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WIPO Meetings

WIPO Permanent Program for Development Cooperation Related to Industrial Property

Permanent Committee

Fifth Session
(Geneva, March 13 to 17, 1978)

NOTE *

The WIPO Permanent Committee established under the Permanent Program for Development Cooperation Related to Industrial Property held its fifth session in Geneva from March 13 to 17, 1978.¹ A list of participants follows the Note on the PCT Interim Committee for Technical Assistance (see below).

On March 13, 1978, the Permanent Committee had 58 member States: Algeria, Australia, Austria, Brazil, Bulgaria, Cameroon, Canada, Chile, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, India, Iraq, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libyan Arab Jamahiriya, Mauritania, Mauritius, Mexico, Morocco, Netherlands, Norway, Pakistan, Poland, Portugal, Romania, Senegal, Soviet Union, Spain, Sudan, Surinam, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Upper Volta, Yugoslavia, Zaire, Zambia.

The following questions were contained in the agenda of the Permanent Committee and were examined successively on the basis of documents prepared by the International Bureau:

Promotion of Technological Innovation. The Permanent Committee noted with approval the progress made by the International Bureau in preparing the background material for the Working Group on

Technological Innovation, which is to meet from June 19 to 21, 1978. As had been agreed, it decided on the composition of the Working Group, which will include 12 experts from the Governments of Algeria, Canada, Chile, France, Ghana, Hungary, India, Iraq, Mexico, Senegal, the Soviet Union and Sweden, and observers from four international organizations (United Nations Conference on Trade and Development (UNCTAD), United Nations Industrial Development Organization (UNIDO), International Labour Organisation (ILO) and the International Federation of Inventors' Associations (IFIA)).

Cooperation Among Developing Countries. The Permanent Committee noted with approval the activities of the Permanent Program and the measures of support and assistance based on the guidelines adopted at its fourth session, which contribute to the promotion and support of cooperation among developing countries.

New Model Law for Developing Countries on Inventions and Know-How. The Permanent Committee noted the progress of the work and decided that, after the seventh and last session of the Working Group, which will be held from May 22 to 26, 1978, the International Bureau would establish and issue the new Model Law in its final form in English, French, Spanish and Arabic. It also decided that transfer of technology patents should be included in an annex rather than in the actual body of the Model Law, owing to the absence of a consensus on whether or not that special type of patent should constitute a part of the new Model Law. It was agreed that the reasons for making it an annex only would be given in the annex itself, which would also list the advantages and possible drawbacks of that special type of patent. Finally, the Permanent Committee decided that, in the long term, one could envisage the preparation of a guide, designed principally for industrial property offices, on the examination as to substance of patent applications. Such a guide would complement the new Model Law, which provides for such examination but does not go into the details of all the technical aspects of the examination of patent applications.

* This Note has been prepared by the International Bureau.

¹ A Note on the fourth session of the Permanent Committee was published in *Industrial Property*, 1977, p. 146.

New Model Law for Developing Countries on Marks and Trade Names. While recommending that the new Model Law be limited to marks and trade names, on the understanding that the possibility of its extension to other areas could be reconsidered at a later date, the Permanent Committee noted the progress made so far by the Working Group and approved the next steps proposed, provided that governments were given an opportunity to comment on the contents of the new Model Law at an appropriate time.

License Agreements. The Permanent Committee commended the International Bureau for the excellent quality of the Guide for technology acquirers in developing countries; it also appreciated the wide distribution that the Guide had been given. In addition to the English, French and Spanish versions, which have already been published, an Arabic version of the Guide will appear in 1978. Moreover, the International Bureau will explore the possibility of preparing a Portuguese version, in cooperation with Portugal and Brazil.

The statement of the Director General to the effect that WIPO would participate in the UNIDO meeting with a view to continuing the coordination of its own work in the field of license agreements with that of the other organizations of the United Nations system in the field of the transfer of technology was approved by the Permanent Committee, which also noted that the International Bureau would present to the sixth session of the Permanent Committee a report on the meeting referred to above and on the coordination of work with the other organizations. If the results of the meeting were not encouraging with regard to the practical measures that could be taken in a reasonable time, the International Bureau would, as an initial step, compile information on the existing legislation and practice dealing with the review and control of license agreements; it would then present a summary of that information to the next session of the Permanent Committee, when suggestions for further action on the preparation of a guide for government officials in developing countries could be considered.

Training, Regional Meetings, Seminars, etc. The Permanent Committee expressed satisfaction at the growing scope of the activities under the WIPO training program and the number of fellowships awarded. Particular stress was laid on the importance of the program to developing countries.

The Permanent Committee approved the measures proposed by the International Bureau with a view to the improvement of the program, and especially the organization of a general introductory course and the study of medium-term plans for the integration of training in national development plans.

The special contributions made by certain member States to the program were greatly appreciated, and the International Bureau will continue in its efforts to increase those contributions with a view to further growth in the number of fellowships awarded every year and the development of the activities carried on under the program.

The International Bureau noted all the remarks and suggestions made by the delegations, and especially those that had a bearing on the improvement of the program. It indicated that the increase in activities in the training field and in the number of fellowships, which was desired by most of the delegations, would entail a corresponding increase in the budget.

After having noted the present and future activities of the International Bureau in the training field, the Permanent Committee approved the proposals regarding the reorganization of the administration of the program.

Advice and Assistance in Legislation, Institutions and Related Matters. The Permanent Committee noted with approval the present activities and the plans for future activities in connection with the provision of advice and assistance in legislation, institutions and related matters, and welcomed the suggestions made with regard to the efforts to find outside assistance for the financing of, and the provision of the services of experts for, the activities carried on in that field.

Industrial Property Glossary and Manual for Developing Countries. A number of delegations commended the International Bureau for the work it had undertaken on the establishment of a draft list of terms in four languages (English, French, Spanish and Arabic). It was also suggested that Portuguese and Russian editions should be established, and the Delegations concerned (Brazil, Portugal, Soviet Union) said that their Governments would be prepared to examine the possibility of cooperating with the International Bureau on the establishment of such editions.

The Permanent Committee also approved the plan proposed for the continuation of the work, and expressed its satisfaction with the method adopted by the International Bureau, which consisted in combining the Terminology List and the Glossary.

Technological Information from Patent Documentation. The Permanent Committee commended the Expert Working Group on Information from Patent Documents for the quality of the report of its third session, and noted with approval the conclusions of the Expert Working Group and its recommendations for the continuation of the work.

Strengthening National and Regional Infrastructures: Industrial Property Offices Survey and Study. The Permanent Committee noted the progress of the work on the industrial property offices survey, and approved the declaration of the International Bureau, which undertook to take the necessary steps to obtain a larger amount of information, to enable it to prepare a study analyzing the possibilities open to developing countries and suggesting appropriate functions and structures.

United Nations Conference on Science and Technology for Development. The Permanent Committee noted the activities undertaken by the International Bureau in support of the United Nations Conference on Science and Technology for Development; it recommended that the International Bureau continue to provide support, within its resources, to the Secretary-General of the Conference; finally, it endorsed the choice of the special theme of "technological information contained in patent documents" as that on which the efforts of WIPO were to be concentrated for the purposes of the Conference.

International Patent Cooperation Treaty (PCT)

Interim Committee for Technical Assistance

Seventh Session
(Geneva, March 13 to 17, 1978)

NOTE*

The seventh session of the Interim Committee for Technical Assistance of the PCT¹ was held in

* This Note has been prepared by the International Bureau.

¹ A Note on the sixth session was published in *Industrial Property*, 1976, p. 282.

conjunction with the fifth session of the Permanent Committee. A list of participants follows this Note.

The Interim Committee noted with approval the future tasks, which should lead to a situation where guidance was sought from the PCT Committee only on those aspects of technical assistance to developing countries that had a direct bearing on the use of the PCT by the countries concerned.

LIST OF PARTICIPANTS*

(for the meetings of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and the PCT Interim Committee for Technical Assistance)

I. States

Algeria: H. Redouane; H. Bouhalila; K. Sahnouni. **Austria:** J. Fichte. **Brazil:** A. G. Bahadian. **Canada:** B. Gillies. **Chile:** P. Oyarce. **Czechoslovakia:** J. Kubiček. **Democratic People's Republic of Korea:** K. W. Djo. **Denmark:** H. J. Rüs-Vestergaard; S. Christensen. **Egypt:** A. A. Omar; T. Dinana. **Finland:** I. Ström. **France:** M. M. Hiance. **German Democratic Republic:** C. Micheel. **Germany (Federal Republic of):** M. Aúz Castro. **Hungary:** Z. Szilvassy; G. Pusztai. **India:** S. Singh. **Iraq:** G. I. Ayoub; Y. M. Al-Khanati; A. S. Ali. **Israel:** M. Gabay. **Ivory Coast:** G. Doh; B. T. Aka; K. Kassi; A. Ouattara; L. Ouattara. **Japan:** T. Yasuda; K. Hatakawa. **Mexico:** O. Reyes-Retana; M. F. Charrin. **Netherlands:** W. Neervoort; F. P. R. van Nouhuys. **Norway:** T. Hansen. **Pakistan:** A. A. Hashmi. **Portugal:** J. Mota Maia. **Senegal:** Y. Dé. **Soviet Union:** L. Inozemtzev; V. Ilyin; A. Ruban. **Spain:** A. C. Ortega Lechuga. **Sudan:** Z. Sir El-Khatim. **Surinam:** P. J. Boerleider. **Sweden:** L. O. Assarsson; S. Norberg. **Switzerland:** R. Kämpf; J.-M. Salamolard. **Tunisia:** B. Fathallah. **Uganda:** J. H. Ntabgoba. **United Kingdom:** A. J. Needs; A. Holt. **United States of America:** H. J. Winter; L. J. Schroeder; J. M. Lightman. **Upper Volta:** B. I. Bakyono. **Zambia:** G. E. Harre; A. R. Zikonda.

II. Observer States

Argentina: C. Passalacqua; J. F. Gomensoro. **Nicaragua:** G. Cajina. **Philippines:** J. Palarca. **Republic of Korea:** M. K. Kang; M. Y. Lee; C. S. Shin; Y. D. Won. **Rwanda:** V. Ruhamanya. **Sri Lanka:** K. Breckenridge. **Thailand:** B. Bunnag.

III. United Nations Organizations

United Nations Conference on Trade and Development (UNCTAD): A. Omer.

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

IV. Other Intergovernmental Organizations

European Patent Organisation (EPO): J. Staehelin; J.-F. Mezières.

V. International Non-Governmental Organizations

International Federation of Inventors' Associations (IFIA): H. Romanus; J. Zachariassen; E. Nyren. **International Organization for Standardization (ISO):** D. Bardet. **International Patent Documentation Center (INPADOC):** G. Quarda. **Union of Industries of the European Community (UNICE):** C. G. Wickham.

VI. Officers

Chairman: Y. M. Al-Khanati (Iraq). *Vice-Chairmen:* J. Fichte (Austria); L. Inozemtzev (Soviet Union). *Secretary:* I. Thiam (WIPO).

VII. WIPO

A. Bogsch (*Director General*); K. Pfanner (*Deputy Director General*); K.-L. Liguier-Laubhouet (*Deputy Director General*); F. A. Sviridov (*Deputy Director General*); G. A. Ledakis (*Legal Counsel*); F. Moussa (*Head, External Relations Section, Development Cooperation and External Relations Division*); I. Thiam (*Head, Development Cooperation Section, Development Cooperation and External Relations Division*).

General Studies

The Growth of Inventive Activity in the Soviet Union

Y.E. MAKSAREV*

**The Austrian Patent Office
and Recent Developments in the
Patent Field**

Dr. O. LEBERL *

News Items

AUSTRALIA

Commissioner of Patents

We have been informed that Mr. F. J. Smith has been appointed Commissioner of Patents.

Book Reviews

Contemporary Industrial Property: Commemorating the Centenary of E. Blum & Co., Patent Attorneys, Zurich, 1978.—302 pages

A commemorative work usually traces the activity and development of an enterprise during a given period. Those who receive it, after an initial glance, put it on a shelf in their library and rarely look at it again. In contrast to this is the work commemorating the hundredth anniversary of the firm of E. Blum & Co., Patent Attorneys, Zurich.

Following an Introduction by Rudolf E. Blum, the first chapter, written by Etienne Piaget, traces the historical development of the "Blum firm" and the role which it has played, both nationally and internationally, from 1878 to 1978. It should be noted that this activity has not simply been deployed on behalf of increasing numbers of clients; it has also served national and international industrial property associations. Furthermore, the heads of the firm have played a not insubstantial role in the preparation of Swiss legislation and international conventions.

However, the basis of this work is devoted to important questions of industrial property law and it is in this way that this commemorative work is innovative. It is, and will in fact remain, a precious source of information that the reader can consult each time he has to examine problems of industrial property.

The first chapter of Part I of the work, which is devoted to the international protection of industrial property in general, consists of studies, all of which are a pleasure to read, by E. M. Jucker (President of the Swiss Group of IAPIP, Basel) on the role of patents for industrial development, Professor G. H. C. Bodenhausen (former Director General of WIPO) on the important lines of development of industrial property protection, Paul Mathély (Attorney to the Court of Paris and Rapporteur General of IAPIP) on the fundamental principles of industrial property, and J. E. O'Farrell (President of the Argentine Group of IAPIP) on the importance of industrial property for developing countries. The question of patent information, which is so important from a practical point of view, is treated by A. G. Kradolfer and B. Schachenmann, members of the Blum firm.

The second chapter is devoted to the European Patent and is comprised of four studies of which two were written by Rudolf E. Blum (who is also Secretary General of IAPIP) and Urs D. Blum. The two other studies are by R. Monsch and G. Werner, partners in the Blum firm.

Three studies dealing with foreign national laws constitute the third chapter. Professor M. M. Boguslavsky (Moscow) examines the protection of industrial property from the point of view of countries with different social systems, G. Horváth (Budapest) the protection of biological inventions in Socialist countries and M. Takeda (Tokyo) the problem of licensing in Japan.

In the fourth chapter, Professor F.-K. Beier (Director of the Max Planck Institute, Munich) treats the problem of trademarks within the framework of the Common Market, and Professors M. Botein (New York) and E. D. Shapiro (New York) examine the important question of the relationship between patents and antitrust law.

Part II of this work is devoted to Swiss law. In the first chapter, A. E. Briner (partner in the Blum firm) provides useful information on the arbitration of differences of private law with regard to industrial property rights, while R. Preiss treats publicity in the field of merchandising and R. G. Briner the forced execution of industrial property rights; the latter two authors are members of the firm.

The second chapter of Part II contains four studies devoted to Swiss trademarks written by G. H. Leiss, M. Luchsinger, A. E. Zimmerli and A. von Ziegler, all members of the Blum firm.

Given the quality of the authors of the different studies and their deep understanding, both theoretical and practical, of the subjects treated, one cannot be surprised by the scientific value of this work. For English-speaking readers this value is augmented by the fact that several authors drafted their contributions in English and most of the studies written in French or German are accompanied by an English translation.

At a time when industrial property rights are being discussed, misunderstood and even contested, it is useful to recall several essential ideas concerning the opportunity for adequate protection of these rights and to analyze some of them.

In this regard, it should not be forgotten that every developing country will one day be an industrialized one and that it will therefore be very interested in seeing its industrial property rights recognized and protected in other countries. So was the case with Switzerland which, when the firm of E. Blum & Co. was founded in 1878, possessed no industrial property laws. Things have certainly come a long way in the firm's hundred-year existence!

Professor P. J. Pointet

Calendar

WIPO Meetings

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

1978

- June 5 to 7 (Geneva) — Berne Union — Group of Consultants on New Copyright Laws
- June 12 to 16 (Geneva) — Development Cooperation (Industrial Property) — Working Group on the Model Law for Developing Countries on Marks and Trade Names
- June 19 to 30 (Paris) — Berne Union — Committee of Governmental Experts on Double Taxation of Copyright Royalties (convened jointly with Unesco)
- June 19 to 23 (Geneva) — Revision of the Paris Convention — Working Group on Questions of Special Interest to Developing Countries
- June 19 to 23 (Geneva) — Revision of the Paris Convention — Working Group on Inventors' Certificates
- June 26 to 30 (Geneva) — Revision of the Paris Convention — Preparatory Intergovernmental Committee
- June 26 to July 7 (Tokyo) — International Patent Classification (IPC) — Steering Committee
- July 3 to 11 (Geneva) — Berne Union, Universal Convention and Rome Convention — Subcommittees of the Intergovernmental Committees on Cable Television (convened jointly with ILO and Unesco)
- July 19 to 21 (Geneva) — Development Cooperation (Industrial Property) — Working Group on Promotion of Domestic Inventive and Innovative Capacity
- September 4 to 8 (Geneva) — International Patent Classification (IPC) — Committee of Experts
- September 13 to 15 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Planning
- September 13 to 22 (Paris) — Berne Union, Universal Convention and Rome Convention — Subcommittees of the Intergovernmental Committees on Videocassettes (convened jointly with ILO and Unesco)
- September 18 and 19 (Geneva) — ICIREPAT — Plenary Committee
- September 19 to 22 (Geneva) — Permanent Committee on Patent Information (PCPI) and PCT Committee for Technical Cooperation
- September 25 to October 3 (Geneva) — Governing Bodies (WIPO Coordination Committee, Executive Committees of the Paris and Berne Unions, Assembly and Conference of Representatives of the Hague Union, and Assembly of the International Patent Cooperation (PCT) Union)
- September 27 to 29 (Geneva) — International Patent Classification (IPC) — Ad Hoc Working Group on the Revision of the Guide
- October 2 to 6 (Geneva) — International Patent Classification (IPC) — Working Group I
- October 23 to 27 (Hull, Canada) — ICIREPAT — Technical Committee for Standardization (TCST)
- October 23 to 27 (Geneva) — Nice Union — Preparatory Working Group on International Classification
- October 23 to 27 (Geneva) — International Patent Classification (IPC) — Working Group IV
- November 13 to 17 (Geneva) — International Patent Classification (IPC) — Working Group II
- December 4 to 8 (Geneva) — Development Cooperation (Industrial Property) — Working Group on the Model Law for Developing Countries on Marks and Trade Names
- December 4 to 8 (Geneva) — International Patent Classification (IPC) — Working Group III
- December 4 to 8 (Paris) — Berne Union and Universal Convention — Working Group on questions concerning access to protected works for developing countries, including the implementation of the 1971 revised texts of the Berne Convention and of the Universal Convention (tentative title) (convened jointly with Unesco)
- December 17 to 22 (New Delhi) — Development Cooperation (Copyright) — Copyright Seminar (convened jointly with Unesco)

1979

- January 8 to 12 (Geneva) — International Patent Classification (IPC) — Committee of Experts
- January 29 to February 2 (Geneva) — Rome Convention — Subcommittee of the Intergovernmental Committee on the Administration of Rights under the Rome Convention (convened jointly with ILO and Unesco)
- September 24 to October 2 (Geneva) — Governing Bodies (WIPO General Assembly, Conference and Coordination Committee; Assemblies of the Paris, Madrid, Hague, Nice, Lisbon, Locarno, IPC, International Patent Cooperation (PCT) 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

1978

- June 6 to 8 (Hanover) — Technical Working Party for Vegetables
- June 20 to 22 (Paris) — Technical Working Party for Ornamental Plants

September 5 to 7 (Florence) — Technical Working Party for Fruit Crops

September 11 to 15 (Geneva) — Ad Hoc Committee on the Revision of the UPOV Convention

September 19 to 21 (Melle, Belgium) — Technical Working Party for Forest Trees

October 9 to 23 (Geneva) — Diplomatic Conference on the Revision of the UPOV Convention

November 13 to 15 (Geneva) — Technical Committee

November 16 and 17 (Geneva) — Administrative and Legal Committee

December 5 and 8 (Geneva) — Consultative Committee

December 6 to 8 (Geneva) — Council

Meetings of Other International Organizations Concerned with Industrial Property

European Patent Organisation: July 4 to 6 (Bordeaux) — Administrative Council

European Communities:

Expert Group of the Commission of the European Communities for the Community Trade Mark:

June 5 to 9, September 18 to 22 and December 11 to 15, 1978 (Brussels) — Examination of draft provisions relating to the Community Trade Mark — restricted meeting

Interim Committee for the Community Patent:

June 26 and 27, 1978 (Brussels) — Working Group III

June 28 and 29, 1978 (Brussels) — Working Group II

September 12, 1978 (Brussels) — Working Group I

October 2 to 4, 1978 (Brussels) — Interim Committee

October 23 and 24, 1978 (Brussels) — Working Group II

November 13 to 15, 1978 (Brussels) — Working Group III

December 4, 1978 (Brussels) — Working Group I

International Federation of Patent Agents: October 1 to 7, 1978 (Santiago de Compostela) — Congress

International League Against Unfair Competition: September 6 to 10, 1978 (Strasbourg) — Congress

