

Industrial Property

Published monthly
Annual subscription :
Sw.fr. 115.—
Each monthly issue :
Sw.fr. 10.—

19th Year - No. 3
March 1980

Monthly Review of the
World Intellectual Property Organization (WIPO)

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Activities of the International Bureau

The Paris Union and Industrial Property in 1979*

Introduction

The most important events during 1979 in the industrial property field were the conclusion of the preparatory work for the revision of the Paris Convention at the Diplomatic Conference held in Geneva from February 4 to March 4, 1980, and the first full year of operations under the Patent Cooperation Treaty (PCT). Other important events were the continuation of studies on the industrial property aspects of consumer protection, the legal protection of computer software and joint inventive activity, the full implementation of working procedures under the WIPO Permanent Committee on Patent Information (PCPI) and the revision of the International Patent Classification (IPC).

I. Industrial Property Activities in General

The main objective of the general industrial property activities is the strengthening of cooperation among States in the field of the protection of industrial property. In 1979, the activities were aimed mainly at the modernization of the international treaties, the adoption of new treaties, the promotion of acceptance of treaties not yet in force and the spreading of information on the existing protection at the national and international levels.

A. Paris Union for the Protection of Industrial Property

Member States

At the end of 1979, the number of States members of the International (Paris) Union for the Protection of Industrial Property was the same as at the beginning of the year, that is 88. A table of member States was published in the January 1980 issue of *Industrial Property*.

* This article is a continuation of an account of the activities of the International Bureau in 1979. It covers the main activities of the Paris Union and in the field of industrial property. The activities of the World Intellectual Property Organization (WIPO) as such were covered in the February issues of *Industrial Property* and *Copyright*. The March 1980 issue of the latter review covers the main activities of the Berne Union and International Copyright and Neighboring Rights in 1979.

Paris Convention

Stockholm Act (1967): Acceptance. Indonesia deposited its instrument of ratification of the Stockholm Act (1967), with the exception of Articles 1 to 12, of the Paris Convention on September 18, 1979. Articles 13 to 30 of the said Act entered into force for Indonesia on December 20, 1979. Uruguay deposited its instrument of accession to the Stockholm Act (1967) on September 21, 1979, and became bound by that Act on December 28, 1979.

Acts in force. As far as the substantive provisions of the Paris Convention (Articles 1 to 12) are concerned, of the 88 States which were members of the Paris Union as of December 31, 1979, two were bound by the Hague Act (1925), nine by the London Act (1934), 12 by the Lisbon Act (1958) and 65 by the Stockholm Act (1967). As of the same date, 73 of the 88 States were bound by the administrative provisions and final clauses (Articles 13 to 30) of the Stockholm Act (1967) of the Paris Convention.

Contribution Classes

With effect from the beginning of 1980, the Governments of the following States chose the following new classes for the purpose of establishing their contributions towards the budget of the Paris Union: Canada (Class III instead of Class II), Holy See (Class VII instead of Class VI), Indonesia (Class VII instead of Class IV), Uruguay (Class VII instead of Class VI).

Governing Bodies

The Paris Union Assembly and Conference of Representatives met in ordinary sessions in September/October 1979, during the tenth series of meetings of the Governing Bodies of WIPO and of the Unions administered by WIPO (see the January 1980 issue of *Industrial Property*).

Revision of the Paris Convention

The Provisional Steering Committee of the Diplomatic Conference on the Revision of the Paris Convention met in Geneva in March 1979. All of the 24 States members of the Provisional Steering Committee were represented. Twenty-two other States were represented as observers.

The Provisional Steering Committee established the Provisional Agenda of the Diplomatic Conference and the Provisional Rules of Procedure of the Diplomatic Conference. The latter also lists the intergovernmental and international non-governmental organizations which were, in accordance with the decision of the Provisional Steering Committee, invited to the Diplomatic Conference.

The Provisional Steering Committee also advised on the preparation of the documents containing the proposals for amendments or new provisions to serve as the basis of the negotiations in the Diplomatic Conference. The said documents were distributed in June, August and September 1979. A further document suggesting corrections to existing texts was distributed in August 1979.

The Working Group on Conflict Between an Appellation of Origin and a Trademark, established by the Preparatory Intergovernmental Committee on the Revision of the Paris Convention in June 1978, held its second session in June 1979. Fourteen of the 15 States of the Working Group were represented, and 18 other States were represented as observers.

The Working Group discussed proposals for a new Article 10*quater* concerning the conflict between an appellation of origin and a trademark and for extension of the protection under Article 6*ter* to the official names of States. It decided unanimously to forward to the Diplomatic Conference on the Revision of the Paris Convention alternative texts on the two subjects discussed, with indications to identify the proponents of the particular alternatives.

At the 1979 meetings of the Governing Bodies, it was decided to maintain the dates of the Diplomatic Conference (February 4 to March 4, 1980) and that simultaneous interpretation should be provided in Arabic, in addition to English, French, Spanish and Russian.

B. Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure

Status

The Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure was ratified in 1978 by two States (Bulgaria and Hungary). The United States of America deposited its instrument of ratification on September 24, 1979.

Preparatory Work for the Entry into Force of the Budapest Treaty

The "PCT and Budapest Treaty" Working Group, to which the member States of the International Patent Cooperation Union (PCT Union) and the member States of the Interim Advisory Committee for the Preparation of the Entry into Force of the Budapest Treaty were invited, met in February and December 1979. Fifteen States were represented at the first session and 14 at the second; at both sessions one intergovernmental organization and five international non-governmental organizations were represented in an observer capacity.

The Working Group discussed proposals for possible amendments to the Regulations under the Patent Cooperation Treaty (PCT) and to those under the Budapest Treaty, and adopted revised texts of those proposals, subject to certain observations indicating the position of certain delegations. The Working Group included also in the report of its second session a revised table providing a summary of the requirements that need to be taken into account in applications relating to microbiological inventions in various countries.

The *Interim Advisory Committee* for the entry into force of the Budapest Treaty held its second session in April and May 1979. Twenty States members of the Interim Advisory Committee were represented. Three other States were represented in an observer capacity. One intergovernmental organization was represented as a special observer. Six international non-governmental organizations were represented as observers.

The Interim Advisory Committee considered, in a joint session with the Assembly of the International Patent Cooperation (PCT) Union, proposals for possible amendments to the Regulations under the Patent Cooperation Treaty and the Regulations under the Budapest Treaty submitted by the "PCT and Budapest Treaty" Working Group; it was agreed that the time was not yet ripe to take decisions on the proposals, and a procedure was decided upon for obtaining the comments, in particular, of member States and preparing, by the "PCT and Budapest Treaty" Working Group, new proposals for submission to a further joint session.

The Interim Committee discussed draft forms to be used in connection with the deposit of microorganisms under the Budapest Treaty, and requested WIPO to revise the draft forms in the light of the discussion, for submission to the Assembly of the Budapest Union after the entry into force of the Treaty. The Interim Committee also reached conclusions on certain questions relating to the refusal of deposits of microorganisms and requested a study of two related problems;

it took note of a survey concerning prospective international depositary authorities, and received reports from delegations on the prospects of ratification of and accession to the Budapest Treaty.

C. Geneva Treaty on the International Recording of Scientific Discoveries

Status

The Geneva Treaty on the International Recording of Scientific Discoveries has not been ratified or acceded to by any State.

Certified Copies

Certified copies of the Geneva Treaty were transmitted by the Director General to the Member States of WIPO in February 1979.

D. Computer Programs

The "Model Provisions on the Protection of Computer Software," prepared in 1977 by the Advisory Group of Non-Governmental Experts on the Protection of Computer Programs, and published in brochure form in English, French and Spanish in 1978, were published in Russian in March 1979.

Expert Group on the Legal Protection of Computer Software

The Expert Group on the Legal Protection of Computer Software held its first session in November 1979, having been convened in accordance with a recommendation adopted by the Governing Bodies of WIPO at their 1978 sessions.

Twenty States, members of WIPO, of the Paris Union and/or of the Berne Union participated in the meeting, together with observers from four intergovernmental organizations and seven international non-governmental organizations.

The Expert Group first considered the extent to which the legal protection of computer software was at present ensured by national or regional legislative provisions or by the application of case law. It emerged from the discussion that for the time being there were no special legislative provisions that afforded such protection, either on the national or on the regional level, except in Bulgaria. In the course of the session, the expert from Bulgaria gave a detailed account of the contents of an ordinance on the use of computer software. The majority of the participants said that the legal situation was uncertain in their countries, although all of them admitted that software

protection was desirable. In some countries, the existing protection proved to be sufficient for the time being. It was agreed that the protection, whenever it was not available, should be derived from copyright legislation, from the legislation on the protection of trade secrets or the protection against unfair competition or from specific legislation such as that embodied in the "Model Provisions for the Protection of Computer Software," published by the International Bureau of WIPO in 1978.

Before examining the question of the desirability of a treaty for the protection of computer software, the Expert Group considered what the contents of such a treaty might be. Subject to the question of desirability, the Expert Group approved, with certain comments, the possible contents of such a treaty suggested in a document prepared by the International Bureau. It was stressed that account had to be taken of the development of technology, in particular the growing use of micro-processors and the software embodied in "chips." For the latter, the protection that would be necessary went beyond mere software protection and covered also the design of chips and their circuitry.

The agreed comments referred to above related to, among other things, definitions, proprietorship, national treatment and reciprocity, reservations, minimum duration of protection, fair use, compulsory licenses, exhaustion of rights and formalities.

In connection with the question of the desirability of a treaty for the protection of computer software, the Expert Group considered the provisions of the existing international conventions, in particular the Paris Convention and the Berne Convention. It noted that the provisions of those Conventions did not fully cover the protection which should be granted to computer software in accordance with the foregoing discussion. The Expert Group recommended that:

(a) the International Bureau should prepare a questionnaire which should cover the problems raised in connection with international protection of computer software and any related questions. The questions should refer to the existing international conventions, in particular the Paris Convention and the Berne Convention, and should, in particular, deal with the following issues:

(i) To what extent is computer software protected by the existing conventions?

(ii) Which additional provisions are required in order to ensure sufficient international protection of computer software and to regulate related matters such as freedom of international traffic?

(iii) What measures should be taken in order to adopt such additional provisions (e.g., revision of existing conventions or conclusion of a special treaty)?

(b) The International Bureau should prepare an additional questionnaire (which could be part of the questionnaire referred to above), dealing with the

desirability of additional treaty provisions from the point of view of the creators of computer software and other interested parties. This second questionnaire should also cover the economic and technological aspects of the international protection of computer software. In addition, it should deal with the questions relating to the possibilities of deposit, registration and classification.

(c) The questionnaires should be submitted not only to governments but also to interested intergovernmental and non-governmental organizations, accompanied by the background documentation and the report of the Expert Group.

(d) The replies to the questionnaires should be taken into account for the further study by the International Bureau on the desirability and feasibility of a treaty on the protection of computer software and/or adaptation of one or more existing treaties.

E. Joint Inventive Activity

For the purposes of a study, requested by the WIPO Coordination Committee in 1978, the Director General wrote to the member States and asked each of them for information on the treatment of joint inventive activity. He asked in particular that the information to be supplied should extend to the practical problems encountered and should include the texts of guidelines or regulations and the description of the institutional measures dealing with joint inventions, that is, inventions made in cooperation with other countries.

The Governments of 19 countries responded to the above invitation: Austria, Belgium, Central African Republic, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Greece, Hungary, Italy, Mexico, Netherlands, Poland, Soviet Union, Spain, Sweden, Switzerland, United States of America. The replies varied in length: some were a few lines long, most of them were a few pages, one of them consisted of several hundred pages. They also varied as to the depth of their contents: some simply stated that no experience existed in the subject matter, others went into some or many details.

In February 1979, the Director General commissioned two experts to analyze the replies received and express their views on possible further action. Because of the late arrival of several replies, the two experts did not have before them all the 19 replies. On the basis of the separate analyses carried out by the two experts, the Director General suggested to the Coordination Committee at its 1979 session that the most practical course of action would be to draw up a list of the questions that need be regulated in agreements of cooperation—separate for each joint venture—as far as joint inventive activities are concerned, and of the

outlines of the more customary possible solutions for each such question. The usefulness of such a list of questions and solutions—that could be called a “guide”—would consist of the fact that countries and enterprises of different countries engaging in joint ventures could, when drafting their agreements of cooperation, refer to the proposed guide and choose from it the solutions which seem to fit best any particular case. The guide should be so constructed that it fits both bilateral and multilateral ventures.

The Coordination Committee decided that the task of the committee of experts on this subject, to be convened in 1981 in accordance with the approved program, should be to give advice on a guide as described in the preceding paragraph, that the 19 countries which responded to the inquiry in question be invited to constitute the committee of experts and that a few consultants, including the two experts who carried out analyses of the replies, be invited as well in order to assist the committee of experts in its deliberations.

F. Teaching of Industrial Property Law

A Round Table of University Professors on the Teaching of Industrial Property Law was organized by WIPO in Geneva in October 1979, with the purpose of providing a forum of discussion and exchange of views on the teaching of industrial property law at the university level in various parts of the world and to promote the advancement of this branch of the law and its practical application. Professors from the following 16 countries were invited to participate in the Round Table: Argentina, Colombia, France, Germany (Federal Republic of), India, Kuwait, Mexico, Netherlands, Peru, Philippines, Poland, Soviet Union, Spain, Thailand, United Kingdom, United States of America. Fourteen professors took part in the discussions.

The discussions were based on summaries of the teaching of industrial property law in various countries, submitted beforehand by the participants, on brief oral presentations of those summaries and supplementary information provided by the participants, and on a list of basic reference works for French-language university teaching, prepared by the International Bureau. In addition, the participants gave an account of the experience gained by them in the teaching of industrial property law and had an exchange of views on this subject.

The participants agreed on a number of detailed conclusions and recommendations, including in particular an analysis of the reasons for diversity in approach to and emphasis on the teaching of the law of industrial property, a recommendation that, where necessary, a reorientation should take place which would ensure that a greater number of students are

afforded an opportunity to receive information about and an exposure to the essential elements of the subject, and a recognition of the need for assistance, especially to educational institutions in developing countries, in planning an appropriate curriculum covering the different subjects, in the compilation of a list of basic reference works, in the preparation of specialized works on the various subjects of intellectual property law, and in the preparation of classroom teaching materials on these subjects which also draw attention to their relationship to other fields of law, as well as to their social and economic implications. It was also noted that the teaching of this subject has a place in technical schools where engineers and technical and scientific personnel are being trained, and that there is a need to bring about a greater awareness in commercial and industrial enterprises, in trade associations, in business and professional circles and in the public in general of the role of industrial property and its legal aspects.

It was suggested that a clearing house of information on fellowship opportunities and specialized programs for professors of industrial or intellectual property law should be established, and that such a function could be entrusted to WIPO or to an international association of such professors. It was also suggested that WIPO provide assistance through fellowships abroad for professors from developing countries, by sending professors to such countries to advise on curricula and related teaching materials, by making available on a larger scale to interested professors its publications, and the various studies, surveys, collections of legislative texts and manuals on industrial property and other subjects of intellectual property law, generated in the execution of its program activities, which could also serve as a basis for the preparation of the necessary teaching materials or as background information, and by disseminating information about such courses and materials.

The participants also concluded that it would be worthwhile to consider the idea of bringing intellectual property specialists more closely together by forming an international association which could for example be called "The International Association for the Advancement of Teaching and Research in Intellectual Property," which would be independent of WIPO but would cooperate with WIPO and other institutions in the field of intellectual property. It was recommended that a small group should meet, and prepare a draft of the statute of the association and present that draft for comments to the other participants. Thereafter, the draft could be presented to a constitutive assembly which might meet on the occasion of a future Round Table of Professors, enlarged so as to include those concerned with not only industrial property but also copyright and other subjects of intellectual property.

In October and November 1979, WIPO organized

and financed a study tour in the United States of America for a professor of intellectual property law from a university in Spain.

G. Industrial Property Statistics

The statistics for the year 1978, based on information being supplied during the year 1979 by industrial property offices, were compiled and will be printed by photocomposition from a computerized data base.

H. Collection of Laws and Treaties on Industrial Property

The collection of laws and treaties on industrial property continued to be kept up to date; several such laws and treaties were published in the legislative series entitled *Industrial Property Laws and Treaties* (an annex to the monthly review *Industrial Property*).

I. Industrial Property Reviews

The reviews *Industrial Property/La Propriété industrielle* continued to appear every month.

J. Development Cooperation Activities Related to Industrial Property

See "The World Intellectual Property Organization in 1979" in the February 1980 issue of this review.

II. Activities Concerning Trademarks, Industrial Designs, Appellations of Origin and Indications of Source

A. Trademarks

Madrid Union for the International Registration of Marks

Member States. At the end of 1979, the number of States members of the Madrid Union was the same as at the beginning of the year, that is, 24. A table of member States was published in the January 1980 issue of *Industrial Property*.

Madrid Agreement (Marks): Stockholm Act (1967). Spain deposited its instrument of ratification of the Stockholm Act (1967) of the Madrid Agreement in March 1979.

Madrid Agreement (Marks): Acts in Force. Of the 24 States members of the Madrid Union as of December 31, 1979, three were bound by the Nice Act (1957) and 21 by the Stockholm Act (1967) of the Madrid Agreement.

Computerization of WIPO Trademark Operations. An extraordinary session of the Assembly and the Committee of Directors of the Madrid Union was held in February 1979 to consider a study evaluating the desirability of computerizing the operations connected with trademark registrations under the Madrid Agreement. Eighteen member States and, in an observer capacity, one intergovernmental organization, were represented.

The Assembly and the Committee of Directors, after a thorough discussion of the said study and of proposals by the International Bureau, concluded by stating that they were in favor of the modernization of certain operations in connection with the international registration of marks at WIPO, and welcomed the said proposals, particularly as regards the computerization of the operations permitting the periodical *Les Marques internationales* to be published by photocomposition, it being understood that the cost of such computerization was not to result in either an increase in fees or a contribution from the member States and that, to the extent possible, no recourse was to be had to the Madrid Union's reserve fund. The International Bureau was requested to prepare a study on certain specific points, with a view to a decision being taken by the Assembly and Committee of Directors at their meeting in September and October 1979.

The said study was so presented, and the Governing Bodies decided that the International Bureau should go ahead with the computerization of certain operations under the Madrid Agreement.

Statistics. The total number of registrations during 1979 was 7,359, to which should be added 3,913 renewals effected under the Nice or Stockholm Acts of the Madrid Agreement (Marks). The total number of registrations and renewals during the year was therefore 11,272, as against 11,031 during 1978. The total number of changes recorded in the International Register of Marks during 1979 was 13,961, as against 13,153 during 1978.

Trademark Search Service. The International Bureau continued to provide this service, pursuant to Article 5ter(2) of the Madrid Agreement (Marks). The total number of trademark searches effected during 1979 was 2,317, as against 2,254 during 1978.

Publications. The review *Les Marques internationales*, containing the publication of registrations of

marks, renewals and changes recorded in the International Register of Marks under the Madrid Agreement (Marks), continued to appear every month.

The text of the Madrid Agreement (Marks) was published in Arabic in June 1979.

Trademark Registration Treaty (TRT)

Acceptance. During 1979, no State deposited an instrument of ratification of or accession to the Trademark Registration Treaty (TRT). At the end of 1979, the TRT was not yet in force.

Preparatory Work for the Entry Into Force of the TRT. The Trademark Registration Treaty Interim Advisory Committee held its fourth session in February and March 1979. Eleven States were represented as members of the Committee whereas four States and 11 non-governmental organizations were represented as observers.

The Interim Advisory Committee examined, on the basis of documents prepared by the International Bureau, draft Administrative Instructions as well as draft forms. The Interim Advisory Committee formulated recommendations and made observations concerning the revision of the said drafts.

Finally, the Interim Advisory Committee dealt with the prospects for ratification of the TRT or accession to it. Delegations reported on the situation in their countries. Despite the fact that all expressed interest in the TRT, their statements showed that ratification by their respective countries would still take some time. The International Bureau nevertheless drew attention to the fact that four developing countries (Congo, Gabon, Upper Volta and Togo) had already acceded to the TRT and that consequently only one¹ further ratification or accession was needed for it to enter into force.

Nice Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks

Member States. On the entry into force of the Geneva Act (1977) on February 6, 1979, Benin became a member of the Nice Union. At the end of 1979, the number of States members of the Nice Union was 32.

Nice Agreement: Stockholm Act (1967). Spain deposited on February 2, 1979, its instrument of ratification of the Stockholm Act (1967) of the Nice Agreement.

¹ That accession was effected by the Soviet Union on February 7, 1980, and the Trademark Registration Treaty will enter into force on August 7, 1980.

Nice Agreement: Geneva Act (1977). Spain, the United Kingdom and the Netherlands deposited instruments of ratification of the Geneva Act (1977) of the Nice Agreement on February 2, March 30 and May 11, 1979, respectively. The Geneva Act (1977) of the Nice Agreement entered into force on February 6, 1979.

Nice Agreement: Acts in Force. Of the 32 States which were members of the Nice Union on December 31, 1979, four were bound by the Nice Act (1957), 19 by the Stockholm Act (1967) and nine by the Geneva Act (1977) of the Nice Agreement.

International Classification of Goods and Services for the Purposes of the Registration of Marks: Revision of the Alphabetical List of Goods and Services. The Preparatory Working Group established by the Committee of Experts set up under the Nice Agreement held its third session in June 1979. Seven of the eight member States were represented. One other State and one intergovernmental organization were represented in an observer capacity.

The Preparatory Working Group considered items referred to it by the Temporary Working Group (also established by the Committee of Experts) for possible modification to be made in the Classification of certain indications of goods or services, and drafted proposals for submission to the Committee of Experts.

The Preparatory Working Group also adopted a procedure to enable Offices dealing with the classification of new goods or services to ascertain the informal views of the Preparatory Working Group in cases of doubt, and thereafter to enable agreed recommendations to be made to the Committee of Experts.

Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks

Acceptance. During 1979, no State deposited an instrument of ratification of or accession to the Vienna Agreement (Figurative Elements of Marks). The Vienna Agreement is not yet in force.

B. Industrial Designs

Hague Union for the International Deposit of Industrial Designs

Member States. Belgium, Luxembourg and the Netherlands deposited, all on February 28, 1979, instruments of ratification of or accession to the Hague Agreement. At the end of 1979, the number of States members of the Hague Union was 17.

Complementary Act of Stockholm (1967). The instruments of ratification or accession referred to in the preceding paragraph related also to the Complementary Act of Stockholm (1967) to the Hague Agreement.

Protocol of Geneva (1975). This Protocol entered into force on April 1, 1979, having been ratified or acceded to in 1979 by Belgium, Luxembourg and the Netherlands on February 22 and by Switzerland and Liechtenstein on March 1, 1979.

Hague Agreement: Acts in Force. Of the 17 States which were members of the Hague Union as of December 31, 1979, 14 were bound by the London Act (1934) of the Hague Agreement and eight also by the Additional Act of Monaco (1961) to the said Agreement. Nine States had ratified or acceded to the Complementary Act of Stockholm (1967) of the Hague Agreement, and six States were bound by the Protocol of Geneva (1975).

Assembly and Conference of Representatives. The Assembly and Conference of Representatives of the Hague Union held their third (second extraordinary) sessions in May and June 1979. Nine member States, and, in an observer capacity, three other States, one intergovernmental organization and one international non-governmental organization, were represented.

The Assembly and the Conference of Representatives amended their Rules of Procedure, adopted new Regulations under the Hague Agreement, and commented on draft Administrative Instructions.

International Deposits of Industrial Designs: Statistics. During 1979, the total number of international deposits was 1,756 and the total number of prolongations was 706, as against 1,885 and 981, respectively, during 1978.

Open deposits during the year numbered 1,239 and sealed deposits 517; simple deposits numbered 905 and multiple deposits 851. For 1978, the corresponding figures were 1,328, 557, 949 and 936.

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

Locarno Union for the International Classification of Industrial Designs

Member States. At the end of 1979, the number of States members of the Locarno Union (Industrial Designs) was the same as at the beginning of the year, that is, 16.

The text of the Locarno Agreement was published in Russian in April 1979.

C. Appellations of Origin

Lisbon Union for the Protection of Appellations of Origin and their International Registration

Member States. At the end of 1979, the number of States members of the Lisbon Union was the same as at the beginning of the year, that is, 16.

Lisbon Agreement: Stockholm Act (1967). During 1979, no additional States deposited instruments of ratification of or accession to the Stockholm Act (1967) of the Lisbon Agreement.

Lisbon Agreement: Acts in Force. Of the 16 States which were members of the Lisbon Union on December 31, 1979, three were bound by the Lisbon Act (1958) and 13 by the Stockholm Act (1967) of the Lisbon Agreement.

International Registrations: Statistics. During 1979, five applications for the registration of an appellation, one from Bulgaria, one from Czechoslovakia and three from France, were filed and registered at the International Bureau. Twenty-one applications were filed and registered during 1978.

D. Protection of Certain Emblems, Signs and Hallmarks, Abbreviations and Names (Article 6ter of the Paris Convention)

During 1979, five communications of emblems, abbreviations and names were made under Article 6ter of the Paris Convention. During 1978, three communications were made.

The Assembly and the Conference of Representatives of the Paris Union at their 1979 sessions considered a question, submitted at the request of the Swiss Federal Bureau of Intellectual Property, concerning the interpretation of Article 6ter. The question concerned requests for the communication of names and emblems not of intergovernmental organizations themselves but corresponding to conventions or programs of the requesting organizations. It was unanimously decided to request the International Bureau not to communicate to the countries of the Paris Union the armorial bearings, flags, other emblems, abbreviations and names corresponding to specific conventions or programs of intergovernmental organizations.

E. Indications of Source

Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods

Contracting States. At the end of 1979, the number of States party to the Madrid Agreement (Indications

of Source) was the same as at the beginning of the year, that is, 32.

Additional Act of Stockholm (1967). During 1979, no State deposited an instrument of ratification of or accession to the Additional Act of Stockholm (1967) to the Madrid Agreement (Indications of Source).

Acts in Force. Of the 32 States which were party to the Madrid Agreement (Indications of Source) on December 31, 1979, three were bound by the Hague Act (1925), nine by the London Act (1934), 20 by the Lisbon Act (1958) and 18 also by the Additional Act of Stockholm (1967).

III. Patent Cooperation and Information Activities

A. Patent Cooperation Treaty (PCT)

Membership

At the beginning of 1979, the PCT was in force for the following 20 countries: Brazil, Cameroon, Central African Republic, Chad, Congo, Denmark, France, Gabon, Germany (Federal Republic of), Japan, Luxembourg, Madagascar, Malawi, Senegal, Soviet Union, Sweden, Switzerland, Togo, United Kingdom, United States of America. Of these countries, five (Denmark, France, Luxembourg, Switzerland and the United States of America) had made reservations excluding the application of Chapter II of the PCT (relating to preliminary examination). By the end of 1979, a further seven countries had deposited instruments of ratification or accession: Australia (member as of March 31, 1980), Austria, Liechtenstein (member as of March 19, 1980), Monaco, Netherlands, Norway and Romania. Of these countries, Liechtenstein and Norway made a reservation excluding the application of Chapter II of the PCT. The number of Contracting States was 27 at the end of 1979.

Four of the seven countries which have made reservations excluding the application of Chapter II (France, Liechtenstein, Luxembourg and Switzerland) are expected to lift those reservations in view of the fact that the European Patent Office has opened examination in all technical fields (see below). The United States of America has indicated that it will study, with its interested circles, the lifting of its reservation.

International Searching and Preliminary Examining Authorities

The following Offices were the International Searching and Preliminary Examining Authorities at

the end of 1979: the Austrian Patent Office, the Japanese Patent Office, the USSR State Committee for Inventions and Discoveries, the Swedish Patent Office, and the European Patent Office; furthermore, the United States Patent and Trademark Office was an International Searching Authority and the United Kingdom Patent Office was an International Preliminary Examining Authority. As from March 31, 1980, the Australian Patent Office will also be an International Searching and Preliminary Examining Authority.

The European Patent Office started its international preliminary examination activities on June 1, 1979, in a limited number of technical fields corresponding to the limitations as to technical fields which initially applied to the filing of European patent applications. All such limitations having been removed from December 1, 1979, all technical fields are now open for international preliminary examination by the European Patent Office.

PCT Assembly

The Assembly of the International Patent Cooperation (PCT) Union held its third session (second extraordinary) in April and May 1979. Fifteen member States were represented; six States and one intergovernmental organization participated as special observers; four States and five international non-governmental organizations were represented as observers. The Assembly held its fourth (second ordinary) session in September and October 1979 as part of the tenth series of meetings of the Governing Bodies of WIPO and the Unions administered by WIPO.

Level of Fees and Prices; Financial Contributions. At its third session, the Assembly decided to raise the fees by approximately 30 percent as expressed in Swiss currency as from August 1, 1979; it also

(i) noted that the Director General would raise the prices of the pamphlets and the *PCT Gazette* by approximately 30 percent, when expressed in Swiss francs, as from January 1, 1980;

(ii) decided that, barring unforeseen circumstances, it would let the new fees and prices remain in effect until the end of 1980 and that, at the latest in September 1980, the Assembly would examine the question of fees, prices and deficit-covering contributions;

(iii) authorized the International Bureau to cover, provisionally, from a loan, any deficit arising before the end of 1980 and not covered by the deficit-covering contributions already voted.

Amendment of the PCT Regulations. The Assembly, after consideration of proposals and draft texts

prepared by the International Bureau, adopted amendments to rules relating to fees and established directives concerning the establishment of the amounts of fees in currencies other than Swiss francs. It also adopted amendments to rules relating to the communication of international applications to designated offices by the International Bureau, and recommended acceptance for this purpose of the pamphlet published under the Regulations, it being understood that the International Bureau would consult with interested offices on the bibliographic data content and the structure of the said pamphlet.

As concerns proposals for possible amendments to the PCT Regulations and the Budapest Treaty Regulations, considered in a joint session with the Interim Advisory Committee for the Preparation of the Entry into Force of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, see Section B, above, concerning the Budapest Treaty.

Other Matters Discussed During Consideration of Amendments. The Assembly invited the Director General to keep under review questions affecting the use of the PCT system by applicants, to proceed with his plan for the assembling of information specific to the national laws of Contracting States which would facilitate the entry of the national phase by applicants and to invite both the Governments and the international organizations representing the users of the PCT system to make specific proposals which could lead to a simplification of the system without necessitating a revision of the Treaty and without prejudicing the safeguards contained in the PCT for applicants.

Official Texts

Official texts of the amendments to the Regulations under the PCT adopted at the third session of the PCT Assembly (see above paragraph) were published in English, French and German in June 1979.

PCT Committee for Technical Cooperation (PCT/CTC)

The PCT Committee for Technical Cooperation (PCT/CTC) held its second session in October 1979, jointly with the third session of the WIPO Permanent Committee for Patent Information (PCPI). Twelve States and one intergovernmental organization were represented as members of the PCT/CTC; representatives of seven States were present as special observers; four other States and seven organizations were represented as observers.

The PCT/CTC endorsed the conclusions and recommendations of the PCPI Working Group on Plan-

ning at its third and fourth sessions in respect of the tasks given by the PCT/CTC at its first session to the Planning Group for action in 1979, and reached decisions in respect of each of those tasks (inventory of patent documents referred to in PCT Rule 34.1(c)(i) to (v), inventory of "reported gaps" in the files of the PCT International Searching Authorities (ISAs), inventories of sorted collections of patent documents according to PCT Rule 34.1(c)(vi), inventories of English-language abstracts of patent documents according to PCT Rule 34.1(e), list of periodicals established under PCT Rule 34.1(b)(iii), and cooperation for selecting relevant articles from PCT minimum documentation journals).

International Applications Filed

During 1979, the International Bureau of WIPO received 2,625 record copies from the receiving Offices, the actual number of applications filed, according to information provided by the receiving Offices, being in the region of 2,734 (the difference between these two figures is attributable mainly to the period of formal processing of the applications by the receiving Offices preceding the receipt of record copies by the International Bureau). The corresponding totals for the seven months of PCT operations in 1978 were 459 record copies received and 687 international applications filed. The quarterly figures indicate a steady increase in the number of record copies received and applications filed:

	<i>Record copies received</i>	<i>Applications filed</i>
1st quarter	483	571
2nd quarter	547	663
3rd quarter	741	721
4th quarter	854	779
<i>Total</i>	<u>2,625</u>	<u>2,734</u>

The increase in filings can be attributed both to an increase in knowledge of the PCT on the part of potential applicants and to the steadily increasing membership of the PCT, which provides the possibility for the designation of a greater number of States and a consequent lessening of the complications of foreign filings.

The record copies were transmitted by the national Offices of Austria, Brazil, Denmark, France, Germany (Federal Republic of), Japan, Luxembourg, Monaco, the Netherlands, Romania, the Soviet Union, Sweden, Switzerland, the United Kingdom and the United States of America and by the European Patent Office. The average number of States or groups of States in respect of which a designation fee

was paid was 4.59. The average number of designations per international application was 6.66.

In the same period, the International Preliminary Examining Authorities notified the International Bureau of their receipt of 172 demands for international preliminary examination under Chapter II. Subsequent to such notifications, the International Bureau received and communicated to the elected Offices the international preliminary examination reports in 74 cases, all such reports having been received within the prescribed time limits. The International Bureau of WIPO provided the translations of these reports in accordance with the requirements of the elected Offices.

During the year, the receiving Offices and the International Searching Authorities were able to work within the time limits prescribed for performing their various tasks, especially those involving the transmittal of the record copy and the international search report to the International Bureau. The International Bureau was in possession of the international search report in sufficient time to publish it together with the international application in all instances.

Publication under the PCT

Regular (fortnightly) publication of the *PCT Gazette* in separate English and French editions was continued throughout 1979. Altogether, 27 issues of the *PCT Gazette* were published. In addition to a substantial volume of information of a general character, those issues included entries relating to the 1,168 international applications which were published in the form of PCT pamphlets (in English, French, German, Japanese or Russian, depending on the language of filing) on the same day as the relevant issues of the *PCT Gazette*.

Public Information Activities

The English and French versions of the *PCT Applicant's Guide*—WIPO's general information publication containing detailed information on the PCT intended for those interested in filing international patent applications under the PCT—were published in a new looseleaf format. In August 1979, a substantial issue of replacement pages was made to update the Guide, especially the Annexes which contain detailed information necessary for the preparation and filing of applications.

In addition, press releases in English, French, German, Japanese and Russian were issued from time to time, for instance, following sessions of the Assembly and acceptance of the PCT by additional countries. Altogether seven press releases were issued.

A number of seminars were arranged, mostly in countries which had become party to the PCT, with a view to promoting the use of the PCT system. Papers on the PCT were given by members of the staff of WIPO and of national and regional offices and by representatives of interested circles at seminars held in France, Germany (Federal Republic of), Japan, the Soviet Union, Switzerland and the United Kingdom.

A PCT Users Meeting was held at WIPO headquarters in Geneva in October. The meeting was attended by about 200 participants representing interested national and international organizations and the various interested patent offices as well as interested persons attending in a personal capacity.

A new leaflet called *Basic Facts About the PCT* was issued in English; corresponding versions in other languages will be produced in 1980.

B. International Patent Classification (IPC)

Strasbourg Agreement Concerning the International Patent Classification

Acceptance. Italy deposited its instrument of ratification of the Strasbourg Agreement on March 28, 1979. The Agreement will enter into force for Italy on March 30, 1980. Until then, the number of States members of the IPC Union is 26.

Revision and Uniform Application of the IPC

Committee of Experts. The Committee of Experts of the IPC Union held its sixth session in January and February 1979. Thirteen States members of the Committee and one intergovernmental organization were represented. One State was represented by observers.

On the basis of the proposals made by its Working Groups during the second revision period (1974 to 1979), the Committee of Experts amended the IPC. The resulting third edition of the IPC was notified to the members of the IPC Union on June 30, 1979.

The Committee of Experts, after making certain amendments, also approved the revised Guide to the IPC, made certain recommendations to the WIPO Permanent Committee on Patent Information (PCPI) on the content of the Advice to Searchers and the Advice to Classifiers, approved a note on "User Information" which will appear at the beginning of each of the nine volumes of the third edition of the IPC, and also approved a number of training examples.

The Committee of Experts held its seventh session in December 1979. Seventeen of the 26 members of the Committee and one intergovernmental organization were represented.

The Committee approved amendments to the IPC submitted to it by the PCPI, relating to seven subclasses. Having approved the replacement of the term "addressographs" by the expression "addressing machines" in the IPC, the Committee decided that any trademark appearing in the IPC which was discovered in the normal course of the revision work on the IPC should be replaced by an appropriate expression, the use of such a trademark being only acceptable as an example in the IPC if it was found necessary in order to clearly describe the subject matter in question, and that any trademark appearing in the IPC should be deleted upon request by the trademark owner.

The Committee endorsed recommendations of the PCPI regarding the working procedures for the third revision period of the IPC, regarding the restriction of the use of "X-notations," and regarding certain questions raised during the discussion on the philosophy of the revision work on the IPC during the third revision period in the PCPI Working Group on Planning.

The Committee discussed in detail the questions formulated by the PCPI on the possibility of introducing hybrid systems as part of the IPC. It agreed upon a definition of "hybrid systems" within the framework of the IPC as follows: "A hybrid system, forming part of the IPC, is a system which provides for a patent document classified thereon to bear the appropriate classification symbols of the IPC—i.e. the invention symbols and the information symbols (if any)—and, associated with those symbols, codes for terms which identify elements of information about the disclosure already covered by one or more of the classification symbols."

The Committee further agreed that the introduction of hybrid systems did not formally contravene any of the provisions of the Strasbourg Agreement, that the indexing terms should constitute an integral part of the IPC, and that the indexing codes should be applied to patent documents as non-obligatory symbols in a similar way as the non-obligatory symbols relating to supplementary and complementary information are applied to patent documents at present.

The Committee noted reports on the publication of the third edition of the IPC and the French Catchword Index, and the publication of the English Catchword Index (January 1980) and the Revision Concordance List (early 1980). It also noted statements concerning the dates from which industrial property offices intended to print the symbols of the third edition of the IPC on the patent documents published.

The Committee reaffirmed its decision to entrust the PCPI with the planning and organization of the future revision of the IPC and expressed confidence in the PCPI making the appropriate recommendations to the Committee. It was agreed that in so doing, any amendment to the IPC submitted to the Committee by

the PCPI was considered to be submitted in accordance with Article 5(5) of the Strasbourg Agreement.

Publications

In August 1979, of the nine volumes of the third edition of the IPC, the eight containing the Classification itself were printed and published. The remaining volume, containing the Guide to the IPC, was published in October 1979, together with the French Catchword Index.

A revised edition of a brochure containing general information on the IPC, taking into account the revision work, was published in English in August 1979.

C. ICIREPAT

Participating Countries

The following 22 countries were members ("participating countries") of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) at the beginning of 1979 and were represented on its executive body, 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 European Patent Office (EPO) also participated in the activities of ICIREPAT. Israel withdrew from ICIREPAT in May 1979. The work of ICIREPAT ended in 1979, continuing tasks being entrusted to the WIPO Permanent Committee on Patent Information (PCPI).

Standardization

The Technical Committee for Standardization (TCST) of ICIREPAT held its seventeenth (and last) session in June 1979, jointly with the first session of the Working Group on General Information of the Permanent Committee on Patent Information (PCPI). Representatives of 15 member countries and one intergovernmental organization participated, together with observers from one State and four organizations.

The TCST made recommendations to the Plenary Committee concerning ICIREPAT standards relating to the identification of different kinds of patent documents (SI. 8), the two-letter code for countries, organizations and the like (ST.3) and the recording of

application numbers on magnetic tape (SI.14); the TCST also prepared for the Plenary Committee final draft recommendations for the numbering of published patent documents and for the coding of headings of announcements made in Official Gazettes.

Plenary Committee

The Plenary Committee (PLC) of ICIREPAT held its fourteenth ordinary (and last) session in October 1979. Fifteen of the participating countries, and the EPO, were represented, together with observers from two organizations. The PLC approved the recommendations of the TCST, took note of a status report on mechanized search systems developed or being developed in 1978 and of a summary of annual technical reports for 1978, and approved, for the attention of the PCPI, a final report on the fulfillment of the ICIREPAT programs for 1978 and 1979.

ICIREPAT Manual

The tenth edition of updated pages for the ICIREPAT Manual was distributed in February 1979. It contains approximately 150 replacement pages.

D. Coordination and Cooperation in the Field of Patent Information

WIPO Permanent Committee on Patent Information (PCPI)

Membership. At the end of 1979, the following 53 States were members of the WIPO Permanent Committee on Patent Information (PCPI): Algeria, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Central African Republic, Chad, Congo, Cuba, Czechoslovakia, Denmark, Dominican Republic, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Iran, Ireland, Israel, Italy, Japan, Kenya, Luxembourg, Madagascar, Malawi, Monaco, Netherlands, Norway, Philippines, Poland, Portugal, Romania, Senegal, Soviet Union, Spain, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Uganda, United Kingdom, United States of America, Upper Volta, Yugoslavia, Zambia. The African Intellectual Property Organization (OAPI) and the European Patent Office (EPO) are also members of the PCPI.

The *PCPI Working Group on Search Information*, responsible for dealing with tasks concerning search file organization and maintenance, including IPC

revision matters and search system development, held its first session in February 1979. All members of the Working Group (13 States and one intergovernmental organization) were represented. At this session, the Working Group dealt mainly with proposals for amendment of the IPC during the third revision period and considered progress in the preparation of the third edition of the IPC (resulting from the second revision).

The Working Group discussed 38 IPC revision projects and dealt with four of them by accepting the proposals for amendment in whole or in part, six by deciding to refer them to a subsidiary body, one by referring it to the PCPI Working Group on Planning for guidance, and the remainder by inviting comments, further proposals or reports for a future session of the Working Group.

Two Subgroups of the Working Group on Search Information met in May and June 1979, respectively, to consider specific questions referred to it by the Working Group.

The PCPI Working Group on Search Information held its second session in July 1979. Sixteen members of the Working Group were represented.

The Working Group completed work on six IPC revision projects, brought work on 17 such projects close to completion and began work on 12 projects. It also noted that work was completed on the Guide to the IPC, completed work on training examples, made progress on the investigation of "X-notations," the Revision Concordance List, the Advice to Searchers, the Advice to Classifiers and the Catchword Indexes, and began work on a handbook for the revision of search systems.

The *PCPI Working Group on Planning*, which advises the PCPI on the definition of the details of the objectives, tasks, programs and working methods of the PCPI and its Working Groups, held its third and fourth sessions in March and September 1979, respectively. Nine States and one intergovernmental organization, members of the Working Group, were represented at both sessions. One other State and one other intergovernmental organization were represented by observers at the third session.

The Planning Group, at its third session, reached conclusions on six detailed proposals (inventory of patent documents referred to in PCT Rule 34, inventory of "reported gaps" in the files of International Searching Authorities, inventories of sorted collections of patent documents according to PCT Rule 34, English-language abstracts of patent documents according to PCT Rule 34, minimum list of non-patent literature under PCT Rule 34, cooperation for selecting relevant articles from PCT minimum documentation journals) forwarded to it by the PCT Committee for Technical Cooperation, examined and made recommendations on the working procedures of

the PCPI and its Working Groups, and recommended a philosophy and criteria for determining priorities to be followed in the revision work on the IPC during the third revision period. At its fourth session, the Planning Group also examined criteria for determining priorities among PCPI tasks, consistency in the application of the IPC, and the evaluation of ICIREPAT search systems. It recommended a program of work for the PCPI and its Working Groups in 1980, and prepared a report on the activities of the Working Groups in 1979.

The *PCPI Working Group on General Information* held its first session in June 1979, jointly with the seventeenth session of the TCST of ICIREPAT. Seventeen members of the Working Group were represented, together with observers from four organizations.

The Working Group made recommendations to the PCPI and to the PCPI Working Group on Planning concerning a study of IPC associated publications and the revision of ICIREPAT standards relating to 8-up aperture card microform (ST.7/A), the "kind of document" code (SI.g) and bibliographic data on and relating to patent documents (ST.9). The Working Group also prepared for the PCPI amended draft Guidelines on the Bibliographic Data Content of Official Gazettes.

The *PCPI Working Group on Patent Information for Developing Countries* held its first session in September 1979. Twenty members of the Working Group were represented. One country, two intergovernmental organizations and two other organizations were represented by observers.

The Working Group reviewed the progress made on tasks started by the former Expert Working Group on Information from Patent Documents of the Permanent Committee for Development Cooperation Related to Industrial Property, and listed tasks already finalized, tasks covered by its own agenda and tasks requiring further work. It recommended a pilot survey, in collaboration with the Industrial Property Office of Brazil and with OAPI, to identify types of users of patent information, including potential users, in developing countries and to give a statement of their needs. It evaluated the state-of-the-art search program and draft "Users' Guides to the IPC," and made recommendations for their improvement and extension. Finally, the Working Group made recommendations concerning curricula for training courses and adopted, for approval by the PCPI, guidelines on the planning and creation of patent information and documentation centers in developing countries.

The *PCPI* held its third session in October 1979. Twenty-three States and one organization, members

of the PCPI, were represented, together with observers from seven other organizations.

The PCPI took note of the membership of its Working Groups, as follows: *on General Information*: Austria, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Japan, Netherlands, Norway, Poland, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America and the European Patent Office; *on Search Information*: Austria, Canada, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Japan, Netherlands, Norway, Senegal, Soviet Union, Sweden, Switzerland, United Kingdom, United States of America, the African Intellectual Property Organization and the European Patent Office; *on Patent Information for Developing Countries*: Algeria, Austria, Brazil, Cuba, Egypt, Finland, France, Germany (Federal Republic of), Ghana, Japan, Kenya, Malawi, Senegal, Soviet Union, Spain, Suriname, Sweden, Switzerland, Uganda, United Kingdom, United States of America, Zambia, the African Intellectual Property Organization and the European Patent Office; *on Planning*: Austria, Brazil, France, Germany (Federal Republic of), Japan, Soviet Union, Sweden, United Kingdom, United States of America, Zambia, and the European Patent Office.

The PCPI noted the report of the fourteenth (and last) session of the PLC of ICIREPAT, and the final report, approved by the PLC, on the fulfillment of the ICIREPAT program for 1978 and 1979. It examined the activities of and recommendations formulated by the PCPI Working Groups in 1979; in relation to criteria for determining priorities among PCPI tasks, it endorsed the conclusion of the Planning Group and decided that the first draft of a long-term program should be prepared by the Planning Group and submitted to the next session of the PCPI.

It approved recommendations concerning criteria for determining priorities in the IPC revision work, and adopted guiding principles for the revision work on the IPC during the third revision period, including the principle that, in specific areas of the IPC, the concept of the hybrid system, i.e., a system in which classifying terms are supplemented by indexing terms, could be introduced when this was found desirable in order to improve the effectiveness of the IPC as a search tool. In this connection the PCPI requested the International Bureau to invite the IPC Committee of Experts to consider and give its views on questions relating to the possibility of introducing hybrid systems as part of the IPC.

The PCPI also endorsed recommendations formulated by the Working Group on Search Information regarding working procedures and the restriction of the use of "X-notations" when classifying patent documents, and conclusions of the Planning Group in

respect of certain questions raised during the discussion in the said Group on the philosophy of revision work on the IPC.

The PCPI, agreeing that measures leading to consistent application of the IPC were of particular interest to all users of the IPC within or outside industrial property offices, endorsed the conclusion of the Planning Group that in-depth studies on this subject should continue so as to lead to improvements also in the elaborations of the IPC.

In relation to the evaluation of ICIREPAT search systems, the PCPI endorsed the suggestion made by the PLC that PCPI members should include in their Annual Technical Reports a status report on the search systems managed in accordance with the procedure for shared use systems of the former ICIREPAT and that in so doing certain specific items of information should be provided.

The PCPI adopted guidelines on the planning and creation of a patent information and documentation center in developing countries as revised by the International Bureau following the request of the PCPI Working Group on Patent Information for Developing Countries, and, subject to reservations by two delegations, guidelines on the bibliographic data content of Official Gazettes.

The PCPI noted the reports of the sessions of its various Working Groups and approved action taken by the Working Groups on the tasks assigned to them. It approved the report of the Planning Group on the effectiveness of the PCPI Program in 1979, and requested the International Bureau to prepare a similar report on the PCPI Program in 1980. It also approved a report by the International Bureau on the various tasks assigned to it by the PCPI, particularly compiling Industrial Property Statistics, collecting and distributing Annual Technical Reports on the patent information activities of the PCPI members, and monitoring INPADOC activities. It encouraged PCPI members to continue their efforts to submit Annual Technical Reports in future years, adhering to the guidelines formulated by the former ICIREPAT and the PCPI as to the subject matter of those reports.

The PCPI noted with satisfaction the system devised by the International Bureau for presenting proposals relating to technical work within the PCPI as Project Files and decided that the system should be included in the proposed WIPO Handbook on Patent Information, which is to replace the ICIREPAT Manual. It also approved the working procedures recommended by the Planning Group, reaffirming the principle, embodied in those procedures, that the PCPI should confirm all recommended proposals for revision of the IPC in order to properly coordinate the patent information activities of WIPO.

The PCPI adopted its program for 1980, decided to maintain for 1980 its existing Working Groups and to continue their mandates, given to them in 1979,

assigned to each Working Group a certain number of tasks for detailed consideration and attempted completion in 1980, and fixed the dates of the sessions to be held in 1980.

Exchange of Information Between Patent Offices

Reports on their technical activities in 1978 were provided in 1979 to the International Bureau by the Offices of the following 30 countries and one organization: Algeria, Australia, Austria, Belgium, Brazil, Canada, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Israel, Japan, Kenya, Luxembourg, Monaco, Netherlands, Norway, Poland, Romania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia and the European Patent Organisation. Thirty-one reports were transmitted to PCPI members and summarized in a document prepared for the Working Group on Planning.

E. Internatinnal Patent Dncumentatinn Center (INPADOC)

Establishment and Services

The International Bureau continued to assist the International Patent Documentation Center (INPADOC), which was established pursuant to an Agreement between the Government of Austria and WIPO, in its contacts with patent offices and interested organizations and to use its best efforts to bring about agreements of cooperation between INPADOC and national industrial property offices and the European Patent Organisation and to achieve a high degree of standardization of the presentation of the bibliographic data in patent documents and Official Gazettes.

Discussions were held between the International Bureau and officials of INPADOC in London, Munich and Vienna in May, in Brussels in June, in Madrid in November and in Vienna in December 1979 on these and other matters of common interest.

Additional agreements of cooperation, providing for the furnishing by patent offices to INPADOC of bibliographic data in machine-readable form pertaining to patent documents, were concluded with the Industrial Property Offices of Belgium and the United Kingdom and the existing agreement with the Industrial Property Office of Spain was amended.

The Supervisory Board (*Aufsichtsrat*) of INPADOC, which establishes INPADOC's general policy, met in April, July and December 1979. WIPO has representatives on that Board. They participated in the said meetings.

F. Internatinnal Jurnal on Patent Informatinn and Documentatinn

The first two issues of *World Patent Information*, a joint periodical of the Commission of the European Communities and WIPO, were published in July and October 1979.

G. Patent Abstracting Services

Meeting of Major Patent Abstracting Services

In May 1979, WIPO, in cooperation with the Institution of Electrical Engineers, organized in London a meeting of major patent abstracting services, with the aim of discussing possibilities of effective cooperation among such services and between them and national or regional patent offices. Six International Authorities under the Patent Cooperation Treaty, nine abstracting and referral services, two intergovernmental organizations and one international non-governmental organization were represented.

Information and views were exchanged at the meeting on the following matters: overlap and boundary problems, standards for abstracts and titles, selective dissemination of information services, exchange agreements, PCT minimum documentation coverage, cooperation among abstracting services, cooperation between abstracting services and national or regional patent offices, dissemination of abstracts to users, and needs of developing countries.

IV. Other Matters

A. Relations with States

See "The World Intellectual Property Organization in 1979" in the February 1980 issue of this review.

B. Relations with Intergovernmental Organizatinnns

Commission of the European Communities (CEC). WIPO was represented at the meetings of the Working Group on the Community Trade Mark, convened by the Commission of the European Communities (CEC) in Brussels in February, April, July, September and November 1979, and at a bearing of non-governmental organizations convened by the CEC on the same subject in March 1979.

Council for Mutual Economic Assistance (CMEA). WIPO was represented at the session of the Conference of the Heads of Offices for Conventions of the CMEA countries held in Burgas (Bulgaria) in June 1979.

European Patent Organisation (EPO). WIPO was represented at a meeting convened by the EPO in Munich in January 1979, of a Working Group on Rule 28 under the European Patent Convention, and at the sessions of the Administrative Council of the EPO held in Munich in May, in Berlin in September and in Munich in November 1979. Discussions were held in Munich in October and December 1979 on cooperation in general and, in particular, on development cooperation activities.

Interim Committee for the Community Patent. WIPO was represented at the session of the Interim Committee for the Community Patent held in Munich in May 1979.

C. Relations with International and National Non-Governmental Organizations

International Organization for Standardization (ISO)

Cooperation between WIPO and ISO continued in the fields of the adoption of common names for pesticides and of documentation. WIPO was represented at the General Assembly of ISO held in September 1979, at the May 1979 session of ISO Technical Committee 81 (Common Names for Pesticides), at the June and November 1979 meetings of the Maintenance Agency for ISO Standard 3166 (Codes for the Representation of Names of Countries) and at the November 1979 sessions of ISO Technical Committee 46 (Documentation) and its Working Group 2 (Coding of Country Names and Related Entities).

Representation at Meetings

WIPO was represented at the following meetings of international and national non-governmental organizations having an interest in industrial property and

related matters at which questions of direct interest to WIPO were discussed: the Industrial Property Commission of the International Chamber of Commerce in Paris in March and October 1979, the Study Committee on Patent Documentation and the Council of the International Federation for Documentation (FID) in Luxembourg in May and in Stuttgart in October 1979; Congress of the International Federation of Inventors' Associations (IFIA) in Basle in May 1979, at which the representative of WIPO delivered a lecture. The Director General and a Deputy Director General participated in a conference organized by the Hungarian Group of the International Association for the Protection of Industrial Property (IAPIP) in Budapest in September 1979 on the subject of "Innovation and Protection of Industrial Property." WIPO was also represented at a meeting of the Executive Committee of IAPIP in Toronto in September 1979, and at *Journées d'étude* organized by the International League Against Unfair Competition (LICCD) in Prague in September 1979.

Members of the staff of WIPO delivered lectures at Seminars on Technology Information in Patent Literature held in Melbourne and Sydney in February 1979 under the sponsorship of the Confederation of Australian Industry and the Department of Productivity of the Government of Australia, in conjunction with the Australian Patent Office, and at a Seminar on Industrial Property in ASEAN and South Pacific Countries organized in Melbourne and Canberra in November 1979 by the Australian Patent Office and the Australian Group of IAPIP; a Conference on the Legal Protection of Computer Software organized in Amsterdam in March 1979 by European Study Conferences Limited; a Conference on Transfer of Technology and Industrial Property organized by the Licensing Executives Society (LES) (France) in Paris in April 1979; a seminar on solidarity between Spain and Latin America on scientific and technological information networks, held in Madrid in November 1979 under the sponsorship of the International Institute of Labour Studies of the ILO and the Government of Spain.

World Intellectual Property Organization

WIPO Convention

Accession

COLOMBIA

The Government of Colombia deposited, on February 4, 1980, its instrument of accession to the Convention Establishing the World Intellectual Prop-

erty Organization, signed at Stockholm on July 14, 1967.

Colombia will belong to Class C for the purpose of establishing its contribution towards the budget of the WIPO Conference.

The WIPO Convention will enter into force, with respect to Colombia, on May 4, 1980.

WIPO Notification No. 109, of February 4, 1980.

International Unions

Paris Convention

Accession

REPUBLIC OF KOREA

The Government of the Republic of Korea deposited, on February 1, 1980, its instrument of accession to the Paris Convention for the Protection of Industrial Property of March 20, 1883, as revised at Stockholm on July 14, 1967.

The Republic of Korea will belong to Class VI for the purpose of establishing its contribution towards the budget of the Paris Union.

The Stockholm Act (1967) of the said Convention will enter into force, with respect to the Republic of Korea, on May 4, 1980.

Paris Notification No. 97, of February 4, 1980.

Trademark Registration Treaty (TRT)

I. Accession

SOVIET UNION

The Government of the Soviet Union deposited, on February 7, 1980, its instrument of accession to the Trademark Registration Treaty (TRT), done at Vienna on June 12, 1973.

The said instrument of accession contains the following declarations:

"The provisions of paragraph (4)(a) of Article 39 are outdated and are in contradiction with the Declaration of the General Assembly of the United Nations on the granting of independence to colonial

countries and peoples (United Nations General Assembly Resolution 1514 (XV) of December 14, 1960). The Declaration proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations."

"The Soviet Union does not consider itself bound by the provisions of paragraph (1) of Article 46." (Translation)

The date of entry into force of the Treaty is the subject of a separate notification (TRT Notification No. 7).

TRT Notification No. 6, of February 12, 1980.

II. Entry Into Force

The Trademark Registration Treaty (TRT), done at Vienna on June 12, 1973, will enter into force on

August 7, 1980,

that is, six months after the deposit by five States of their instruments of ratification or accession.

In this connection, it is recalled that instruments of accession relating to the Trademark Registration Treaty (TRT) were deposited:

- on January 28, 1975, by Togo;
- on March 6, 1975, by Gabon;
- on May 23, 1975, by Upper Volta;
- on August 8, 1977, by the Congo;
- on February 7, 1980, by the Soviet Union.

Consequently, in accordance with the provisions of Article 41(1) of the Trademark Registration Treaty (TRT), the said Treaty will enter into force on August 7, 1980, with respect to the five States referred to above.

TRT Notification No. 7, of February 12, 1980.

Plant Varieties

The International Union for the Protection of New Varieties of Plants in 1979

State of UPOV

At the end of 1979, the International Union for the Protection of New Varieties of Plants (UPOV) had eleven member States: Belgium, Denmark, France, Germany (Federal Republic of), Israel, Italy, Netherlands, South Africa, Sweden, Switzerland, United Kingdom. Israel deposited, with the approval of the Council of UPOV, its instrument of accession to the International Convention for the Protection of New Varieties of Plants of December 2, 1961 (hereinafter referred to as "the UPOV Convention"), as well as to the Additional Act of November 10, 1972, amending that Convention (hereinafter referred to as "the Additional Act") on November 12, 1979, and thus became a member State of UPOV as from December 12, 1979. Spain had made a request for accession to the UPOV Convention and the Additional Act in 1978, and the Council of UPOV had taken a favorable decision on this request on October 18, 1978; however, to date Spain has not yet deposited its instrument of accession.

With the accession of Israel at the end of 1979, the Additional Act was, as in the previous year, in force for all but one member State; the exception is the United Kingdom.

During 1979, the Revised Text of the UPOV Convention of October 23, 1978 (hereinafter referred to as "the Revised Text"), was signed by the following five States: Canada (on October 31, 1979), Ireland (on September 27, 1979), Japan (on October 17, 1979), Mexico (on July 25, 1979), and New Zealand (on July 25, 1979). As the period for signing the Revised Text elapsed on October 31, 1979, no further States can sign it. The Revised Text has thus been signed by all but one member State of UPOV (the exception is Israel) as well as by six non-member States (the five States mentioned above, as well as the United States of America, which had signed in 1978). The Revised Text will enter into force one month after the deposit of the fifth instrument of ratification, acceptance, approval or accession if at least three of the said instruments are instruments deposited by States party to the UPOV Convention of 1961. So far no instruments of that kind have been deposited.

UPOV Meetings

During 1979, the various bodies of UPOV met as listed below. Unless otherwise indicated, the sessions took place in Geneva.

The *Council* held its thirteenth ordinary session on October 17 and 18, 1979, under the chairmanship of Mr. H. Skov (Denmark). All member States and observers from a number of interested non-member States—Algeria, Austria, Brazil, Canada, Chile, Iraq, Ireland, Israel,* Japan, Morocco, New Zealand, Norway, Poland, Soviet Union, Spain, Thailand, United States of America—as well as observers from the European Economic Community attended the said session. The following are among the more important decisions taken by the Council:

- (i) the annual report and the accounts of the Union for the year 1978 were approved;
- (ii) the program and budget of the Union for 1980 were approved;
- (iii) the progress achieved in the work of the Administrative and Legal Committee and the plan for the future work of that Committee were approved;
- (iv) the progress achieved in the work of the Technical Committee and the Technical Working Parties and the plans for the future work of that Committee and those Working Parties were approved, and the Technical Committee was authorized to publish the Revised General Introduction to the Test Guidelines;
- (v) the application of Israel to accede to the UPOV Convention of 1961 and to the Additional Act of 1972 was accepted and it was decided to allow Israel to pay only one-half of the contribution according to Class V under the conditions provided for in Article 2 of the Additional Act.

The *Consultative Committee* held its nineteenth session on April 26 and 27, 1979, and its twentieth session on October 16, 1979, both under the chairmanship of Mr. H. Skov (Denmark). In those sessions, the Consultative Committee prepared the work of the Council and considered the state of the work of publishing the records of the Diplomatic Conference

* Now a member State.

of Revision of 1978, the possible invitation of further non-member States or organizations to sessions of organs of UPOV, the transmittal of examination results to non-member States, the invitation of an expert of the Junta of the Cartagena Agreement charged with establishing a Model Law for the members of that Agreement, the possible holding of a seminar in Argentina, and a recommendation on fees in relation to cooperation in examination.

The *Administrative and Legal Committee* held its third session on April 24 and 25, 1979, and its fourth session from November 14 to 16, 1979, both under the chairmanship of Dr. D. Böringer (Federal Republic of Germany). During its third session, the Committee finalized its work on the UPOV Model Plant Breeders' Rights Gazette, on the UPOV Model Form for the Invoicing of Examination Costs, and on the UPOV Form for Observations on a Submitted Variety Denomination. During its fourth session, the Committee mainly worked on two major subjects: (i) the first draft—prepared by the Office of the Union—of a Special Agreement on International Procedure Concerning New Varieties of Plants (PICOV) and, in this context, questions concerning the harmonization of certain aspects of the national legislation of member States, and (ii) the first draft—also prepared by the Office of the Union—of a UPOV Model Law on Plant Variety Protection. Furthermore, the said Committee finalized its work on the UPOV Model Form for the Interim Report on the Examination of a Variety and discussed the establishment of a new Recommendation on Fees in Relation to Cooperation and certain problems connected with the naming of varieties.

The *Technical Committee* held its thirteenth session from March 26 to 28, 1979, and its fourteenth session from November 12 to 14, 1979, both under the chairmanship of Mr. A. F. Kelly (United Kingdom). During both sessions, the Committee discussed the establishment of a revised General Introduction to the Guidelines for the Conduct of Tests for Distinctness, Homogeneity and Stability of New Varieties of Plants (General Introduction to the Test Guidelines); it adopted that document during its fourteenth session. Also during both sessions, the Technical Committee discussed the question of cooperation in the examination of varieties, especially in connection with disease tests and laboratory tests. Furthermore, the Committee studied, during its thirteenth session, the grouping of varieties for naming purposes and, during its fourteenth session, the requirement of consistent differences, the need for a second seed sample in the second year of testing, the placing of example varieties in the Test Guidelines as well as problems connected with the application of new sophisticated methods, such as electrophoresis or biochemical methods, for the testing of distinctness and for the identification of

varieties. As in previous years, the Committee supervised the work of the five Technical Working Parties, each of which, in 1979, held one session, each in different member States. As a result of the successful conclusion of work of these Technical Working Parties, the Technical Committee adopted eleven new Test Guidelines, namely those for Chrysanthemum (TG/26/4), for Pelargonium (TG/28/5), for Lily (TG/59/3), for Black Radish (TG/63/3), for Radish (TG/64/3), for Kohlrabi (TG/65/3), for Lupins (TG/66/3), for Berberis (TG/68/3), for Forsythia (TG/69/3), for Apricot (TG/70/3), and for Hazelnut (TG/71/3).

The *Technical Working Party for Agricultural Crops* held its eighth session in Versailles (France) from May 21 to 23, 1979, under the chairmanship of Miss Jutta Rasmussen (Denmark). At that session, the Working Party finalized its work on the draft Test Guidelines for Lupins and prepared a first draft for revised Test Guidelines for Maize. It furthermore discussed working papers on Test Guidelines for Sheep's Fescue and Red Fescue, for Flax and Linseed and for revised Test Guidelines for Ryegrass. It also studied problems connected with the exchange of seed of varieties, the requirement of consistency, the application of the 1-to-9 scale, the question of hybrid ryegrass, the possibility of preparing a growth stage code for grasses, the question of synthetic varieties as well as cooperation in disease tests or other laboratory tests.

The *Technical Working Party for Vegetables* held its twelfth session at Cavaillon (France) from June 12 to 14, 1979, under the chairmanship of Mr. J. Brossier (France). At that session, the Working Party finalized its work on the draft Test Guidelines for Black Radish, for Radish and for Kohlrabi and prepared first drafts for Test Guidelines for Celeriac, for Cornsalad, and for Sweet Pepper, as well as a working paper for revised Test Guidelines for Peas. It furthermore discussed the requirement of a second seed sample in the second year and the possibility of centralizing disease tests.

The *Technical Working Party for Ornamental Plants* held its twelfth session at Hanover (Federal Republic of Germany) from July 17 to 19, 1979, under the chairmanship of Mr. A. J. George (United Kingdom). At that session, the Working Party finalized its work on the draft Test Guidelines for Berberis, for Forsythia, for Chrysanthemum and for Pelargonium and prepared first drafts for Test Guidelines for Gerbera, for Kalanchoe and for revised Test Guidelines for Rose, as well as a working paper on Test Guidelines for White Cedar. It also discussed the question of distinctness in vegetatively propagated plants and the problems connected with easy mutations.

The *Technical Working Party for Forest Trees* held its seventh session at Wageningen (Netherlands) on September 25 and 26, 1979, under the chairmanship of Mr. F. Schneider (Netherlands). During that session, the Working Party prepared a first draft for revised Test Guidelines for Poplar, in view of the comments received from the International Poplar Commission and discussed working papers on Test Guidelines for Willow and for Norway Spruce. It also checked the working paper on Test Guidelines for White Cedar prepared by the Technical Working Party for Ornamental Plants.

The *Technical Working Party for Fruit Crops* held its tenth session at San Giuliano, Corsica (France), from January 30 to February 1, 1979, under the chairmanship of Mr. A. Berning (Federal Republic of Germany). During that session, the Working Party finalized its work on the draft Test Guidelines for Apricot and for Hazelnut and prepared a first draft for Test Guidelines for Blackberry. It also continued its discussion on working papers on Test Guidelines for Citrus and started revising the existing Test Guidelines for Apple. Furthermore, it had a general discussion on the question whether it should form subgroups or reserve certain sessions only for crops of the temperate zone and others only for crops of the tropical zone.

Relations of the UPOV Office with States and Organizations

The Vice Secretary-General of UPOV participated in the annual meeting of the International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) and the Congress of the International Federation of the Seed Trade (FIS), both held at Interlaken (Switzerland). He also attended part of the thirty-first Congress of the International Association of Horticultural Producers (AIPH), which was held in Herzliya (Israel). In connection with that mission, he paid a visit to the Israeli Ministry of Foreign Affairs

and the Israeli authorities responsible for plant breeders' rights, in view of the then anticipated accession of Israel to UPOV.

Furthermore, the Vice Secretary-General attended a meeting of the Special Committee for the Protection of Plant Breeders' Rights of the German Association for Industrial Property and Copyright (GRUR) which was held at Scharnhorst (Federal Republic of Germany) at the Trial Station of the German Federal Plant Varieties Office.

The Vice Secretary-General participated, in Washington, D.C., in discussions concerning the envisaged amendments of the United States Plant Variety Protection Act with representatives of the State Department, the Patent and Trademark Office and the Plant Variety Protection Office of the United States.

Moreover, he had contacts with the Japanese Ministry of Agriculture and other Japanese authorities in Tokyo, which were soon followed by the Japanese signature of the Revised Text of the UPOV Convention.

One staff member attended a meeting of the International Poplar Commission in Lisbon (Portugal) to explain the position of UPOV with respect to the establishing of Test Guidelines for Poplar.

In cooperation with the Junta of the Cartagena Agreement (Lima, Peru), UPOV organized the visit of a consultant from that Junta to Geneva for discussions concerning the establishment of a Model Law on Plant Variety Protection for the member States of the Cartagena Agreement.

Publications

In 1979, the Office of the Union continued the publication of the UPOV Newsletter. In that year, four issues were published. The said Office also published, in separate brochures in English, French and German, the texts of the UPOV Convention of 1961, the Additional Act to that Convention of 1972 and the Revised Text of the UPOV Convention of 1978.

WIPO Meetings

Patent Information

Joint Meeting of the WIPO Permanent Committee on Patent Information (PCPI)

Third Session

and the

Committee for Technical Cooperation (PCT/CTC)

Second Session

(Geneva, October 22 to 26, 1979)

NOTE*

The WIPO Permanent Committee on Patent Information (hereinafter referred to as "the PCPI") held its third session¹ jointly with the second session of the PCT Committee for Technical Cooperation (hereinafter referred to as "the PCT/CTC") in Geneva from October 22 to 26, 1979. Representatives from 23 countries and the European Patent Office (EPO) participated. In addition, observers from seven governmental and international non-governmental organizations were present. A list of participants follows this Note.

Discussions were based on documents prepared by the International Bureau, and the following conclusions and decisions were arrived at:

PCT Minimum Documentation

The PCT/CTC considered the tasks undertaken in 1979 by the PCPI Working Group on Planning and requested the International Bureau to continue work:

- (i) to update the inventory of patent documents referred to in PCT Rule 34.1(c)(i) to (v) (the "minimum documentation") to cover the years 1977 to 1979 and to update the inven-

tory of reported gaps in the search files of the PCT International Searching Authorities;

- (ii) towards the establishment of inventories of sorted collections of patent documents according to PCT Rule 34.1(c)(vi);
- (iii) towards the establishment of inventories of English-language abstracts of patent documents according to PCT Rule 34.1(e);
- (iv) to seek an indication of interest amongst members of the PCT Union in establishing a system for the exchange of information concerning articles contained in PCT minimum documentation journals.

The PCT/CTC approved the list of periodicals established under PCT Rule 34.1(b)(iii) and incorporating the International Standard Serial Number (ISSN) against each periodical title so as to assist identification of periodicals.

Membership in PCPI Working Groups

The PCPI took note of the membership of its various Working Groups established for 1979 and also further declarations of interest made at the session. Membership in PCPI Working Groups—apart from the Working Group on Planning—is open to any member of the PCPI declaring an interest.

The PCPI noted with appreciation the statement made by the representative of the Council for Mutual Economic Assistance (CMEA) who informed the PCPI of the CMEA countries' cooperation in the field of patent information, in particular of the activities in the framework of the International Patent Information System (IPIS) of the CMEA countries and declared that the CMEA was interested in broader cooperation with WIPO in the field of patent information.

Report of the Fourteenth (and Last) Session of the Plenary Committee (PLC) of ICIREPAT

The PCPI noted the report of the fourteenth (and last) session of the PLC and a final report on the fulfillment of the ICIREPAT programs for 1978 and 1979 as part of the ICIREPAT Long-Term Program.

* This Note has been prepared by the International Bureau.

¹ For a Note on the second session of the PCPI, see *Industrial Property*, 1978, p. 256, and on the first session of the PCT/CTC, see *Industrial Property*, 1978, p. 258.

Activities of and Recommendations Formulated by the PCPI Working Groups in 1979

Criteria for Determining Priorities Among PCPI Tasks

The PCPI endorsed the conclusion of the Working Group on Planning that certain criteria were to be taken into account in addressing PCPI tasks, and, noting that the Planning Group had not yet had the opportunity to study the advisability of the development of a long-term program for the PCPI, decided that such a long-term program should be elaborated as soon as possible.

Criteria for Determining Priorities in the IPC Revision Work

The PCPI completed its work on this task and approved a revised form for submitting IPC revision requests and also a revised form for submitting detailed IPC revision proposals.

Philosophy of the Revision Work of the IPC During the Third Revision Period

The PCPI, noting the primary purpose of, and needs to be met by, the IPC as expressed by the IPC Committee of Experts at its second session, adopted certain guiding principles for the revision work on the IPC during the third revision period.

The PCPI also endorsed recommendations formulated by the PCPI Working Group on Search Information regarding the PCPI working procedures.

Consistency in the Application of the IPC

The PCPI agreed that in-depth studies of the application of the IPC should continue so as to lead to improvements also in the elaborations of the IPC and agreed that measures leading to consistent application of the IPC were of particular interest to all users of the IPC within or outside industrial property offices.

Evaluation of ICIREPAT Search Systems

The PCPI agreed that Focal Offices of ICIREPAT Search Systems in an operational stage, that is in the technical fields Alloys, Lasers and Masers, Layered Products, Lubricants, Analog-Digital Converters, Metallic Materials, Steroids, Detergents, Glass Technology, Color Television, Insulated Cables and Lines

and Fluxes, should be allowed to continue work on those systems without reference to the existing ICIREPAT procedures but under procedures which they would agree upon with their cooperating offices. The PCPI decided that members should include in their Annual Technical Reports a status report on the search systems managed in accordance with the procedure for shared use of systems of the former ICIREPAT and agreed upon information that should be provided.

Guidelines on the Planning and Creation of a Patent Information and Documentation Center in Developing Countries

The PCPI adopted Guidelines on the Planning and Creation of Patent Information and Documentation Centers in Developing Countries.

Guidelines on the Bibliographic Data Content of Official Gazettes

The PCPI adopted Guidelines on the Bibliographic Data Content of Official Gazettes.

Report by the Working Group on Planning on the Effectiveness of the PCPI Program in 1979

The PCPI approved a report on the effectiveness of the PCPI Program in 1979 and requested the International Bureau also to prepare a similar report on the PCPI Program in 1980.

Report by the International Bureau on the Various Tasks Assigned to It

The PCPI approved the report by the International Bureau on the various tasks assigned to it for 1979 by the PCPI, that is, the compilation of industrial property statistics; the monitoring of mechanized (ICIREPAT) search systems; the collection and distribution of Annual Technical Reports on the patent information activities of the PCPI members; the monitoring of INPADOC activities; the clerical revision of the list of non-patent literature which is part of the PCT minimum documentation according to PCT Rule 34; the monitoring of the availability of English-language abstracts of patent documents.

With respect to the collection and distribution of Annual Technical Reports, the PCPI noted the summaries of the 31 reports received in 1979, thanked the International Bureau for the efforts put into the preparation of those summaries, and encouraged PCPI members to continue their efforts to submit

Annual Technical Reports in future years, while, at the same time, adhering to the guidelines formulated by the former ICIREPAT and the PCPI in that respect.

The PCPI decided to continue in 1980 the Working Groups it had established in 1979 and to continue their mandates unchanged. The PCPI also adopted its program for 1980 and gave to each of its Working Groups certain tasks as follows:

PCPI WORKING GROUP ON PLANNING

PCT Minimum Documentation

(1) Monitor the effectiveness of the agreed-upon maintenance of the inventory of patent documents issued since January 1, 1920, up to date as regards recently published patent documents.

(2) Monitor the effectiveness of the agreed-upon maintenance of the inventory of previously reported gaps in the search files of PCT International Searching Authorities and propose measures to remove the said gaps.

(3) Evaluate the feasibility of establishing and regularly updating the list of patent documents according to PCT Rule 34.1(c)(vi) in a machine-readable form with a view to obtaining computer listings of such documents, e.g. on microfiche, at regular intervals.

(4) Monitor the production of a machine-readable inventory (starting with the year 1970) of English-language abstracts of patent documents according to PCT Rule 34.1(e) and propose a method of regularly updating such an inventory.

(5) Based upon the results of a survey to be conducted by the International Bureau, assess the feasibility among the PCT International Searching Authorities and other interested organizations in the exchange of information, e.g. in a machine-readable form, concerning non-patent literature forming part of the PCT minimum documentation.

Other

(6) Maintain an awareness of all tasks assigned by the PCPI to each Working Group and the International Bureau; monitor progress towards completion of these tasks; analyze and report to the PCPI on the effectiveness of the past year's program.

(7) Recommend any new procedures, structures or organization which it believed would lead to better coordination of the technical activities of WIPO.

(8) Evaluate all new requests and proposals received so as to determine the need for them and their priority and, on the basis of this evaluation, recommend a program for 1981.

(9) Monitor application of criteria for determining priorities among tasks to be addressed by the PCPI with reference to the objectives and tasks stated in Article 1 of the Organizational Rules of the PCPI.

(10) Formulate a long-term program for the PCPI, taking into account all available input, including the Long-Term Program of the former ICIREPAT, in the light of the goals and objectives of the PCPI.

(11) Monitor the development and maintenance of the former ICIREPAT Manual and any other activity formerly performed by ICIREPAT as may be necessary.

(12) Study further the consistency in the application of the IPC.

(13) Maintain an awareness of the philosophy of the revision work on the IPC during the third revision period and monitor the development of hybrid systems.

(14) Consider ways and means of producing a world directory of sources of patent information.

(15) Study material provided by the International Bureau with regard to users' needs and recommend optimum ways to identify all types of users of patent information and their needs.

(16) Make an initial evaluation of the survey showing what percentage of inventions would be covered by collections limited to the documents of particular combinations of countries.

PCPI WORKING GROUP ON GENERAL INFORMATION

Consider the updating and/or revision of former ICIREPAT Standards:

(17) (i) revision of ICIREPAT Standard ST.7/A;

(18) (ii) revision of ICIREPAT Standard ST.9;

(19) (iü) revision of ICIREPAT Standard SI.8;

(20) (iv) revision of ICIREPAT Standard ST.3.

(21) Study comprehensively all IPC-associated publications published by WIPO to identify interrelationships of such publications and determine which should be revised, which should be retained and whether any new ones should be written; the study should specify the objectives of each publication and the users to which each publication is directed.

(22) Study and recommend ways and means of improving the effectiveness of Industrial Property Statistics published by WIPO.

PCPI WORKING GROUP ON PATENT INFORMATION FOR DEVELOPING COUNTRIES

(23) Survey and study the effectiveness, including the capacity, of the current state-of-the-art search program carried out by WIPO in cooperation with industrial property offices for the benefit of developing countries.

(24) Identify types of users of patent information in developing countries and their needs.

(25) Evaluate the Users' Guides to the IPC for industrial sectors "agro-industries" and "agricultural machinery."

(26) Evaluate and, as deemed necessary, improve the curricula of patent information training courses.

(27) Study the question of the particular difficulties that exist for industrial property offices working mainly in Arabic and Spanish, and explore with UN organizations the possibility of using UN funds in non-convertible currencies to finance the preparation of translations of patent abstracts into Arabic, French and Spanish.

PCPI WORKING GROUP ON SEARCH INFORMATION

(28) Finalize the IPC revision projects on the 1979 priority revision program.

(29) Consider and, if possible, complete, the IPC revision projects on the 1980 priority revision program.

(30) Investigate X-notations; respond to specific queries regarding the IPC, e.g. questions as to scope, overlap and interpretation.

(31) Continue the development of a handbook to provide detailed guidelines for revision projects, as deemed appropriate; such guidelines are to include provision for hybrid and deep-indexing systems, taking into account work performed by the TCSS of ICIREPAT.

(32) Revise the Advice to Searchers following the entry into force of the third edition of the IPC.

(33) Revise the Advice to Classifiers following the entry into force of the third edition of the IPC.

(34) Continue the pilot project relating to the establishment of a common computerized listing of patent documents for the purpose of constituting search files based on the IPC.

The PCPI also requested the International Bureau to continue work in 1980 on the tasks given by the PCPI for 1979.

LIST OF PARTICIPANTS*

I. Member States

Australia: F.J. Smith. **Austria:** J. Fichte. **Brazil:** G.R. Coaracy; L.C. Cunha Lima. **Bulgaria:** I. Kotzev. **Canada:** J.H.A. Gariépy; M. Leir. **Czechoslovakia:** M. Fortová. **Denmark:** A. Morsing; S.T. Simonsen. **Finland:** P. Salmi. **France:** M. Verderosa; J. Fouchy. **German Democratic Republic:** R. Blumstengel. **Germany (Federal Republic of):** A. Wittmann. **Hungary:** Z. Szilvássy; I. Kincses. **Ireland:** P. Slavin. **Japan:** M. Umeda; S. Uemura. **Netherlands:** J.C.H. Perizonius. **Norway:** P.E. Lillejordet; K.A. Hansen. **Portu-**

gal: J. Mola Maia; R. Serrão. **Soviet Union:** V. Blinnikov; G. Neguliaev. **Spain:** E. Guierrez Guinea; J.M. García Oyaregui. **Sweden:** L.G. Björklund; J.-E. Bodin. **Switzerland:** J.-L. Comte; E. Caussignac. **United Kingdom:** V.S. Dodd; T.W. Sage. **United States of America:** A.C. Marmor; T.F. Lomont; J. Sheehan.

II. Member Organization

European Patent Office (EPO): A. Vandecasteele.

III. Observer Organizations

United Nations (UN): S.P. Padolecchia. **United Nations Industrial Development Organization (UNIDO):** S.P. Padolecchia. **Commission of the European Communities (CEC):** H. Bank. **Council for Mutual Economic Assistance (CMEA):** D. Schmidt. **International Federation for Documentation (IFD):** J.W. Plevier. **Patent Documentation Group (PDG):** D. Ligtenberg. **International Patent Documentation Center (INPADOC):** G. Quarda.

IV. Officers

Chairman: J. Fichte (Austria). **Vice-Chairmen:** M. Fořtová (Czechoslovakia); G.R. Coaracy (Brazil). **Secretary:** P. Claus (WIPO).

V. WIPO

F.A. Sviridov (Deputy Director General); P. Claus (Director, Patent Information Division); B. Hansson (Head, IPC Section, Patent Information Division); P.A. Higham (Senior Patent Information Officer, Patent Information Division); R. Andary (Technical Officer, General Patent Information Section, Patent Information Division); V. Roslov (Technical Officer, General Patent Information Section).

International Patent Classification (IPC) Union

Committee of Experts

Seventh Session
(Geneva, December 10 to 13, 1979)

NOTE*

The Committee of Experts of the International Patent Classification (IPC) Union held its seventh session¹ in Geneva from December 10 to 13, 1979. The following member States of the Committee of Experts were represented: Austria, Brazil, Denmark, Egypt, Finland, France, Germany (Federal Republic

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

¹ This Note has been prepared by the International Bureau.
¹ For the Note on the sixth session, see *Industrial Property*, 1979, p. 112.

of), Japan, Netherlands, Norway, Portugal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America. The European Patent Office (EPO) was also represented. A list of participants follows this Note.

The Committee of Experts unanimously elected Mr. J. von Döbeln (Sweden) Chairman and Mr. P.E. Lillejordet (Norway) and Mr. S. Uemura (Japan) Vice-Chairmen.

The Committee of Experts:

— approved amendments relating to seven subclasses of the IPC submitted to it by the WIPO Permanent Committee on Patent Information (PCPI);

— endorsed the recommendations of the PCPI relating to the philosophy of the revision work on the IPC during the third revision period and the presentation of the double oblique stroke (*//*) preceding the non-obligatory classification symbols on patent documents;

— noted the PCPI program for 1980, in particular the IPC revision program;

— agreed with the guiding principles for the revision work on the IPC adopted by the PCPI and that the introduction of hybrid systems as part of the IPC did not formally contravene any of the provisions of the Strasbourg Agreement Concerning the International Patent Classification of 1971;

— noted the report on the IPC activities of the PCPI and its Working Groups in 1979;

— noted a report by the International Bureau on the publication of the third edition of the IPC and its associated publications;

— noted the intended dates of application of the third edition by various industrial property offices;

— adopted its revised Rules of Procedure;

— reaffirmed its decision to entrust the PCPI with the planning and organization of the future revision of the IPC.

LIST OF PARTICIPANTS*

I. Member States

Austria: H. Marchart. **Brazil:** M.M.R. Mittelbach; A.R. Holanda Cavalcanti. **Denmark:** S.T. Simonsen. **Egypt:** A.A. Omar. **Finland:** E. Häkli. **France:** J. Fouchy. **Germany (Federal Republic of):** K. Vilbig. **Japan:** I. Shamoto; S. Uemura. **Netherlands:** S. de Vries. **Norway:** P.E. Lillejordet. **Portugal:** J. Mota Maia. **Spain:** J.D. Vila Robert; J.M. Elena. **Sweden:** J. von Döbeln. **Switzerland:** E. Caussignac. **Soviet Union:** M.A. Makarov. **United Kingdom:** V.S. Dodd. **United States of America:** T.F. Lomont.

II. International Organizations

European Patent Office (EPO): A. Vandecasteele; F.C.R. de Laet.

III. Officers

Chairman: J. von Döbeln (Sweden). *Vice-Chairmen:* P.E. Lillejordet (Norway); S. Uemura (Japan). *Secretary:* B. Hansson (WIPO).

IV. WIPO

B. Hansson (*Head, IPC Section, Patent Information Division*); P.A. Higham (*Senior Patent Information Officer, Patent Information Division*); A. Sagarminaga (*Technical Officer, IPC Section*); T. Kazama (*Technical Officer, IPC Section*).

Paris Union

Working Group on Industrial Property Aspects of Consumer Protection

First Session

(Geneva, January 14 to 17, 1980)

NOTE*

Convened by the Director General of WIPO in accordance with a decision adopted by the Governing Bodies of WIPO and of the Paris Union in 1978, the Working Group on Industrial Property Aspects of Consumer Protection held its first session in Geneva from January 14 to 17, 1980. Eighteen member States of the Working Group were represented and eleven intergovernmental and international non-governmental organizations were represented as observers. The list of participants follows this Note.

The Working Group discussed the draft memorandum which had been prepared by the International Bureau pursuant to the recommendations made at a meeting of experts held in Geneva from July 3 to 5, 1978, and which covered those aspects of industrial property identified by the said experts as relevant to consumer protection.

The Working Group recommended that the International Bureau prepare a revised memorandum, taking into account the views expressed at the meeting and the results of further in-depth studies to be undertaken by the International Bureau on certain problems raised in the discussions. It was understood

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

* This Note has been prepared by the International Bureau.

that the objectives of WIPO's revised memorandum should include, in particular, the making of contributions to the activities of the United Nations in the field of consumer protection and the formulation of guiding principles for the preparation of model laws for developing countries and for legislative advice to be given to those countries at their request. Furthermore, the Working Group agreed that the revised memorandum should cover not only aspects relating to protection of trademarks and other distinctive signs, but also to protection against acts of unfair competition, in particular misleading advertising.

The Working Group advised that the revised memorandum be sent to governments and interested organizations for their comments. Depending on the nature and contents of those comments, the memorandum could be further revised before being submitted to the Working Group for its consideration and subsequent discussion at its second session.

LIST OF PARTICIPANTS*

I. States

Austria: M. Sajdik. **Bulgaria:** I. Kotzev. **Burundi:** T. Sanze; E. Rwamibango; N. Ndamama. **Congo:** A. Letembet-Ambilly. **France:** M. Hiance; M.-P. Costa; A. Berguerand. **Germany (Federal Republic of):** E. Steup. **India:** S. Singh. **Italy:** S. Samperi. **Mexico:** G. Zárate Tristán; O. Garrido-Ruiz. **Netherlands:** W. de Boer; H.R. Furstner. **Soviet Union:** L. Kostikov. **Spain:** J.A. Lopez Gomez; J.M. del Corral Perales. **Sudan:** A.M.O. Yassin; R. Makki. **Sweden:** H. Olsson; L. Körner; S. Norberg. **Switzerland:** F. Balleys. **Turkey:** E. Tümer. **United Kingdom:** A.J. Needs. **United States of America:** H.D. Hoinkes; W. Grimes.

II. United Nations Organizations

United Nations Conference on Trade and Development (UNCTAD): D. Chudnovsky; E.O. Herbolzheimer. **International Labour Office (ILO):** H.L. Watzlawick.

III. Intergovernmental Organizations

Commission of the European Communities (CEC): B. Harris; S.H. Freedman.

IV. Non-Governmental Organizations

Benelux Association of Trademark and Design Agents (BMM): F. Gevers; H. Molijn. **Council of European Industrial Federations (CEIF):** K.A. Endemann. **International Association for the Protection of Industrial Property (IAPIP):** J.A. Sloop; G.F. Kunze. **International Chamber of Commerce (ICC):** G.F. Kunze. **International Organization of Consumer Unions (IOCU):** R. Bonardelly; M.-J. Pinösch. **Licensing Executives Society (International) (LES):** D. Maday. **Union of Industries of the European Community (UNICE):** W. Mak. **United States Trademark Association (USTA):** W.J.F. Bryce.

V. Officers

Chairman: E. Steup (Germany (Federal Republic of)). **Vice-Chairmen:** A.M.O. Yassin (Sudan); L. Kostikov (Soviet Union). **Secretary:** L. Baeumer (WIPO).

VI. WIPO

K. Pfanner (Deputy Director General); L. Baeumer (*Director, Industrial Property Division*); **M. Porzio (Director, Office of the Director General);** **F. Curchod (Head, Special Projects Section, Industrial Property Division);** **H. Lom (Legal Officer, Special Projects Section).**

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

News Items

IRAN

*Director General of the Registration Department
for Companies and Industrial Property*

We have been informed that Mr. Parvis Ahadi has been appointed Director General of the Registration Department for Companies and Industrial Property.

Calendar

WIPO Meetings

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

1980

- April 28 to 30 (Geneva) — Permanent Committee for Development Cooperation Related to Industrial Property**
- June 9 to 13 (Paris) — Development Cooperation — Committee of Experts for a Model Statute for Authors' Societies for Developing Countries** (convened jointly with Unesco)
- June 9 to 16 (Geneva) — International Patent Cooperation (PCT) Union — Assembly (Extraordinary Session)**
- June 13 to 19 (Geneva) — Budapest Union (Microorganisms) — Interim Committee (or Assembly)**
- June 23 to 27 (Geneva) — Permanent Committee for Patent Information (PCPI) — Working Group on Search Information**
- September 8 to 12 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Planning**
- September 22 to 26 (Geneva) — Governing Bodies (WIPO Coordination Committee; Assemblies of the Paris, PCT and TRT Unions; Conference of Representatives of the Paris Union; Executive Committees of the Paris and Berne Unions)**
- October 14 to 17 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Patent Information for Developing Countries**
- October 20 to 24 (Geneva) — Permanent Committee on Patent Information (PCPI)**
- November 17 to 21 (Geneva) — Berne Union and Universal Copyright Convention — Working Group on the overall problems posed for developing countries concerning access to works protected under copyright conventions** (convened jointly with Unesco)
- December 1 to 5 (Lomé) — Development Cooperation — African Regional Seminar on Copyright** (convened jointly with Unesco) and **African Regional Seminar on Neighboring Rights** (convened jointly with ILO and Unesco)
- December 15 to 19 (Paris) — Berne Union and Universal Copyright Convention — Committee of Governmental Experts on Problems Arising from the Use of Computers** (convened jointly with Unesco)

UPOV Meetings

1980

- April 14 and 15 (Geneva) — Subgroups of the Administrative and Legal Committee**
- April 16 (Geneva) — Consultative Committee**
- April 17 and 18 (Geneva) — Administrative and Legal Committee**
- April 27 to May 11 (Nelspruit) — Technical Working Party for Fruit Crops**
- May 12 to 14 (Wageningen) — Technical Working Party for Agricultural Crops**
- June 23 to 25 (Geneva) — Subgroups of the Administrative and Legal Committee**
- August 26 to 28 (Hanover) — Technical Working Party for Forest Trees**
- September 16 to 18 (Lund) — Technical Working Party for Ornamental Plants**
- September 23 to 25 (Lund) — Technical Working Party for Vegetables**
- October 14 (Geneva) — Consultative Committee**
- October 15 to 17 (Geneva) — Council**
- November 10 to 12 (Geneva) — Technical Committee**
- November 13 and 14 (Geneva) — Administrative and Legal Committee**

Meetings of Other International Organizations Concerned with Industrial Property

1980

European Patent Organisation:

Administrative Council: June 2 to 6, December 8 to 12 (Munich)

Inauguration of the New Building and Administrative Council (Special Session): September 18 and 19 (Munich)

International Association for the Protection of Industrial Property: November 16 to 21 (Buenos Aires) — 31st Congress

International League Against Unfair Competition: June 1 to 5 (Antwerp) — 26th Congress

Licensing Executives Society: April 28 to 30 (Geneva) — International Conference on Licensing and the International Economic Order, Product and Process Liability and New Trends in Technology Transfer

