updated pages of the ICIREPAT Manual.

The TCST discussed a draft standard concerning

the organization and physical layout of Official Gazettes and the comments received thereon. The TCST noted the plans of the International Bureau concerning the standardization of Official Gazettes and other patent announcement journals.

Discussions were also initiated on a multi-aspect identification system of patent documents in all stages of their validity to be used in Official Gazettes. The TCST requested the International Bureau to undertake a survey to identify the different phases of the granting procedure, as published in the bulletins of the offices of the participating countries of ICIREPAT.

#### *Exchange of Information between Patent Offices*

Annual technical reports by ICIREPAT offices were submitted to the International Bureau and distributed by it. Reports on their activities in the year 1975 had been submitted by the offices of the 19 countries and the organization mentioned below: Austria, Canada, Czechoslovakia, Denmark, Finland, German Democratic Republic, Germany (Federal Republic of), Hungary, Ireland, Israel, Japan, Netherlands, Norway, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America and the International Patent Institute (IIB). A document summarizing the contents of these reports was prepared by the International Bureau for presentation to the next session (February 1977) of the PLC.

Two further issues of ICIREPAT Notes—a publication containing summaries of developments relating to patent documentation problems and patent office operations—were prepared and distributed during the year.

#### **V. International Patent Documentation Center (INPADOC)**

The International Patent Documentation Center (INPADOC) was established pursuant to an Agreement between the Government of Austria and WIPO. INPADOC is funded by the Government of Austria and operates in Vienna.

INPADOC stores, in a computerized data bank, the most important bibliographic data of each patent document, i.e., the title of the invention, its classification symbol, relevant dates, names and numbers. The said bibliographic data are either obtained from the industrial property offices in machine-readable form or are input by INPADOC on the basis of announcements published in patent gazettes.

By the end of 1976, INPADOC had concluded agreements of cooperation with the national industrial property offices of Australia, Austria, Canada, Denmark, Finland, France, Germany (Federal Republic of), Japan, Norway, the Soviet Union, Spain,

Sweden and the United States of America, as well as the International Patent Institute (IIB). The agreements provide for the furnishing to INPADOC by the said offices and the IIB of bibliographic data, in machine-readable form, pertaining to patent documents.

By the end of 1976, the current patent documents of the following countries were covered in INPADOC's computerized data base: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Cuba, Cyprus, Czechoslovakia, Denmark, Egypt, Finland, France, the German Democratic Republic, Germany (Federal Republic of), Hungary, India, Ireland, Israel, Italy, Japan, Kenya, Luxembourg, Malawi, Monaco, Mongolia, the Netherlands, Norway, the Philippines, Poland, Portugal, Romania, South Africa, the Soviet Union, Spain, Sweden, Switzerland, the United Kingdom, the United States of America, Yugoslavia, Zambia. The bibliographic data pertaining to the United Kingdom patents registered in Hong Kong are also included. The documents referred to amount to approximately 95% of the world total.

On the basis of the bibliographic data contained in INPADOC's data base, INPADOC identifies patent documents which are connected by a common priority claim under the Paris Convention—the Patent Family Service (PFS)—or a common symbol of the International Patent Classification (IPC)—the Patent Classification Service (PCS)—or a common applicant or owner—the Patent Applicant Service (PAS)—or a common inventor—the Patent Inventor Service (PIS). Patent documents are also identified by their document number—the Numerical Data Base Service (NDB). In addition, INPADOC publishes an international patent gazette—the INPADOC Patent Gazette (IPG)—which is issued weekly on microfiche and covers all the patent documents whose bibliographic data were received or key-punched by INPADOC in the preceding week. The INPADOC Patent Gazette contains three different services—the Selected Numerical Service (SNS), the Selected Classification Service (SCS) and the Selected Applicant Service (SAS)—which are counterparts of the NDB, the PCS and the PAS referred to above. An Individual Reference for Family Service (IFS) is also available. The PFS, the PCS and the PAS are offered in the form of computer output on microfiche (COM) or, for a limited number of documents (or pages), in the form of paper copies. The NDB and the IPG are offered on microfiche only, whereas the IFS is offered as a computer printout on paper. INPADOC also responds to individual requests of a special nature, for example within the framework of the PCS or of the PAS. INPADOC also offers a patent document copy service as paper copies or as 16 mm roll microfilms.

The possibility of the use of INPADOC services by information centers in developing countries was

further studied by the International Bureau and INPADOC pursuant to the recommendation of the PCT Interim Committee for Technical Assistance. These studies include plans for a comprehensive training program which would be implemented in cooperation with the Austrian government authorities and would concentrate initially on the technical use of the IPC as a means of organizing or having easier access to patent documents, the method of searching in patent documents to establish the state of the art in a particular field of technology and making the most practical use of the information contained in patent documents. At a certain stage of the training, an introduction to INPADOC's services and the possibilities of their use will be provided.

The International Bureau continued to assist INPADOC in its contacts with Patent Offices and used its best efforts to bring about agreements of cooperation and to achieve a high degree of standardization of the presentation of the bibliographic data in patent documents and official gazettes. These contacts and efforts also extended to bringing about agreements of cooperation between INPADOC and the patent offices participating in the CAPRI project (see page 73, above).

The Supervisory Board of INPADOC (*Aufsichtsrat*), which establishes the general policy of INPADOC, met in April and July 1976. WIPO is represented on that Board.

## VI. Scientific Discoveries

The Working Group on Scientific Discoveries met in May 1976. Twenty-two States, one intergovernmental organization and two international non-governmental organizations were represented at the session.

The Working Group established, on the basis of drafts prepared by the International Bureau, drafts of a Resolution, together with Regulations, and of a Treaty on the International Recording of Scientific Discoveries at the International Bureau.

At its session in September/October 1976, the WIPO General Assembly agreed that the institution of the said recording system should be effected by means of a treaty and asked the Director General to make proposals to the 1977 session of the WIPO Coordination Committee for the convening of a diplomatic conference in 1978 for the adoption of such a treaty.

## VII. Deposit of Microorganisms

### *Committee of Experts*

The Committee of Experts on the Deposit of Microorganisms for the Purposes of Patent Procedure held

its third session in April 1976. Twenty-one States members of the Paris Union and one intergovernmental and ten international non-governmental organizations were represented.

Discussions were based on a draft Treaty and Draft Regulations on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. Both drafts had been prepared by the International Bureau in accordance with the recommendations adopted by the Committee of Experts at its second session in April 1975 and, taking into account the comments subsequently received from the participants at that second session who were consulted on certain provisions, as well as the comments and proposals presented by governments and international non-governmental organizations. The proposed draft Treaty would have the effect that where, for the purpose of patent procedure, a microorganism is deposited in one of the institutions internationally recognized for such a deposit, that deposit would satisfy the deposit requirement of all the Contracting Parties. The Committee of Experts examined the said drafts of the Treaty and Regulations and made a number of amendments thereto.

The Committee of Experts expressed the opinion that, in view of the progress made and the limited number of problems still requiring consideration, a diplomatic conference could be convened without the need for a further session of the Committee of Experts before that Conference.

#### *Diplomatic Conference*

The Paris Union Assembly, at its session in September/October 1976, accepted the invitation of the Hungarian Government to hold a diplomatic conference in Budapest in 1977 for the adoption of a Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

### **VIII. Computer Programs**

The Advisory Group of Non-Governmental Experts on the Protection of Computer Programs held its third session in May 1976. Experts had been designated by 17 non-governmental organizations, and the governments of three States and three intergovernmental organizations were represented by observers.

In response to the recommendation of the Advisory Group adopted at its second session in June 1975, the International Bureau prepared for the third session of the Advisory Group model provisions for national laws on the protection of computer software. These model provisions followed the guiding principles

formulated by the Advisory Group at its second session and included a system for the optional deposit of computer software carrying with it certain advantages for the depositor in the field of evidence. The International Bureau also prepared for the consideration of the Advisory Group at its third session draft treaty provisions providing for minimum protection according to the same principles on the international level and establishing an optional international deposit system.

With regard to the model provisions for national laws, the Advisory Group asked the International Bureau to prepare, on the basis of the discussions, a new draft of the model provisions relating to the legal protection of computer software, which should be accompanied by notes explaining certain choices, giving alternative solutions and indicating the arguments for and against the solutions suggested. These provisions would be followed by an account of the agreements for and against the establishment of a system for the deposit or registration of computer software.

The Advisory Group expressed the view that the possible contents of a draft Agreement for the Protection of Computer Software and its International Deposit should reflect the solutions adopted in the model provisions and that a detailed examination of the draft Agreement should take place only once the features of the model provisions had been established.

### **IX. Computerization of Trademark Operations**

The Working Group for the Computerization of Trademark Operations met in September 1976. Fourteen States, one intergovernmental organization, five international non-governmental organizations and five private firms were represented.

Discussions were based on reports, prepared either by the International Bureau or by consultants of that Bureau, on the general international aspects of a possible computerization of trademark operations and on computerized searching of word marks.

The Working Group had an exchange of experience on developments in the field of the computerization of trademark operations in various countries. It examined the possibilities of collaboration in the exchange of data bases and the establishment of a common data base of trademark registrations, particularly as concerns international marks registered under the Madrid Agreement or marks that would be registered under the Trademark Registration Treaty (TRT), and noted the interest expressed by several governments and other parties concerned. The Working Group also studied the choice of information to be fed into any given common data base, the cost estimates for setting up and operating it, and the question who should be

responsible for its establishment, updating and operation.

As regards the question of the continuation of the study of the criteria of similarity between marks, the Working Group recommended that the International Bureau undertake a survey of the similarity criteria applied in the offices of the various countries of the Paris Union, that countries members of the Paris Union directly concerned, as well as all those that wish to do so, be invited to state whether the criteria catalogued as a result of the survey were being applied in their offices, and that the results of the latter survey be communicated to the countries members of the Paris Union and to the interested organizations and firms and submitted to the Committee of Experts for the Computerization of Trademark Operations at its next session.

## X. Industrial Property Statistics

In April 1976, the International Bureau sent to the industrial property offices new questionnaires for the collection of their industrial property statistics for 1975. These new questionnaires, to be used from 1975 onwards, take into account the views of a Group of Governmental Consultants on Industrial Property Statistics which met in July 1974.

The statistics for the year 1975 were published as an Annex to the December 1976 issue of *Industrial Property*.

## XI. Industrial Property Laws and Treaties

The new legislative series entitled *Industrial Property Laws and Treaties*, which began in the February 1976 issue of the monthly review *Industrial Property/La Propriété industrielle*, became available as a separate publication in September 1976. A complementary service to that monthly review consists of a special binder, with contents pages and assembling instructions, in which the detachable legislative texts published in the review may be stored. The series may also be purchased separately. *Industrial Property Laws and Treaties* is divided into three main subject areas—national laws, multilateral treaties and bilateral treaties—and the legislative texts are classified accordingly and then subclassified according to country and subject matter.

## XII. Other Matters

### *Convention on the Grant of European Patents*

WIPO was represented at the fifth session (March 1976) of the Interim Committee established in

implementation of the recommended preparatory measures for the entry into force of the Convention on the Grant of European Patents (European Patent Convention), which was adopted on October 5, 1973. WIPO was also represented at meetings of the Working Parties on Organization (February and June, 1976), on Searching (May 1976), on Examination (January and April 1976), and on Legal Matters (April, June and September 1976).

The main interest of WIPO in the work of these bodies is to ensure consistency between the procedures under the Patent Cooperation Treaty (PCT) and under the European Patent Convention (EPC).

WIPO was also represented at the ceremony in July 1976 to mark the laying of the foundation stone of the headquarters building in Munich of the European Patent Office.

### *Cooperation with the International Organization for Standardization (ISO)*

Cooperation between the International Bureau and the International Organization for Standardization (ISO) continued in the field of the adoption of common names for pesticides.

Cooperation also continued with ISO in the field of documentation. The International Bureau contributed to the work of Technical Committee 46 (Documentation), especially in the preparations for a revised version of Draft International Standard 3388, "Patent Documents—Bibliographic References—Essential and Complementary Elements." Close working relations were maintained between the International Bureau and a Working Group of Technical Committee 46 with a view to bringing the ICIREPAT Country Code into conformity with the ISO Alpha-2 Code.

### *Relations with Other International and National Organizations*

WIPO was represented at the following meetings of intergovernmental and non-governmental organizations having an interest in industrial property: the meeting of the Administrative Board of the International Patent Institute (IIB) at Rijswijk in May and June 1976; the meetings of the Administrative Council of the African Intellectual Property Organization (OAPI) in Dakar in March 1976 and in Yaoundé in July 1976; the meetings of the Heads of Industrial Property Offices of the Member States of the Council for Mutual Economic Assistance (CMEA) in Sopot (Poland) in May 1976 and in Havana (Cuba) in December 1976; the meeting of the Working Group on Patent Documentation of the Committee on Science and Technology of the

Commission of the European Communities (CEC) in Luxembourg in February 1976; the meeting of the Commission of the European Communities (CEC) on the establishment of a European Community trademark system in November 1976; the meeting of the Executive Committee of the International Association for the Protection of Industrial Property (IAPIP) in Montreux in September 1976, and of the Swedish Group of IAPIP in Stockholm in February and October 1976; the Conference on the Significance of the Protection of Industrial Property in International Industrial Cooperation, organized by the Hungarian Group of IAPIP in Budapest in September 1976; the meeting of the Industrial Property Commission of the International Chamber of Commerce (ICC) in Paris in February 1976.

In addition, officials of the International Bureau participated in a *journée d'étude* in April 1976 and a seminar in May 1976 organized by the International League Against Unfair Competition (LICCD), as well as in a *journée d'étude* organized by the Benelux Group of the Licensing Executives Society (LES) in Antwerp in May 1976 and a Seminar on Ways of Know-How Transfer organized by the International Industrial Administration Centre in Vienna in September 1976.

The Director General gave a lecture on the revision of the Paris Convention at the John Marshall Law School in Chicago in February 1976.

Lectures on industrial property matters were given at the headquarters of WIPO by officials of the International Bureau to various groups.

### XIII. Madrid Agreement (Indications of Source)

#### *Member States*

At the end of 1976, the number of States party to the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods was 32 (see Table of Member States, *Industrial Property*, January 1977, p. 8).

#### *Additional Act of Stockholm (1967)*

*Acceptance.* At the end of 1976, 17 States had ratified, acceded to, or otherwise become bound by the Additional Act of Stockholm (1967) to the Madrid Agreement (Indications of Source) (see Table of Member States, *Industrial Property*, January 1977, p. 8).

#### *Acts in Force*

Of the 32 States party to the Madrid Agreement (Indications of Source) as of December 31, 1976,

three are bound by the Hague Act (1925), nine by the London Act (1934), 20 by the Lisbon Act (1958) and 17 by the Additional Act of Stockholm (1967), to the said Agreement (see Table of Member States, *Industrial Property*, January 1977, p. 8).

### XIV. Madrid Union (Marks)

#### *Member States*

On July 1, 1976, the Soviet Union became a new member of the Madrid Union for the International Registration of Marks. At the end of 1976, the number of States members of the Madrid Union (Marks) was 24 (see Table of Member States, *Industrial Property*, January 1977, p. 9).

#### *Stockholm Act (1967)*

*Acceptance.* The Soviet Union deposited its instrument of accession to the Stockholm Act (1967) of the Madrid Agreement Concerning the International Registration of Marks on March 15, 1976. The Madrid Agreement (Marks) (Stockholm Act of 1967) entered into force for the Soviet Union on July 1, 1976. In its instrument of accession, the Government of the Soviet Union, referring to Article 14(2) (d) and (f), declared that the application of the said Agreement would be limited to marks registered from the date on which its accession entered into force.

#### *Notifications Under Article 3bis (Nice and Stockholm Acts)*

All of the member States of the Madrid Union (Marks) have availed themselves of the right provided for in Article 3bis whereby protection resulting from the international registration extends to those countries only at the express request of the owner of the mark. In addition, as from January 1, 1971, the whole of the territories in Europe of Belgium, Luxembourg and the Netherlands is considered a single country for the purpose of Article 3bis.

#### *Acts in Force*

Of the 24 States members of the Madrid Union as of December 31, 1976, five were bound by the Nice Act (1957) and 19 by the Stockholm Act (1967) of the Madrid Agreement (Marks) (see Table of Member States, *Industrial Property*, January 1977, p. 9).

### *Governing Bodies*

The Assembly of the Madrid Union and the Committee of Directors of the National Industrial Property Offices met in September/October 1976. They decided to raise, with effect from April 1, 1977, the amounts of the basic, supplementary, complementary, and certain other fees provided for under the Madrid Agreement (Marks).

### *Statistics*

The total number of registrations in 1976 was 7,393 to which should be added 3,002 renewals effected under the Nice or Stockholm Acts. The total number of registrations and renewals in 1976 was therefore 10,395 as against 10,393 in 1975. The total number of changes recorded in the International Register in 1976 which affected international registrations of marks was 15,115 as against 14,739 in 1975.

### *Mechanization in the Field of Trademarks*

See pages 77-78 above.

### *Publications*

The review *Les Marques internationales* continued to appear each month.

### *Trademark Search Service*

The International Bureau continued to provide this service, pursuant to Article 5ter(2) of the Madrid Agreement (Marks).

## **XV. The Hague Union**

### *Member States*

During 1976, Surinam, to which the Hague Agreement Concerning the International Deposit of Industrial Designs had been applicable, deposited its declaration of continued application of the London Act (1934) and the Additional Act of Monaco (1961) and became, as from the date of its independence on November 25, 1975, a member of the Hague Union for the International Deposit of Industrial Designs. At the end of 1976, the number of States members of the Hague Union for the International Deposit of Industrial Designs was 15 (see Table of Member States, *Industrial Property*, January 1977, p. 10).

### *Complementary Act of Stockholm (1967)*

Surinam deposited its instrument of accession to the Complementary Act of Stockholm of 1967 to the Hague Agreement. That Act entered into force in respect of Surinam on February 23, 1977.

### *Protocol of Geneva (1975)*

*Acceptance.* Surinam deposited its instrument of accession to the Protocol of Geneva (1975) to the Hague Agreement. That Protocol is not yet in force.

*Records of the Diplomatic Conference.* The Records of the Conference of Plenipotentiaries which adopted the Protocol of Geneva (1975) were published.

### *Official Texts*

The texts of the Hague Agreement (1925) and of the various Acts of that Agreement were reprinted, together with the Protocol of Geneva (1975), in French in March 1976.

### *Acts in Force*

Of the 15 States which were members of the Hague Union as of December 31, 1976, 15 were bound by the London Act (1934) of the Hague Agreement and eight by the Additional Act of Monaco (1961) to the said Agreement. Six States have ratified or acceded to the Complementary Act of Stockholm (1967) to the Hague Agreement. The Protocol of Geneva (1975) to the said Agreement has been signed by six States and acceded to by one. This Protocol is not yet in force.

### *Governing Bodies*

The Hague Union Assembly met in ordinary session in September/October 1976 during the seventh series of meetings of the Governing Bodies of WIPO and of the Unions administered by WIPO. The Hague Union Assembly consists of the six States members of the Hague Union that are party to the Stockholm Act (1967) of the Hague Agreement (see Table of Member States, *Industrial Property*, January 1977, p. 10). During the said series of meetings, the Hague Union Conference of Representatives was established. The Hague Union Conference consists of the nine States members of the Union that are not bound by the Stockholm Act (1967) of the Hague Agreement (see *Industrial Property*, February 1977, pp. 31-32).



### *Regulations Under the Hague Agreement*

A Working Group on the Regulations under the Hague Agreement Concerning the International Deposit of Industrial Designs met in February 1976. Seven States, one intergovernmental organization and two international non-governmental organizations were represented.

The Working Group examined the draft Regulations under the Hague Agreement, prepared by the International Bureau, which are intended to replace, after the entry into force of the Protocol of Geneva (1975) to the Hague Agreement, the Regulations for Carrying Out the Hague Agreement as revised at London in 1934, and the Regulations of the Hague Agreement as revised at The Hague in 1960. The Working Group adopted the text of new draft Regulations under the Hague Agreement and recommended that the new draft of the said Regulations be submitted to the Assembly and the Conference of Representatives of the Hague Union.

At their sessions in September 1976, the Assembly and the Conference of Representatives adopted the said Regulations.

### *Statistics*

The total number of international deposits in 1976 was 2,046 as against 2,032 in 1975; the number of prolongations was 923 as against 880 in 1975.

Open deposits in 1976 numbered 1,426 and sealed deposits 620; simple deposits numbered 1,052 and multiple deposits 994.

The total number of objects deposited in 1976 was 27,276, of which 15,018 were two-dimensional (*dessins*) and 12,258 were three-dimensional (*modèles*).

### *Publications*

The review *Les Dessins et Modèles internationaux* continued to appear monthly.

## **XVI. Nice Union**

### *Member States*

At the end of 1976, the number of States members of the Nice Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks was 31 (see Table of Member States, *Industrial Property*, January 1977, p. 11).

### *Stockholm Act (1967)*

*Acceptance.* Morocco deposited its instrument of ratification of the Stockholm Act (1967) of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. The Stockholm Act (1967) of the Nice Agreement entered into force for Morocco on January 24, 1976.

### *Acts in Force*

Of the 31 States which were members of the Nice Union on May 31, 1976, six were bound by the Nice Act (1957) and 25 by the Stockholm Act (1967) of the Nice Agreement (see Table of Member States, *Industrial Property*, January 1977, p. 11).

### *Official Texts*

The official text in Russian of the Nice Agreement (Stockholm Act of 1967) was published in the form of a brochure in September 1976.

### *Revision of the Nice Agreement*

*Ad Hoc Committee of Experts.* An ad hoc Committee of Experts for the Revision of the Nice Agreement met in March 1976. Fifteen States members of the Nice Union were represented. One intergovernmental organization and one international non-governmental organization were represented by observers.

Discussions took place on the basis of a document containing proposals by the International Bureau for the revision of Article 3(3) to (6) of the Nice Agreement and of three documents containing comments submitted respectively by Australia, the Soviet Union and Spain on the proposals of the International Bureau.

The ad hoc Committee unanimously proposed that the right of experts, provided for in Article 3(5) of the Nice Agreement, to delegate their powers to the expert of another country should be removed. The ad hoc Committee also unanimously proposed that the right of experts to submit their opinions in writing, provided for in Article 3(5), should be removed and that a provision allowing the Committee of Experts set up under Article 3 of the Nice Agreement to take decisions by correspondence should not be included in the revised Nice Agreement.

While the ad hoc Committee agreed that the unanimity rule provided for in Article 3(3) of the Nice Agreement for decisions by the Committee of Experts when adopting amendments to the International

Classification should be replaced, they were divided on the question whether it should be replaced by a qualified majority of 3/4 or by a higher qualified majority. The ad hoc Committee recommended to the International Bureau that two alternatives—a majority of 3/4 and a majority of 5/6 of the countries present and voting—be provided for in the preparatory documents to be submitted to a diplomatic conference on the Revision of the Nice Agreement. Under both alternatives, all other decisions of the Committee of Experts would require a simple majority of the votes of the countries present and voting.

The ad hoc Committee asked the International Bureau to study further and submit proposals on the question whether authentic English texts of the Nice Agreement and the International Classification should be provided for and on the question of the minimum number of instruments of ratification or accession which should be required for the entry into force of the revised Nice Agreement.

The ad hoc Committee considered the question whether, in respect of decisions on proposals for changes in the International Classification (including in particular amendments and additions) after the entry into force of the revised Nice Agreement, a different procedure should be applied depending on whether the Contracting State concerned was party to the revised Nice Agreement or not. The ad hoc Committee asked the International Bureau to study this matter further and to include appropriate proposals on the question in the preparatory documents for the Diplomatic Conference.

Finally, the ad hoc Committee also noted the views of the International Bureau concerning the further procedure to be followed in the communication of the preparatory documents for the Diplomatic Conference, in the submission of comments on those documents, and in the arrangements for the convening of a further meeting of the ad hoc Committee, if necessary, before the Diplomatic Conference.

*Diplomatic Conference.* The Nice Union Assembly, at its session in September/October 1976, approved the convening in 1977 of a Diplomatic Conference on the revision of the Nice Agreement.

#### *Revision of the Alphabetical List of Goods and Services and the Explanatory Notes of the International Classification*

The Temporary Working Group established by the Committee of Experts set up under the Nice Agreement held three sessions in 1976 (in February, May and October). Seven States and one intergovernmental organization were represented.

The Temporary Working Group continued its review of the Alphabetical List of Goods and Services

with a view to improving the text on the basis of the existing List of Classes but without considering amendments that would involve the transfer of goods or services from one class to another.

This review was carried out in accordance with the principles and the procedure adopted by the Temporary Working Group at its first session in April 1975. After a thorough review of the items concerned, the Temporary Working Group adopted, for submission to the Committee of Experts, a number of proposals for the modification of the Alphabetical List.

The Temporary Working Group found that the classification of certain goods was not correct or that additions should be made to the Alphabetical List and agreed to submit those cases for the consideration of the Preparatory Working Group set up by the Committee of Experts to deal with such matters.

In accordance with the decision taken by the Committee of Experts set up under Article 3 of the Nice Agreement at its session in November 1975, to the effect that the proposals for changes in the Alphabetical List put forward by the Temporary Working Group should be submitted in successive parts to the Governments of the States members of the Committee, the International Bureau circulated in March, June and November 1976 to the said States for comments the proposals adopted by the Temporary Working Group at its sessions.

## **XVII. Lisbon Union**

### *Member States*

At the end of 1976, the number of States members of the Lisbon Union for the Protection of Appellations of Origin and their International Registration was 15 (see Table of Member States, *Industrial Property*, January 1977, p. 12).

### *Acts in Force*

Of the 15 States which were members of the Lisbon Union on December 31, 1976, four were bound by the Lisbon Act (1958) and 11 by the Stockholm Act (1967) of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (see Table of Member States, *Industrial Property*, January 1977, p. 12).

### *Governing Bodies*

The Assembly and the Council of the Lisbon Union met in September/October 1976 during the seventh series of meetings of the Governing Bodies of WIPO

and of the Unions administered by WIPO (see *Industrial Property*, February 1977, pp. 31-32).

#### *Regulations Under the Lisbon Agreement*

At their sessions in September/October 1976, the Assembly and the Council of the Lisbon Union modified the Regulations for Carrying Out the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, principally to take into account the situation created by the entry into force on October 31, 1973, of the Stockholm Act (1967) of the Lisbon Agreement. The Regulations as modified also provide for the possibility of renouncing protection in one or some of the countries party to the Lisbon Agreement and for treating a subsequent request for protection in a given country as a modification rather than as a new international registration.

#### *Statistics*

In 1976, 44 applications for the registration of appellations of origin were filed at the International Bureau. Of these applications, 20 came from Bulgaria, 22 from Czechoslovakia and 2 from France. All of the appellations of origin covered by those applications were registered during 1976.

Since the entry into force of the Lisbon Agreement on September 25, 1966, up to the end of 1976, a total of 647 appellations of origin have been registered. Of these, 19 came from Algeria, 20 from Bulgaria, 18 from Cuba, 106 from Czechoslovakia, 425 from France, 24 from Hungary, 1 from Israel, 25 from Italy, 2 from Portugal and 7 from Tunisia.

#### *Publications*

The Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (Stockholm Act, 1967) was reprinted, together with the Regulations under that Agreement, in English and French, in December 1976.

### **XVIII. Locarno Union**

#### *Member States*

During 1976, the Netherlands deposited its instrument of ratification of the Locarno Agreement

Establishing an International Classification for Industrial Designs and became a member of the Locarno Union for the International Classification for Industrial Designs on March 31, 1977. On that date, the number of States members of the Locarno Union was 16 (see Table of Member States, *Industrial Property*, January 1977, pp. 12-13).

### **XIX. Trademark Registration Treaty (TRT)**

#### *Acceptance*

As of December 31, 1976, three States had acceded to the Trademark Registration Treaty (TRT): Gabon, Togo, Upper Volta. The TRT is not yet in force.

#### *Records of the Diplomatic Conference*

The French edition of the *Records of the Vienna Diplomatic Conference on the Trademark Registration Treaty 1973* was published in July 1976.

#### *Official Texts*

The official text in German of the Trademark Registration Treaty (TRT) was published in April 1976.

#### *Preparatory Work for the Entry Into Force of the TRT*

As recommended by the Trademark Registration Treaty Interim Advisory Committee at its first session in September 1975, the International Bureau prepared for submission to the said Committee at its second session in January 1977, an inventory of the matters to be regulated by the Administrative Instructions under the TRT. These matters include general matters, representation before the International Bureau, the International Register of Marks and recordings therein, publications, notifications and annotations, international registration and later designation, numbers, claiming of color, renewals, fees and the Gazette. The International Bureau also prepared for submission to the TRT Interim Advisory Committee a report on WIPO's past and current activities in the field of development cooperation with respect to the trademark systems of developing countries and an outline of future activities.

## **XX. Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks**

### *Acceptance*

During 1976, the Netherlands deposited its instrument of ratification of the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks. The Vienna Agreement (Classification of Figurative Elements) is not yet in force.

### *Provisional Committee of Experts*

The Provisional Committee of Experts for the International Classification of the Figurative Elements of Marks, set up by a Resolution adopted in 1973 by the Vienna Conference on the International Classification of the Figurative Elements of Marks, held its second session in June/July 1976. Eight States and one intergovernmental organization were represented at the second session.

The task of the Provisional Committee of Experts is to re-examine the International Classification of the Figurative Elements of Marks and prepare, if necessary, draft amendments or additions to be made to the said Classification.

At its first session (in December 1975), the Provisional Committee had adopted a number of proposed amendments and additions to the first 14 categories of the International Classification. At its second session, the Provisional Committee adopted a number of proposed amendments and additions to the remaining 15 categories of the said Classification; in addition, taking into account these proposed amendments and additions, the Provisional Committee adopted a certain number of modifications to the proposals concerning the first 14 categories. Finally, the Provisional Committee noted that the International Bureau reserved the right, prior to submission of the Classification resulting from the proposals to the Committee of Experts, to make necessary corrections, notably with a view to adapting the references to categories, divisions and sections to the proposals decided upon by the Provisional Committee in order to remove any obvious errors or to ensure uniformity in the wording.

## **Plant Varieties**

### **International Union for the Protection of New Varieties of Plants in 1976**

#### *Membership*

At the end of 1976, the International Union for the Protection of New Varieties of Plants (UPOV) consisted of the following seven member States: Belgium, Denmark, France, Germany (Federal Republic of), Netherlands, Sweden, United Kingdom. Belgium deposited, on November 5, 1976, its instrument of ratification of the International Convention for the Protection of New Varieties of Plants and became a member of UPOV as from December 5, 1976. On October 6, 1976, the Republic of South Africa made a request for accession to the UPOV Convention. In November 1976, the Council of UPOV gave a favorable decision on this request. However, the Republic of South Africa has not yet deposited its instrument of accession.

The Additional Act of November 10, 1972, amending the UPOV Convention has not yet entered into force. By the end of 1975, Denmark, France and Sweden had deposited instruments of ratification of the Additional Act. During 1976, instruments of ratification of the Additional Act were deposited by the Federal Republic of Germany (on July 23, 1976) and Belgium (on November 5, 1976).

#### *The Council and the Consultative Committee*

During 1976 the various bodies of UPOV met as listed below (unless otherwise indicated, the sessions took place in Geneva).

The *Council* held three sessions: the second extraordinary session on March 11, 1976, the tenth ordinary session from October 13 to 15, 1976, and the third extraordinary session on November 16 and 17, 1976. The tenth ordinary session of the Council was attended by observers from signatory States (Belgium

and Switzerland) and from a number of other interested non-member States, namely Austria, Canada, Hungary, Ireland, Japan, Luxembourg, New Zealand, Poland, Senegal, South Africa, Spain and the United States of America. The following decisions were taken, inter alia, by the Council:

(i) the Council approved amendments to the Rules of Procedure for Technical and Administrative Cooperation between UPOV and WIPO and to the Administrative Regulations of UPOV;

(ii) it approved the annual report and accounts for 1975 and established the program and budget for 1976;

(iii) it agreed unanimously to hold the next Diplomatic Conference for revising the UPOV Convention in October 1978;

(iv) it noted with approval the statement concerning Article 7 of the UPOV Convention formulated by the UPOV Committee of Experts on the Interpretation and Revision of the Convention. The statement gives an interpretation of the word "examination" as used in the said Article;

(v) it delegated the power to adopt the UPOV Model Form for the Application for Plant Breeders' Rights and the UPOV Model Form for the Application for a Variety Denomination to the UPOV Committee of Experts on International Cooperation in Examination;

(vi) it adopted in principle the Model for Technical Questionnaires prepared by the UPOV Technical Steering Committee, as well as the Model for Reports on Technical Examination to be used for the exchange of examination reports agreed upon under bilateral agreements based on the UPOV Model Agreement for International Cooperation in the Testing of Varieties.

The *Consultative Committee* held its thirteenth session on March 10 and 11, 1976, and its fourteenth session on October 12 and 15, 1976. In these sessions, it prepared the work of the Council.

#### *Committees of Experts*

The *Committee of Experts on the Interpretation and Revision of the Convention* held its third session from February 17 to 19, 1976, and its fourth session from September 14 to 17, 1976. In both sessions, the Committee considered proposals for the revision, or a more flexible interpretation, of those provisions of the UPOV Convention which could constitute obstacles to the accession of further States to UPOV.

The *Committee of Experts on International Cooperation in Examination* held its fifth session on May 5, 1976, and its sixth session on November 16 and 17, 1976. During both sessions, the Committee discussed the draft Model Forms for the Application for Plant Breeders' Rights and the draft Model Form for the

Application for a Variety Denomination. During its sixth session, it adopted both forms. The Committee also noted that, as a result of the adoption of the UPOV Model Agreement for International Cooperation in the Testing of Varieties, bilateral agreements on cooperation in examination had been concluded by mid-November 1976, between France and Germany (Federal Republic of), France and Sweden, and the Netherlands and the United Kingdom. Further bilateral agreements were in the course of preparation. In both sessions, the Committee also discussed the fees to be charged to breeders and, during its fifth session, recommended to the Council that a fee of at least 1,350 Swiss francs be charged for a normal examination (lasting two years or growing periods) of a new plant variety of cereals or of another comparable crop. Furthermore, the Committee discussed the exchange of examination reports and noted that, as of June 1, 1976, a total of 543 examination reports had been exchanged between the different officers of the member States. In this connection, the Committee updated the list of genera and species for which the national offices were ready to discuss with other national offices the conclusion of bilateral agreements concerning cooperation in examination.

#### *Technical Meetings*

The *Technical Steering Committee* held its eighth session on May 6 and 7, 1976, and its ninth session from November 17 to 19, 1976. The Committee had detailed discussions on the methods applied in the different member States with respect to data recording and interpretation. During its eighth session it adopted two Test Guidelines and during its ninth session 20 further Test Guidelines. Furthermore, the Committee discussed the layout and the contents of the Technical Questionnaires for different species in general and approved such forms for those species for which Test Guidelines had already been adopted. In addition, the Committee discussed and approved, on the authorization of the Council, a UPOV Model for Reports on Technical Examination. Finally, the Committee discussed problems associated with the grouping of colors, the determination and wording of simple symmetrical plane shapes and the use of DDT for testing barley varieties.

The *Technical Working Party for Agricultural Crops* held its fifth session from May 24 to 26, 1976, at Menstrup (Denmark). During this session, it finalized draft Test Guidelines for Bent, Cocksfoot, Kentucky Bluegrass, Timothy, Meadow Fescue and Tall Fescue, Common Vetch, Barley and Oats, and draft revised Test Guidelines for Wheat (*Triticum aestivum*). In addition, it commenced the revision of the Test Guidelines for Ryegrass, Red Clover and Lucerne,

discussed draft Test Guidelines for White Clover and Rape and prepared draft Test Guidelines for Turnip, which were finalized in September 1976, in cooperation with the Technical Working Party for Vegetables.

The *Technical Working Party for Forest Trees* held its fourth session from August 17 to 19, 1976, at Hørsholm (Denmark). During this session, it rediscussed and finalized the draft Test Guidelines for Poplar and had first preliminary discussions on the establishment of draft Test Guidelines for Picea.

The *Technical Working Party for Fruit Crops* held its seventh session from June 16 to 18, 1976, at Hanover (Federal Republic of Germany). During this session, the Working Party finalized draft Test Guidelines for Cherries, Black Currants and Raspberries and worked on the draft Test Guidelines for European Plums. It also established first drafts of Test Guidelines for Vines, Gooseberries, Red and White Currants and Peach and started discussing working papers for draft Test Guidelines for Apricots.

The *Technical Working Party for Ornamental Plants* held its ninth session from May 12 to 14, 1976, at Melle (Belgium). During this session, the Working Party finalized the draft Test Guidelines for Rhododendron and established the first drafts of Test Guidelines for Alstroemerias, Streptocarpus and Chrysanthemum. It also discussed problems associated with the determination of colors.

The *Technical Working Party for Vegetables* held its eighth session from March 23 to 25, 1976, at Wageningen (Netherlands), and its ninth session from September 21 to 23, 1976, at Cambridge (United Kingdom). During its eighth session, the Working Party finalized the draft Test Guidelines for Tomato and established first drafts of Test Guidelines for Cabbage, Carrots, Cauliflower and Onion. It also discussed working papers for the establishment of draft Test Guidelines for Turnip and Spinach. During its ninth session, the Working Party finalized draft Test Guidelines for Cabbage, Carrots, Cauliflower and Onion and, in cooperation with the Technical Working Party for Agricultural Crops, draft Test Guidelines for Turnip. It also established first drafts of Test Guidelines for Spinach and Brussels Sprouts.

The *Working Group on Variety Denominations* held its ninth session on September 16, 1976, jointly with the meeting of the Committee of Experts on the Interpretation and Revision of the Convention. During this session, the Working Group discussed the provisions of Article 13 of the Convention. The Working Group also discussed the UPOV Guidelines for Variety Denominations and proposed several amendments to them.

### *Relations with Non-Member States*

The *President of the Council of UPOV* and the *Vice Secretary-General* accompanied a group consisting of officers of the US Patent and Trademark Office and the US Plant Variety Protection Office as well as private breeders of the United States of America on the occasion of a visit to the national authorities, and in one case to a private plant-breeding station, in the United Kingdom, the Netherlands, the Federal Republic of Germany and France in October 1976. The visit closed with a meeting at the headquarters of UPOV in Geneva. During this visit, the paramount subject of discussion was the possibility of the United States of America's accession to UPOV.

### *Publications*

During 1976, the Office of the Union continued the publication of the UPOV Newsletter with four issues published in January, May, August and November, respectively.

## **Member States, as on January 1, 1977, of the International Union for the Protection of New Varieties of Plants (UPOV)**

**Founded by the International Convention for  
the Protection of New Varieties of Plants of  
December 2, 1961, amended by the Additional Act  
of November 10, 1972<sup>1</sup>**

Member State	Starting date of membership of the Union
Belgium <sup>2</sup> .....	December 5, 1976
Denmark <sup>2</sup> .....	October 6, 1968
France .....	October 3, 1971
Germany, Federal Republic of <sup>2</sup>	August 10, 1968
Netherlands .....	August 10, 1968
Sweden <sup>2</sup> .....	December 17, 1971
United Kingdom .....	August 10, 1968
(Total: 7 States)	

<sup>1</sup> The Additional Act of November 10, 1972, had not yet entered into force by the end of 1976.

<sup>2</sup> This State has ratified the Additional Act of November 10, 1972, which was, however, not yet in force by the end of 1976.

## International Convention for the Protection of New Varieties of Plants

### I. Ratification of the Additional Act

#### NETHERLANDS

The Government of the Netherlands deposited on January 12, 1977, its instrument of ratification of the Additional Act of November 10, 1972, amending the International Convention for the Protection of New Varieties of Plants, signed at Paris on December 2, 1961.

The Netherlands will belong to Class IV for the purpose of establishing its contribution towards the budget of the International Union for the Protection of New Varieties of Plants (UPOV).

The date of entry into force of the Additional Act is the subject of a separate Notification (see UPOV Notification No. 8, below).

UPOV Notification No. 7, of February 11, 1977.

### II. Entry Into Force of the Additional Act

The Additional Act of November 10, 1972, amending the International Convention for the

Protection of New Varieties of Plants, signed at Paris on December 2, 1961, entered into force on February 11, 1977.

It is recalled that, of the seven States members of UPOV (Belgium, Denmark, France, Germany (Federal Republic of), the Netherlands, Sweden and the United Kingdom), six States deposited instruments of ratification of the Additional Act on the following dates:

January 11, 1973, by Sweden  
 February 8, 1974, by Denmark  
 January 22, 1975, by France  
 July 23, 1976, by Germany (Federal Republic of)  
 November 5, 1976, by Belgium  
 January 12, 1977, by the Netherlands.

In accordance with Article VI, paragraph (1), of the Additional Act, and as provided in Article 27, paragraph (4), of the International Convention, the Additional Act entered into force, with respect to the said six States, on February 11, 1977, that is, thirty days after the deposit of the last of the required instruments of ratification of five-sixths of the member States of UPOV.

UPOV Notification No. 8, of February 11, 1977.

## WIPO Meetings

### TRADEMARK REGISTRATION TREATY (TRT)

#### Interim Advisory Committee

Second Session  
 (Geneva, January 25 to 28, 1977)

#### Note\*

The Interim Advisory Committee for the preparation of the entry into force of the Trademark Registration Treaty (TRT) held its second session<sup>1</sup> in Geneva from January 25 to 28, 1977.

Fourteen of the 21 States members of the Committee<sup>2</sup> were represented on the Committee and four

other member States of the Paris Union, the United Nations and six non-governmental organizations sent observers. A list of participants follows this Note.

The Committee began by discussing the Administrative Instructions according to Rule 46(1) (a) of the Regulations under the TRT on the basis of two documents prepared by the International Bureau and the Patent and Trademark Office of the United States of America, respectively, which drew up an inventory of matters to be regulated by the Administrative Instructions. Following a detailed discussion, the Committee invited the International Bureau to draw up a first draft of the Administrative Instructions for the next session, giving it the possibility, if it thought this necessary, of using the services of consultants placed at its disposal by any of the countries represented on the Committee.

The Committee then discussed the establishment of forms to be used under the TRT and the problems involved in the possible use of computers not only by the International Bureau but also at a number of

\* This Note has been prepared by the International Bureau.

<sup>1</sup> A Note on the Committee's first session (September 1975) was published in *Industrial Property*, 1976, p. 81.

<sup>2</sup> For the composition of the Committee, see the Note on its first session.

national offices which already manage their domestic trademark systems by computer or intend to do so. The Committee concluded that the International Bureau should already commence with the preparation of forms for the TRT procedures, giving high priority, in particular, to establishing forms for the international application and the demand for renewal of the international registration. The forms to be prepared should take into account the requirements of computerization but should also be usable for manual systems; they should be so designed that they could also be used, where applicable and possible, for Madrid Agreement and national procedures. It was desirable in principle to envisage computerization of the operations under the TRT to a degree that was technically possible and economically reasonable; before taking any decision in the matter, a study by the International Bureau was required, which should take into account the results of the work of the Committee of Experts for the Computerization of Trademark Operations.

The discussions then moved to development cooperation activities for developing countries on the basis of a document submitted by the International Bureau setting out past and present activities in this field and actions which could be taken in the future. The delegations' reports on their experience gave rise to a most constructive exchange of views. The Committee concluded by giving its full support to the development cooperation program outlined in the document and urging WIPO to continue its implementation in cooperation with the member States.

Finally, the Committee dealt with the prospects for ratification of the TRT or accession to it. All the delegations reported on the situation in their countries. Despite the fact that all expressed great interest in the TRT, their statements showed that ratification by their respective countries and entry into force of the TRT for them would still take some time. The Secretariat nevertheless drew attention to the fact that three developing countries (Gabon, Upper Volta and Togo) had already acceded to the TRT and that consequently only a further two ratifications or accessions were needed for it to enter into force, meaning that the interim work on the drafting of the Administrative Instructions and the assistance to developing countries would have to be pursued without too much delay. In winding up its session, the Committee agreed that the interim work was of great importance to States interested in ratifying or acceding to the TRT and that the decisions of those States would depend on the results of that work, which therefore should not be unduly delayed.

## List of participants\*

### I. States

**Austria:** E. Dudeschek. **Denmark:** R. Carlsen; I. Sander. **Germany (Federal Republic of):** G. Heil; B. A. Pagenberg. **Hungary:** M. Bognár. **Italy:** S. Samperi. **Japan:** Y. Sekimoto; T. Yoshida. **Norway:** M. Aarbakke; A. Kaarhus; J. Smith. **Portugal:** R. Serrão. **Romania:** R. Susan. **Soviet Union:** I. Vedernikova; S. Gorlenko. **Spain:** E. J. Rua Benito; J. Ruiz del Arbol. **Sweden:** A. Knutsson; B. Lundberg; O. Ohlson; A. H. Olsson. **United Kingdom:** A. J. Needs; R. A. Pittock; D. Cecil. **United States of America:** B. A. Meany; D. B. Allen.

### II. Observer States

**Cameroon:** A. Ndoung. **Central African Empire:** E. L. Bayangha. **Senegal:** P. Crespin. **Switzerland:** F. Balley.

### III. United Nations

**United Nations:** D. Chudnovsky.

### IV. Non-Governmental Organizations

**International Association for the Protection of Industrial Property (IAPIP):** G. E. Kirker. **International Chamber of Commerce (ICC):** Y. Saint-Gal. **International Federation of Patent Agents (FICPI):** A. Kolster. **International League Against Unfair Competition (LICCD):** Y. Saint-Gal. **Institute of Trade Mark Agents (ITMA):** E. R. Wenman. **Union des fabricants (UNIFAB):** Y. Saint-Gal; A. Thrierr.

### V. WIPO

K. Pfanner (*Deputy Director General*); L. Baeumer (*Director, Industrial Property Division*); L. Egger (*Head, International Registrations Division*); F. Curchod (*Head, Special Projects Section, Industrial Property Division*); C. Werkman (*Head, Trademark and Design Classification Section, International Registrations Division*); P. Maugué (*Head, Trademark and Registrations Section, International Registrations Division*); A. Ilardi (*Legal Officer, Special Projects Section*).

### VI. Officers

**Chairman:** R. Carlsen (Denmark). **Vice-Chairmen:** B. Meany (United States of America); R. Susan (Romania). **Secretary:** F. Curchod (WIPO).

\* A list containing the titles and functions of the participants may be obtained from the International Bureau.



## Activities of Other Organizations

### International Association for the Protection of Industrial Property

Executive Committee  
(Montreux, September 26 to October 2, 1976)

#### Introduction

The Executive Committee of the International Association for the Protection of Industrial Property (IAPIP) met in Montreux (Switzerland) from September 26 to October 2, 1976. Approximately 170 participants from about 40 countries participated in the meeting.

The World Intellectual Property Organization (WIPO) was represented by Mr. L. Baeumer (Head, Industrial Property Division).

The essential contents of the resolutions adopted by the Executive Committee are reproduced below:<sup>1</sup>

### Resolutions Adopted

#### QUESTION 37

#### Incidence of Industrial Property Rights on the National or International Provisions Guaranteeing Free Competition

##### I. Resolution

*Whereas* the adequate protection of industrial property rights, compatible with the rules relating to competition, is indispensable to assure economic and technical progress and protection of the public interest;

*Having considered* the report of its Committee;  
The IAPIP

1. *adopts* the guidelines proposed in the Report;
2. *decides* to continue the general study of Question 37, and, in particular, provisions in license agreements concerning industrial property rights;
3. *decides* to engage in a study of definitions of the specific objects of the different industrial property rights in regard to rules relating to competition.

<sup>1</sup>For the Resolutions adopted at the XXIXth Congress of IAPIP, held in San Francisco in 1975, see *Industrial Property*, 1975, p. 321.

#### II. General Statement

Study of the present question has led the Committee to the conclusion that it is necessary to define the specific objects of the different industrial property rights, more particularly the essential characteristics of these rights in regard to rules relating to competition.

The rules relating to competition should not interfere with the exercise of industrial property rights when their exercise is in accordance with the specific objects of the law of industrial property.

With respect to the Common Market, this principle flows from Article 36 of the Treaty of Rome, and it should receive its full and entire application without being diminished, neither by reason of the principle of free circulation of products nor by reason of Articles 85 and 86 of the Treaty of Rome.

Consequently, the Committee believes that the study of the definition of these objects should be continued in cooperation with the studies of other Committees of the IAPIP concerned with defining these objects, notably the Committees dealing with Questions 67 (Revision of the Paris Convention) and 68 (Economic Significance, Functions and Purposes of the Trademark).

#### III. Guidelines Concerning License Agreements

The Committee has examined some typical provisions of license agreements.

The following are among those which should not be objectionable under the rules relating to competition:

##### (A) Patents

1. A restriction of the license to the production of the patented product while excluding the sale or the distribution thereof by the licensee.
2. A restriction of the license in respect of the field of application of the patented invention.
3. Grant of an exclusive license which prohibits the patentee from licensing a third party. The patentee may also agree not to work the patent himself.
4. A prohibition against export of a patented product from the territory covered by the patent to another territory based on the fact that the patentee owns in the other territory a patent that would be infringed. But exception is made to this principle of

territoriality inside the Common Market where a product is put on the market under a patent in a country which is a member of the Common Market, in view of the uniform character of this Market in which the principle of exhaustion applies.

5. A tying clause requiring the licensee to obtain supplies from a given source, when justified for implementation of the license agreement.

6. A commitment to pay royalties in relation to a period after expiry of the patent if the license agreement includes additional subject matter, such as, for example, communication of know-how to the licensee. In this case it should be made clear in the license agreement what compensation is payable for the additional subject matter, such as know-how.

7. A requirement that the licensee grant to the patentee a nonexclusive license on the inventions or improvements made by the licensee in connection with use of the licensed patent.

8. A prohibition against granting sub-licenses.

#### (B) Know-How

1. Restriction designed to maintain the confidential character of know-how covered by license agreement. Such restriction should be valid both for the duration of the agreement and after termination of the agreement.

2. A tying clause requiring the licensee to obtain supplies from a given source, where justified for implementation of the license agreement.

3. A requirement that the licensee disclose and grant to the licensor a nonexclusive license for developments or improvements made by the licensee in connection with the licensed know-how.

Where a license agreement covers both a patent and know-how relating thereto, the guideline in respect of patent license agreements shall still apply to the patent provisions of the agreement.

#### (C) Trademarks

1. Grant of an exclusive license which prohibits the licensor from licensing a third party to use the mark. The licensor may also agree not to use the mark himself.

2. A restriction on the duration of the license.

3. A restriction on the products to be distributed in association with the trademark.

4. A tying clause requiring the licensee to obtain supplies from a given source, where justified, for implementation of the license agreement, and especially to protect the trademark or to assure quality.

5. A prohibition against granting sub-licenses.

With regard to the license agreement, appropriate steps should be taken to prevent deception of the public.

#### QUESTION 45

### Value of Industrial Property for Technical Development and Economic Progress

The IAPIP,

*convinced* of the value of industrial property in assisting the transfer of technology through the protection it provides to the owners of the technology;

*fully supports* WIPO's work on a Model Law for Patents. The Model Law should be based on the established patent system on which there has been very many years of experience, possibly supplemented by other types of known industrial property, i.e., inventors' certificates and patents of confirmation;

*accepts* that these types of industrial property may not be fully suitable for conditions in some countries and fully supports WIPO's further study of new types of industrial property, particularly the Transfer of Technology Patent (TTP), but with the important proviso that some years of practical experience of its use will be necessary before a detailed Model Law can be established with confidence in its workability. Important factors in favor of TTP's are: (i) that they can fulfill a need not met by the established patent system, i.e., they provide a possibility for late filing at a time when technology is to be transferred; and (ii) that they involve national enterprises which may thereby become convinced of the value of industrial property generally.

#### QUESTION 56

### Protection of Industrial Property in the Field of Microbiology

The IAPIP

*confirms* the resolution it adopted at the San Francisco Congress;

*charges* the Special Committee to prepare a plan for further work, based on the results of the Diplomatic Conference of WIPO;

*invites* its members to exercise their influence with the representatives of their countries at the Diplomatic Conference so that the resolution of the IAPIP will be taken account of;

*charges* the Council of Presidents of Munich to pursue the study of the question.

#### QUESTION 57

### Protection of Computer Programs

The IAPIP

*commends* the work accomplished by WIPO on this question;

*invites* WIPO to continue its study both in relation to the Model Law and an International Treaty on the protection of computer software;

*instructs* the Chairman of the Special Committee, assisted by his Co-Chairman, to represent the IAPIP at the next meeting of the WIPO Advisory Group and to convey to that Group the views and recommendations arising out of its Montreux meeting.

#### QUESTION 62

### **International Protection of Appellations of Origin and Indications of Source**

The IAPIP,

after having considered the Draft Treaty on the Protection of Geographical Indications prepared by the International Bureau of WIPO (TAO/II/2) and the report adopted by the Committee of Experts of December 1975 (TAO/II/6),

*pays homage* to the quality of the work accomplished by WIPO in a very short period of time;

*is pleased* to verify that this draft reflects, in its concepts, the main features of the solutions proposed by the IAPIP at Melbourne in 1974 and at San Francisco in 1975;

*reaffirms* the necessity of granting effective protection, at national and international levels, to all forms of geographical indications including not only appellations of origin but equally indications of source, and

*requests* the International Bureau of WIPO and the governments of member States of the Convention of the Union of Paris to continue their efforts to the end of concluding a new Treaty on the protection of geographical indications.

With respect to the Draft Treaty prepared by WIPO:

The IAPIP

1. *therefore approves* the broad definition of geographical indications including:

- on the one hand, indications of source in all their forms, as defined by Article 2 (ii) of the draft;
- on the other hand, appellations of origin, as defined by Article 2 (iii);

*but* makes a reservation about the fact that the definition of indications of source provides that they may apply not only to products but equally to *services*;

2. *approves* the principle of the division of the Treaty into two parts, the first of which deals with the protection of geographical indications in general and the second of which is limited to geographical indications which have been registered, because this principle permits the provision that each State will

be free to adhere either to the entire Treaty, or only to the first part, in accordance with the opinion expressed by the IAPIP at San Francisco in 1975;

3. *approves* in its general principles Chapter I (Article 4) of the Draft Treaty in that it extends and reinforces the general arrangements against the use of geographical indications which are false or deceptive; *but considers* that paragraphs (2), (3) and (4) of Article 4 require further study to avoid the possibility that rules which are too restrictive might prevent certain States from subscribing to the provisions of Chapter I.

*With respect to Chapter II*, instituting new provisions for the international registration of geographical indications and the resulting protection,

The IAPIP

1. *is pleased* to confirm that this Chapter conforms with the opinions it expressed at Melbourne in 1974 and San Francisco in 1975 and that it deals both with the elimination of certain restrictive conditions imposed by the Lisbon Agreement and with the institution of a more flexible registration procedure and the application of the rules of protection by the national courts;

2. *approves* the principle of adopting, as in Article 8, a limited list of the grounds on which States may object to an application for registration, *but confirms* that a general consensus could not be reached with regard to the contents of this list, particularly with respect to pre-existing rights such as trademarks, commercial names, etc., nor with respect to the provisions of Article 16 concerning such pre-existing rights,

*and confirms* its recommendation concerning the possibility of a State adhering solely to the first part of the contemplated Treaty;

3. *approves* the fact that Chapter II is intended to succeed the Lisbon Agreement which will continue to have effect between two member States with respect to appellations of origin registered in accordance with its provisions before the date of the entry into force of the new Treaty between those two States, while the new Treaty will apply to geographical indications registered or re-registered after that date.

#### QUESTION 67

### **Revision of the Paris Convention**

#### *On the Draft General Declaration*

The IAPIP considers

1. that the text drafted by the Group of Experts in December 1975 is unacceptable if it is to become a preamble to the Paris Convention;

2. that this text could serve only as Guidelines for the next Diplomatic Conference for the Revision of the Paris Convention;

3. that no preamble of any kind should be introduced into the Paris Convention;

4. that, however, if it were decided to introduce a preamble into the Convention, the text of this preamble should be sufficiently general to embrace all objectives of industrial property.

#### *On Preferential Treatment (Article 2 of the Convention)*

##### The IAPIP

1. decides formally in favor of maintaining the basic principle of Article 2, which is the foundation of the Convention;

2. is opposed to the extension of the term of priority in favor of developing countries. In fact, the extension is not necessary, taking into account the advantages conferred by the PCT, and would in practice only lead to inextricable difficulties in the various countries of the Union;

3. is opposed to the reduction of fees favoring nationals of developing countries, and confirms its London Resolution (1975) accepting that countries may allow for a difference in the level of the fee, but taking into account solely the resources of the applicant and not his nationality.

#### *On the Definition of the Patent*

##### The IAPIP

1. recommends the introduction into the Convention of a definition of the patent of invention;

2. decides to continue with the study of the question on the basis of the following principles:

a) the definition of patentability adopted by the IAPIP at the Berlin Congress;

b) the right conferred by the patent is an exclusive and temporary right of exploitation; this right should run for a reasonable minimum time;

c) the definition should be precise, so as to clearly distinguish the patent from other titles of protection, and in particular from the inventor's certificate.

#### *On Working*

##### The IAPIP

1. states that the excuses that the patentee can invoke to justify non-working of his patent under the terms of Article 5(4) include also economic reasons;

2. confirms its traditional position according to which revocation of the patent should not be the main sanction for non-working or insufficient working;

proposes to institutionalize the obligation to have friendly negotiations before any sanction;

3. envisages the institution of a compulsory temporary and nonexclusive license of importation in favor of developing countries as long as the protected invention is not exploited in the country;

4. is opposed to the compulsory license having an exclusive character.

#### *On the Inventor's Certificate*

##### The IAPIP

1. confirms its Tokyo Resolution (1966) under the terms of which the inventor's certificate must be considered as an industrial property title, and recognized as such within the Convention by reason of the Union's universality;

2. recognizes that from the viewpoint of legal mechanics, it is not possible to provide for a total assimilation of the inventor's certificate to the patent of invention, due to the difference existing between the two titles, notably as far as the rights conferred are concerned (the problem is, however, one of drafting and the study should be continued);

3. accepts that for economic reasons the nationals of the countries which issue patents must be able to choose between the certificate and the patent in those countries which issue inventor's certificates.

Article 4(i), introduced into the Convention at Stockholm, is therefore a useful provision.

A conciliation on this subject must be sought.

#### *On Time Limits for Exploiting Marks*

##### The IAPIP

1. considers that it is not up to Convention law to impose upon the countries that they require use of the mark and that they provide for the revocation in cases of non-use;

2. considers that the present text of Article 5C(1) of the Convention should not be amended but notes that this Article, which requires a "reasonable period" to organize the use of the mark, does not fix the duration of this period.

The IAPIP considers that the minimum period could be fixed at 5 years.

#### *On the Abrogation of Article 6bis (Well-Known Marks)*

The IAPIP considers that Article 6bis of the Convention should be retained since the protection which it institutes in favor of the public benefits not only the nationals of developing countries but also those of industrialized countries.

*On Compulsory Licenses for Trademarks*

The IAPIP considers that compulsory licenses for trademarks should be refused and that a particular rule in this sense should be introduced into the Convention to avoid contrary interpretations being given to the Convention, in view of its silence on this subject.

*On the Independence of Trademarks*

The IAPIP considers that the independence of trademarks should be maintained.

*On the Conflict Between a Trademark and a Geographical Name*

The IAPIP

1. reaffirms the interest and the value of geographical names, particularly for less industrialized countries, and it decides to continue the study of the question of conflict between trademarks and geographical names;

2. expresses the wish that Article 10bis(3) of the Convention, listing the acts of unfair competition that the States agree to prohibit, be completed by a provision concerning the use of geographical names as trademarks where this use is liable to deceive the public on the source of the product.

*On Industrial Designs*

The IAPIP

1. confirms the definition of industrial designs

worked out in the Berlin (1963) and Tokyo (1966) Congresses;

2. rejects the proposal to revoke Article 5quinquies of the Convention, which requires that member countries protect industrial designs;

3. is opposed to any system of compulsory licensing of industrial designs; such licenses are not justified, since industrial designs protect only the form or the new aspect of an object and not its functional features;

4. affirms that any forfeiture of industrial designs which is excluded by Article 5B of the Convention cannot be justified since it conflicts with the object of the right; the product can always be made and marketed under a different aesthetic or decorative form.

*On the Majority Required for the Adoption of Decisions of the Revision Conference*

The IAPIP

1. considers that the unanimity rule could be replaced by that of a highly qualified majority;

2. but considers that this amendment can only be envisaged after examination of the consequences resulting from Article 27(3) of the Convention.

*On Service Marks*

The IAPIP favors an amendment of Article 6sexies of the Paris Convention to provide for the registration of service marks.

## News Items

### MEXICO

#### *Director General of Inventions and Marks*

We have been informed that Mr. Eusebio Artaloitia Uría has been appointed Director General of Inventions and Marks. He succeeds Mr. Rafael de Pina Vara.

## Book Reviews

**Droit de la propriété industrielle**, by A. Chavanne and J.-J. Burst. Précis Dalloz, Paris, 1976. — 526 pages.

All our readers are familiar with the reputation of Professors Albert Chavanne, Director of the Paul Roubier Center at Lyon, and Jean-Jacques Burst, Director General of the Center for the International Study of Industrial Property at Strasbourg. Likewise, all French-speaking jurists are familiar with and use the Dalloz Summaries, the contents of which are always presented in a clear and concise manner. It is therefore superfluous to say that the work of Professors Chavanne and Burst presents the law of industrial property in a manner which is, at the same time, absolutely complete, extremely clear and remarkably concise.

This summary of course covers the entire law of industrial property but emphasizes—since it is primarily directed at the French jurist—the French system on the national level, and the Convention law of the Paris Union and its Agreements and the Community law on the international level. This law is divided into

two large parts, the first part covering industrial creations (patents of invention and neighboring rights, including know-how, trade secrets and plant varieties, and industrial designs), and the second dealing with distinctive signs (trademarks, commercial names, signs and titles, appellations of origin and indications of source). Each specific area of law is presented in all its aspects (granted rights, procedures for the grant of title, privileges and obligations of the holder of title, violation of the right, relationship between the law in question and the law on competition, related rights, etc.). Of course, references to the relevant legislative texts, judgments and treatises are provided for each specific point.

These few preceding remarks, as limited as they are, will suffice to point out the extreme importance of this work, which will prove indispensable to the student as well as to the theoretician or practitioner of industrial property.

GRW

## Calendar

### WIPO Meetings

(Not all WIPO meetings are listed. Dates are subject to possible change.)

#### 1977

**April 14 to 28 (Budapest) — Diplomatic Conference for the Conclusion of a Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure**

**April 18 to 22 (Geneva) — Nice Union — Temporary Working Group on the Alphabetical List of Goods and Services**

**April 25 to 29 (Geneva) — International Patent Classification (IPC) — Working Group V**

**April 25 to 29 (Geneva) — ICIREPAT — Technical Committee for Search Systems (TCSS)**

**May 2 to 6 (Geneva) — ICIREPAT — Technical Committee for Standardization (TCST)**

**May 4 to 13 (Geneva) — Nice Union — Diplomatic Conference on the Revision of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks**

**May 11 to 13 (Geneva) — Paris Union — Ad hoc Coordinating Committee for Technical Activities**

**May 16 to 27 (Moscow) — International Patent Classification (IPC) — Working Group IV**

**May 23 to 27 (Rabat) — Development Cooperation — Seminar on Copyright intended for Arab Countries**

*Note: Meeting convened jointly with Unesco*

**June 1 to 3 (Geneva) — Paris Union — Advisory Group on Computer Software**

**June 6 to 17 (Paris) — International Patent Classification (IPC) — Working Group I**

**June 13 to 17 (Paris) — Berne Union — Working Group on Cable Television**

*Note: Meeting convened jointly with Unesco*

**June 20 to 24 (Geneva) — Development Cooperation — Working Group on the Model Law for Developing Countries on Inventions and Know-How**

**June 20 to July 1 (Washington) — International Patent Classification (IPC) — Working Group II**

**June 27 to July 1 (Geneva) — Nice Union — Temporary Working Group on the Alphabetical List of Goods and Services**  
**June 29 to July 8 (Geneva) — Paris Union — Preparatory Intergovernmental Committee on the Revision of the Paris Convention**  
**September 21 to 23 (Geneva) — ICIREPAT — Plenary Committee**  
**September 26 to October 4 (Geneva) — WIPO Coordination Committee; Executive Committees of the Paris and Berne Unions; Assembly and Committee of Directors of the Madrid Union**  
**October 10 to 18 (Geneva) — Patent Cooperation Treaty (PCT) — Interim Committees**  
**October 17 to 28 (London) — International Patent Classification (IPC) — Working Group III**  
**October 24 to 28 (Geneva) — ICIREPAT — Technical Committee for Search Systems (TCSS)**  
**October 24 to November 2 (Geneva) — Nice Union — Temporary Working Group on the Alphabetical List of Goods and Services**  
**November 7 to 11 (Geneva) — Development Cooperation — Working Group on the Model Law for Developing Countries on Trademarks**  
**November 7 to 11 (Paris) — ICIREPAT — Technical Committee for Standardization (TCST)**  
**November 14 to 21 (Geneva) — International Patent Classification (IPC) — Steering Committee**  
**November 14 to 25 (Geneva) — Paris Union — Preparatory Intergovernmental Committee on the Revision of the Paris Convention**  
**November 22 to 25 (Geneva) — International Patent Classification (IPC) — Committee of Experts**  
**November 28 to December 6 (Paris) — Berne Union — Executive Committee — Extraordinary Session**  
**December 7 to 9 (Geneva) — International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations — Intergovernmental Committee — Ordinary Session (organized jointly with ILO and Unesco)**  
**December 9 (Geneva) — Berne Union — Working Group on the Rationalization of the Publication of Laws and Treaties in the Fields of Copyright and Neighboring Rights**

### 1978

**February 15 to 24 (Paris) — Berne Union — Committee of Governmental Experts on Double Taxation of Copyright Royalties**  
*Note: Meeting convened jointly with Unesco*  
**September 25 to October 2 (Geneva) — WIPO Coordination Committee; Executive Committees of the Paris and Berne Unions**

### 1979

**September 24 to October 2 (Geneva) — WIPO General Assembly, Conference and Coordination Committee; Assemblies of the Paris, Madrid, Hague, Nice, Lisbon, Locarno, IPC and Berne Unions; Conferences of Representatives of the Paris, Hague, Nice and Berne Unions; Executive Committees of the Paris and Berne Unions; Committee of Directors of the Madrid Union; Council of the Lisbon Union**

## UPOV Meetings in 1977

**Council:** December 6 to 9

**Consultative Committee:** December 5 and 9

**Technical Steering Committee:** May 16 to 18; November 15 to 17

**Committee of Experts on International Cooperation in Examination:** May 17

**Committee of Experts on the Interpretation and Revision of the Convention:** September 20 to 23

**Working Group on Variety Denominations:** in the time between September 20 to 23

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

**Technical Working Party for Fruit Crops:** May 10 to 12 (Madrid - Spain)

**Technical Working Party for Agricultural Crops:** May 24 to 26 (Hanover - Federal Republic of Germany)

**Technical Working Party for Ornamental Plants:** June 7 to 9 (Wageningen - Netherlands)

**Technical Working Party for Forest Trees:** June 14 to 16 (Orleans - France)

**Technical Working Party for Vegetables:** September 6 to 8 (Aarslev - Denmark)

## Meetings of Other International Organizations Concerned with Intellectual Property

### 1977

**May 1 to 4 (Amsterdam) — Union of European Patent Attorneys — Congress and General Assembly**

**May 4 and 6 (New York) — International Confederation of Societies of Authors and Composers — Legal and Legislation Committee**

**May 13 and 14 (Munich) — International Federation of Inventors' Associations — Annual Meeting**

**May 16 and 17 (Paris) — International Confederation of Societies of Authors and Composers — International Meeting on the Rights of Authors of Plastic and Graphic Arts**

**May 16 to 18 (Munich) — Deutsche Gesellschaft für Dokumentation — International Symposium on Patent Information and Documentation (organized in cooperation with WIPO and the German Patent Office)**

**May 23 to 25 (Dublin) — European Space Agency/European Broadcasting Union — Symposium on Direct Satellite Broadcasting**

**May 23 to 27 (Rio de Janeiro) — Inter-American Association of Industrial Property — Congress**

**September 8 and 9 (Antwerp) — International Literary and Artistic Association — Working Session and Executive Committee**

**September 18 to 21 (Edinburgh) — International League Against Unfair Competition — Working Session**

**October 25 to 27 (Belgrade) — Council of the Professional Photographers of Europe (EUROPHOT) — Congress**

**November 28 to December 6 (Paris) — United Nations Educational, Scientific and Cultural Organization (UNESCO) — Intergovernmental Copyright Committee established by the Universal Copyright Convention (as revised at Paris in 1971)**

### **1978**

**May 8 to 12 (Strasbourg) — Council of Europe — Legal Committee on Broadcasting and Television**

**May 12 to 20 (Munich) — International Association for the Protection of Industrial Property — Congress**

**May 29 to June 3 (Paris) — International Literary and Artistic Association — Congress**

**October 1 to 7 (Santiago de Compostela) — International Federation of Patent Agents — Congress**