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## International Unions

### Paris Convention for the Protection of Industrial Property

#### CENTENARY

March 20, 1983, marks the one hundredth anniversary of the signing of the Paris Convention for the Protection of Industrial Property, an event that occurred in Paris, at the headquarters of the Ministry of Foreign Affairs of France (*Palais du Quai d'Orsay*), among the plenipotentiaries of eleven States.<sup>1</sup> The Convention had been prepared at two diplomatic conferences—the first in 1880 and the second in 1883—and entered into force among 14 States<sup>2</sup> on July 7, 1884.

The Paris Convention was born out of the great expansion in international commerce that occurred in the second half of the nineteenth century. That expansion was often hindered by national industrial property legislation which made the protection of foreign inventions, marks or industrial designs difficult if not impossible. It soon became apparent, therefore, that protection of industrial property at the international level was necessary.

<sup>1</sup> Belgium, Brazil, El Salvador, France, Guatemala, Italy, Netherlands, Portugal, Serbia, Spain and Switzerland. See *Actes de la Conférence internationale pour la protection de la propriété industrielle, réunie à Paris du 6 au 20 mars 1883* (2nd edition), Berne, Bureau International de l'Union, 1900, pp. 30-37.

<sup>2</sup> In addition to the States mentioned in footnote 1, Ecuador, Great Britain and Tunisia had also become party to the Convention. See *La Propriété industrielle, organe officiel du Bureau international de l'Union pour la protection de la propriété industrielle*, vol. 1, no. 1, January 1, 1885, p.1.

The original text of the Paris Convention contained 19 articles and was modest in scope. On six occasions over the past 100 years (in 1900, 1911, 1925, 1934, 1958 and 1967), the Convention was revised and enriched to meet the additional and changing requirements of modern times. As a result, the most recent text of the Convention—the Stockholm Act of 1967—contains 46 articles and is five times as long as the original text. A seventh revision, which began in 1980, is currently in progress.

WIPO will celebrate the Centenary of the Paris Convention on September 26, 1983, with a ceremony to be held at WIPO headquarters in Geneva during the annual meetings of the WIPO Governing Bodies. In addition, a two-part study by the Director General of WIPO, Dr. Arpad Bogsch, tracing the history and impact of the Paris Convention, will be published in successive issues of *Industrial Property*. In commemoration of its leading role in the establishment of the Paris Convention, the Government of France will also celebrate the Convention's Centenary with a ceremony to take place in Paris on May 25, 1983.

During its first 100 years, the Paris Convention has shown itself to be an adaptable and reliable instrument governing international relations in the field of industrial property. That 92 States<sup>3</sup> are now party to the Convention attests to the Convention's overall success.

<sup>3</sup> For the list of States party to the Convention as on January 1, 1983, see *Industrial Property*, 1983, p.6.

### Budapest Treaty (Microorganisms)

#### I

#### Acquisition of the Status of International Depositary Authority

#### CULTURE COLLECTION OF THE COMMONWEALTH MYCOLOGICAL INSTITUTE

The following written communication addressed to the Director General of WIPO by the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other International Organizations at Geneva under Article 7 of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the

Purposes of Patent Procedure was received on January 31, 1983, and is published by the International Bureau of WIPO pursuant to Article 7(2)(a) of the said Treaty:

I. "I have the honour to refer to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, opened for signature at Budapest from the 28th of April to the 31st of December 1977. In accordance with the provisions of Article 7 of the said Treaty, the Government of the United Kingdom of Great Britain and Northern Ireland nominate the Culture Collection of the Commonwealth Mycological Institute as an International Depositary Authority. The Government of the United Kingdom furnish their assurances

that the Culture Collection of the Commonwealth Mycological Institute complies and will continue to comply with the requirements specified in Article 6(2) of the Treaty for an International Depositary Authority. The requisite information concerning this nominated Depositary Institution is set out below.

2. "Accordingly I have the further honour to request that you carry out the procedures established by the Treaty and Regulations annexed to it, in connection with the acquisition of the status of International Depositary Authority by the Institution nominated herein.

3. "The Culture Collection of the Commonwealth Mycological Institute (CMI CC) is located in the United Kingdom at the Commonwealth Mycological Institute, Ferry Lane, Kew, Richmond, Surrey, TW9 3AF, England.

4. "The CMI CC is the responsibility of the Commonwealth Agricultural Bureaux (CAB), a body of corporate status by virtue of the Commonwealth Agricultural Bureaux (Immunities and Privileges) Order 1982 (Statutory Instruments 1982 No. 1071), laid before Parliament in accordance with the International Organisations Act 1981. The CMI CC is jointly supported by contributions from the 28 Commonwealth countries who are members of CAB and the Department of Industry.

5. "The CMI CC has been in continuous existence since 1947 and housed since that date at the CMI. Before 1947 the cultures had been housed at the National Collection of Type Cultures at the Lister Institute. The CMI CC currently has a staff of seven, of whom one holds a University degree and one an equivalent qualification. In addition there is frequent and ready access to the expertise of 13 specialist taxonomists (all with University degrees) on the CMI staff. Additional administrative and support staff are available from the CMI. This staff is fully competent and adequate to perform the scientific and administrative tasks required under the Budapest Treaty. The CMI CC is affiliated to the World Federation for Culture Collections and has an undisputed reputation for work concerned with the preservation, testing, authentication and distribution of fungal cultures other than known human and animal pathogens, yeasts, and Hymenozymetes. At present the collection contains over 10,000 isolates of fungi and about 300-400 new isolates are added each year. The CMI CC performs its work in an impartial and objective way and will be available for the purposes of deposit under the Treaty to any Depositor under the same conditions.

6. "The CMI CC has all the facilities necessary for the culturing, checking and long term preservation of the fungi it accepts for deposit. Cultures are maintained routinely by freeze drying and at ultra low

temperatures (cryopreservation over liquid nitrogen). These cultures are stored in sealed ampoules which prevent ingress of contaminating organisms. Cultures which do not survive the freeze drying process may be additionally preserved by subculturing with storage oil, water or deep freeze or by dispersing in soil or silica gel as appropriate. Duplicates of deposits are kept in a building separate from that housing the main collection. The highest scientific and administrative standards are applied to the culture deposited in the collection and full safety measures are in operation to minimise the risk of loss of any deposited cultures. Records of all deposited materials are kept on standard forms. A computer data processor is being introduced and duplicate computer records will be housed in a separate building to minimise risk of accidental loss or destruction. A computer masked file will be created for cultures deposited under the Budapest Treaty. Materials deposited under the Budapest Treaty will be preserved by cryopreservation and/or freeze drying. The freeze dried ampoules will be stored in locked drawers and the location codes for retrieval from liquid nitrogen will be stored in a locked file. Cultures deposited under the Treaty will be subject to appropriate care to avoid loss and contamination.

7. "The CMI CC is equipped and run in full accordance with the United Kingdom Health and Safety at Work Act 1974, although it must be stressed that nearly all the cultures in the collection are non-pathogenic to man and only such cultures will be accepted for deposit under the Treaty.

8. "The CMI CC will accept for deposit fungal isolates, other than known human and animal pathogens and yeasts, that can be preserved without significant change to their properties by the methods of preservation in use.

9. "In accordance with the Regulations for implementing the Budapest Treaty, the CMI CC will:

(a) examine the viability of such organisms and store them;

(b) issue receipt and viability statements as prescribed;

(c) comply with the prescribed secrecy requirements; and

(d) furnish samples under the conditions and in conformity with the prescribed procedures.

10. "On behalf of the nominated Depositary Institution, I have the honour to inform you that in accordance with Rule 6.3(a) the CMI CC requires before it will accept a micro-organism for deposit:

(1) that a deposit of a micro-organism shall be in an appropriate form and adequate quantity to enable CMI CC to carry out properly its duties under the Regulations;

(2) that the Accession Form established by the CMI CC for the purpose of administrative procedures be completed;

(3) that the written statement referred to in Rule 6.1(a) or 6.2(a) be drafted in English;

(4) that the fee for storage referred to in Rule 12.1(a)(i) be paid; and

(5) that the depositor complete the Application Form of the CMI CC in entering into a contract with the CMI CC establishing the terms and conditions on which deposit will be accepted.

11. "The following fees will be payable to the CMI CC:

for storage of each isolate of micro-organism in accordance with the Treaty	£400
for issue of a viability statement in those cases in which, in accordance with Rule 10.2, a fee may be charged.	£50
for furnishing of a sample in accordance with Rule 11.2 or 11.3	£35
for delivering an attestation in accordance with Rule 8.2	£10

All charges paid within the United Kingdom are subject to Value Added Tax at the current rate.

12. "The CMI CC conducts all its business in English."

[End of text of Communication]

Pursuant to Article 7(2)(b) of the Budapest Treaty, the Culture Collection of the Commonwealth Mycological Institute acquires the status of international depositary authority as from March 31, 1983 (date of the present publication).

Budapest Communication No. 14 (this Communication is the subject of Budapest Notification No. 30, of February 16, 1983).

## II

### Requirements Communicated under Rule 6.3(b) of the Regulations under the Budapest Treaty

#### CULTURE COLLECTION OF THE COMMONWEALTH MYCOLOGICAL INSTITUTE

See paragraph 10 of the communication reproduced above under I: Acquisition of the Status of International Depositary Authority.

## Nairobi Treaty (Olympic Symbol)

### I. Accession

#### GUATEMALA

The Government of Guatemala deposited, on January 21, 1983, its instrument of accession to the Nairobi Treaty on the Protection of the Olympic Symbol, adopted at Nairobi on September 26, 1981.

The said Treaty will enter into force, with respect to Guatemala, on February 21, 1983.

Nairobi Notification No. 8, of January 21, 1983.

## II. Ratification

#### CONGO

The Government of the Congo deposited, on February 8, 1983, its instrument of ratification of the Nairobi Treaty.

The said Treaty will enter into force, with respect to the Congo, on March 8, 1983.

Nairobi Notification No. 9, of February 9, 1983.

## Activities of the International Bureau

### The World Intellectual Property Organization in 1982\*

#### Industrial Property and Patent Information Activities

##### I. Promotion of Accessions to the Industrial Property Treaties Administered by WIPO

###### Objective

The objective is to promote the realization of the benefits of intellectual property—both industrial property and copyright—for the cultural and economic progress of any country. As a natural avenue leading to such benefits, the objective is also to promote accession to the treaties administered by WIPO by countries not yet party to them.

###### Activities

*Paris Convention for the Protection of Industrial Property.* The accession by Guinea to the Paris Convention entered into force in January 1982. Mali deposited its instrument of accession to the Paris Convention in October 1982. At the end of 1982, the number of States members of the Paris Union was 92.

*Nairobi Treaty on the Protection of the Olympic Symbol.* Instruments of accession to the Nairobi Treaty were deposited by Ethiopia in February, by Equatorial Guinea in August and by Egypt in September 1982. The Treaty entered into force on September 25, 1982, for the said States, except Egypt, and for Kenya, which had ratified the Treaty in 1981. The Treaty entered into force for Egypt on October 1, 1982.

Brazil, Chile, New Zealand and Zambia signed the Nairobi Treaty in 1982, bringing the number of signatory States to 26.

In April 1982, discussions were held in Geneva with representatives of the International Olympic Committee and a consultant (who had acted as President of the Diplomatic Conference for the Adoption of the Nairobi Treaty), as a result of which "Model Provisions con-

cerning the Protection of the Olympic Symbol"—that is, provisions for the implementation of the Nairobi Treaty in the national legislation of countries bound by that Treaty—were established and published in Arabic, English, French and Spanish in September 1982. The official German text of the Nairobi Treaty was established in July 1982 after consultation with the interested governments.

*Patent Cooperation Treaty (PCT).* Sri Lanka deposited in November 1981 its instrument of accession, without any reservation, to the PCT, bringing to 32 the number of PCT Contracting States.

Discussions between officials of WIPO, of the Spanish Government and of the European Patent Office (EPO) on questions relating to accession by Spain to the PCT, continued at meetings in November 1981 in Geneva and in February 1982 in The Hague.

Discussions took place in Geneva in April 1982 between the Director General and officials of the Canadian Government concerning the possibility of ratification by Canada of the PCT.

Discussions were held in Rome in April and in Geneva in May 1982 between the Director General and officials of the Italian Government in order to clarify the advantages of, and to accelerate the procedure for, Italy's joining the PCT Union. In May and June and in July 1982, a WIPO consultant continued the discussions with Government officials and discussed the same questions also with private circles concerned. Those discussions were taken up again in September 1982 and continued until the end of the year.

Missions were undertaken by an official of WIPO and the Director General of the African Intellectual Property Organization (OAPI) to Benin, the Ivory Coast and Mauritania in June 1982 to discuss with Government officials of the said States the advantages of joining the PCT Union.

In August and September 1982, two officials of WIPO visited Seoul for discussions on draft legislation to implement the PCT, and to lecture in a PCT Seminar organized jointly by WIPO and the Office of Patents Administration of the Republic of Korea.

*Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.* Communications were received from the United Kingdom in January, June and July 1982 concerning the acquisition of the status of International Depositary Authority by three depositary institutions in the said member State. The said communications were

\* This article is the second part of a report on the main activities of WIPO in general and in the fields of industrial property and patent information. Activities in the fields of copyright and neighboring rights are covered in a corresponding report in the review *Copyright*.

The first part dealt with the activities of WIPO as such and with development cooperation activities in the fields of industrial property and patent information. The second part deals with other activities in those fields.

published in the March, July/August and September issues of *Industrial Property*.

The official text of the Budapest Treaty and Regulations was published in Spanish in June and in Russian in July 1982.

*Geneva Treaty on the International Recording of Scientific Discoveries.* Cameroon acceded to the Geneva Treaty on the International Recording of Scientific Discoveries in April 1982. The Treaty is not yet in force.

*Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks.* The Geneva Act of the Nice Agreement was ratified by the German Democratic Republic in March, by Portugal in April, and by Hungary and Austria in May 1982.

*Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks.* The German edition of the Vienna Classification was published in April 1982.

## II. Revision of the Paris Convention

### Objective

The objective is to revise the Paris Convention for the Protection of Industrial Property in order to introduce in it new provisions and to change certain existing provisions to meet better the needs of developing countries. Furthermore, the revision should introduce new provisions giving full recognition to "inventors' certificates," a form of protection of inventions existing in several socialist countries.

### Activities

In June 1982, WIPO issued the Revised Provisional Summary Minutes of the Plenary and Main Committee I of the second session of the Diplomatic Conference on the Revision of the Paris Convention.

The Assembly of the Paris Union, when taking, at its session in November 1981, the measures necessary for the continuation of the Diplomatic Conference, had decided that when a paper on a question concerning Article 5A of the Paris Convention, as proposed for revision, would be prepared by the Governments of Australia and Canada, possibly together with the governments of other countries, and transmitted to the International Bureau in English and French, such paper would be distributed as a document in the information series of documents of the Diplomatic Conference. Such a paper, supported by the Governments of Australia, Canada and New Zealand, was received and distributed by the International Bureau in July 1982.

*The third session of the Diplomatic Conference on the Revision of the Paris Convention* took place in Geneva

from October 4 to 30 (first part) and November 23 to 27 (second part), 1982.

The first part of the third session was attended by approximately 400 representatives of 83 countries. Of those countries 63 are members of the Paris Union (Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burundi, Cameroon, Canada, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Holy See, Hungary, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Liechtenstein, Luxembourg, Madagascar, Mexico, Monaco, Morocco, Netherlands, New Zealand, Nigeria, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Senegal, Soviet Union, Spain, Sri Lanka, Sweden, Switzerland, Syria, Tanzania, Trinidad and Tobago, Tunisia, Turkey, United Kingdom, United States of America, Uruguay, Viet Nam, Yugoslavia, Zaire), 13 are not members of the Paris Union but are members of WIPO (Byelorussian SSR, Chile, China, Colombia, Costa Rica, El Salvador, India, Pakistan, Qatar, Saudi Arabia, Sudan, Ukrainian SSR, Yemen), and seven are members neither of the Paris Union nor of WIPO (Angola, Democratic Yemen, Guatemala, Honduras, Nicaragua, Panama, Venezuela). In addition, ten intergovernmental organizations and eleven international non-governmental organizations were represented by observers.

At the second part of the third session, over 200 representatives of 78 countries participated. The countries were the same as indicated above, except that the following were represented at the first part of the third session but not at the second: Angola, Congo, Democratic People's Republic of Korea, Guatemala, Monaco, Pakistan, Saudi Arabia, Sri Lanka, Ukrainian SSR, Venezuela; whereas the following countries were represented at the second part of the third session but not at the first: Kenya, Somalia, Thailand, Zambia, Zimbabwe. Furthermore, at the second part of the session nine intergovernmental organizations and seven international non-governmental organizations were represented by observers.

The following main officers of the Conference continued in their functions during the third session: the President of the Conference, Ambassador A. Sène (Senegal); the Chairman of Main Committee I, Ambassador F. Jiménez Dávila (Argentina) (as agreed at the first session, however, certain meetings of Main Committee I were chaired by Dr. C. Uggla (Sweden)); the Chairman of Main Committee II, Dr. Gy. Pusztai (Hungary); and the Chairman of the Drafting Committee, Mr. G. Vianès (France). The Plenary of the Conference elected a new Chairman for Main Committee III in the person of Ambassador G. Mossinghoff (United States of America).

During the third session, the Plenary of the Conference held six meetings, Main Committee I eleven meetings and Main Committee II five meetings. Main Committee III and the Drafting Committee did not meet.

Main Committee I adopted a revised text of Article 6ter, which includes a prohibition on the use of official names of States as trademarks; it also considered Article 10quater, which treats the protection of geographical indications. Main Committee II considered proposals for defining the concepts of patents and inventors' certificates in Article 1.

The Diplomatic Conference was not able to complete its work and decided, in the last meeting of the third session, to request the Assembly of the Paris Union to take the measures necessary for the continuation of the Conference on dates to be fixed between October 1983 and March 1984.

Before taking that decision, the Conference heard reports by the Chairmen of Main Committees I and II on progress achieved during the two parts of the third session, including progress in unofficial consultations concerning proposals for the revision of Articles 5A and 5quater. Furthermore, the spokesmen of the three regional groups of States (the Group of Developing Countries, Group B and Group D) made statements expressing confidence that, at the fourth session, the Conference would be able to reach agreement on all outstanding proposals.

### III. Study of Special Industrial Property Questions

#### Objective

The objective is to look for solutions to specific questions of a legal nature, and of topical interest, in the field of the protection of industrial property. These questions are of topical interest because they are raised by recent changes in the social, economic or technological environment in which mankind lives.

#### Activities

*Anti-Piracy Measures.* In November 1982, a special issue was published of the periodical *Industrial Property* that drew attention to the existence and undesirable effects of the manufacture, importation and distribution of piratical goods, that is, copies of goods which are marketed with false indications as to their origin and under commercial names or trademarks and in a get-up which the manufacturer, importer or distributor is not entitled to use. The special issue discussed, in particular, the possibilities of bringing about a prompt and more efficient enforcement of industrial property rights.

*The Role of Industrial Property in the Protection of the Interests of Consumers.* By March 31, 1982—a deadline several times extended at the requests of several governments and organizations—comments were received from 21 governments and eleven organizations on a draft memorandum concerning industrial property and consumer protection prepared by WIPO and issued in

March 1981. The draft was revised by the International Bureau on the basis of the comments received; the revised study was published in June 1982, under the title "The Role of Industrial Property in the Protection of Consumers." The study includes an analysis of various rules of industrial property law (primarily, rules concerning marks, trade names, geographical indications and indications and allegations contrary to honest practices) and the importance of those rules for the protection of the legitimate interests of consumers, particularly in developing countries.

*Limitation of the Professional Liability of Industrial Property Agents.* In April 1982, WIPO invited contributions to a special issue of the periodical *Industrial Property* that will discuss the risks that unlimited liability for professional mistakes committed by private practitioners involves for them and the possibility of appropriate measures limiting such liability.

*Public Disclosure of Invention by the Inventor Prior to Filing Patent Application.* In October 1982, a special issue was published of the periodical *Industrial Property* that discussed the arguments—for and against—patent laws providing that, where an invention is publicly disclosed by the inventor before a patent application is filed in respect of that invention, such disclosure will not affect the invention's patentability if, within a certain period, a patent application is filed by the inventor for the said invention. The special issue dealt particularly with the question of the desirability of having a uniform solution to this question among all countries, and the possible measures to promote or secure such uniformity.

### IV. International Cooperation in the Search and Examination of Inventions (ICSEI)

#### Objective

The objective of ICSEI is to enhance the credibility of the patent system and its usefulness through measures which should make it possible, eventually, for every country to issue patents for inventions only where the claimed inventions deserve a patent. This is the case where the claimed invention is new, and if it involves an inventive step, when compared with the applicable "state of the art" on the relevant date of the patent application. It is a well-known fact that the examination of the patentability of an invention requires an enormous documentation and a large staff of engineers and lawyers, highly qualified and specialized. Most of the developing countries and many of the developed countries cannot afford the costs that such a documentation and staff necessitate. The objective is to find ways and means by which such countries could be so assisted that, mainly by relying on such assistance, they could issue patents that are just as "strong" as patents issued by the

technically most advanced patent offices, that is, patents that have a high degree of likelihood of successfully withstanding attacks on their validity. Such patents are desirable not only from the viewpoint of their owners but also from the viewpoint of prospective transferees or licensees of patented technology (since they would have a better idea about the real value of the patented inventions that are offered to them for exploitation), of users of patents for purposes of technological information (because only a careful, complete and correct examination can guarantee the clarity and completeness of the disclosure of a patented invention) and of prospective competitors (because they could better measure the risks of infringement if they decide to use the patented invention without the patentee's permission). It is true that the PCT is designed to solve these problems but, since that Treaty is generally used only where the inventor desires protection in two or more foreign countries, a solution has to be found also for indigenous inventions for which protection is sought generally only in their home country. The objective is to find a solution which, in its end result, yields a very high-quality examination report, as the PCT does under its Chapter II, but which is available in respect of patent applications which cannot be, or for some reason are not, processed through Chapter II of the PCT. At the same time, the objective is that this solution should cost as little as possible both to the applicant and to the national patent offices, mainly of developing countries.

#### Activities

In November 1982, in accordance with a recommendation of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property, a circular was sent to the industrial property offices of English-speaking and French-speaking developing countries members of the Paris Union, inquiring whether the said offices would be interested in making use of the services of ICSEI.

### V. Information and Teaching in the Field of Industrial Property

#### Objective

The objective is to increase and spread knowledge about the doctrine, legislation, frequency of use and practical administration of industrial property.

#### Activities

*The periodical Industrial Property* continued to be published each month.

*Collection of Industrial Property Laws and Treaties.* WIPO continued to keep up to date its collection of the texts of industrial property laws and regulations of all countries and of treaties dealing with industrial prop-

erty, both in their original languages and in English and French translations. The most important texts were published in *Industrial Property Laws and Treaties*, annexed to the periodical *Industrial Property*.

*Industrial Property Statistics.* Detailed tables of industrial property statistics (publication "B") for 1980 were published in February 1982, and basic industrial property statistics (publication "A") for 1981 were published in November 1982.

*The International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP)* held its annual meeting and the second session of its Assembly in Geneva, at the headquarters of WIPO, in September 1982. WIPO provided conference facilities and some financial support, including the travel expenses of some members from developing countries. Sixty-two professors and researchers (including three officials of WIPO), members of ATRIP, from 20 countries, participated in the meeting. WIPO was represented by an observer.

The *Assembly* of ATRIP noted with approval reports on the activities and accounts of the Association, and expressed its satisfaction that the membership had increased from 69 in July 1981 to 187 (from 39 countries, including 17 developing countries) in September 1982. The Assembly also approved proposals by the Executive Committee for the program of activities and the budget for 1983. Those proposals dealt, *inter alia*, with the preparation of a resolution on the role of teaching and research in intellectual property and the establishment of working committees on the exchange of professors, fellowships and orientation programs, and on the problems of the protection and exploitation of the results of academic research. The Executive Committee agreed to hold the 1983 annual meeting in Munich.

In *working sessions and workshops*, under the chairmanship of different members, the meeting examined recent developments and perspectives of teaching intellectual property law in developing countries and heard reports on the influence of teaching and research on the development of intellectual property law and on recent developments in certain subjects, including patents and the transfer of technology, copyright and neighboring rights.

### VI. Promotion of Patent Information and Development of Patent Classification

#### Objective

The objectives are to continue the improvement of the International Patent Classification (IPC), the cooperation with the International Patent Documentation Center (INPADOC) and the International Institute for

Applied Systems Analysis, and the cooperation between patent offices in all aspects of patent documentation and patent information (standardization, modernization of reproduction and dissemination of patent documents, etc.).

### Activities

The *WIPO Permanent Committee on Patent Information (PCPI)* consists of the States members of the Paris Union which have informed the Director General of their desire to be members, States members of the PCT Union, States members of the IPC Union, States contributing to the budgets of the PCT or IPC Unions and (without the right to vote), OAPI and the EPO. At the end of 1982, the members of the PCPI were Algeria, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Central African Republic, Chad, Congo, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Iran, Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Malawi, Monaco, the Netherlands, Norway, Philippines, Poland, Portugal, Romania, Senegal, the Soviet Union, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Uganda, the United Kingdom, the United States of America, Upper Volta, Viet Nam, Yugoslavia, Zambia, OAPI and EPO (60).

The *PCPI Working Group on Patent Information for Developing Countries* held its fourth session in Geneva in September 1982. An account of the said session appeared under "Development, in Developing Countries, of Access to the Technological Information Contained in Patent Documents," in the first part of this report.

The *PCPI Working Group on Search Information* held its seventh and eighth sessions in Geneva in January and June 1982. Twelve States and one intergovernmental organization, members of the Working Group, were represented at the seventh session, and 14 States and one intergovernmental organization were represented at the eighth session.

At its seventh session, the Working Group discussed 79 IPC revision projects carried over from the 1981 program and completed, or virtually completed, 46 of them. It invited further action on 30 revision projects, and referred one revision project to a subsidiary body. At its eighth session, the Working Group discussed 49 IPC revision projects carried over from the 1981 program and completed, or virtually completed, 33 of them. It invited further action on 14 revision projects and referred two revision projects to a subsidiary body. It also discussed 47 out of 57 other revision projects on the program for 1982 and 1983 and completed, or virtually completed, six of them. It invited further action

on 46 revision projects, referred four revision projects to a subsidiary body and rejected one revision project.

At both sessions, the Working Group considered a certain number of "X-notations," allotted by various industrial property offices; at its seventh session, the Working Group agreed upon the appropriate classification according to the third edition of the IPC for the patent documents in question; at its eighth session, the Working Group approved amendments to an IPC subclass which will permit appropriate classification according to the fourth edition of the IPC to be allotted to the patent documents in question.

The Working Group also made recommendations to the Permanent Committee on such matters as the indexing schemes to be introduced in the IPC and the preparation of guidelines on how to use the different non-obligatory information appearing on patent documents; it approved the text of a section (procedure for the revision of the IPC) of the *Handbook for the Revision of Search Systems*, and approved a proposed new presentation and layout of the major part of the notes appearing in the IPC.

*Subgroups of the PCPI Working Group on Search Information*, convened to consider revision proposals for particular classes of the IPC, met in The Hague in April and in Berne in November 1982. They examined in detail revision projects referred to them, and recommended to the Working Group a number of amendments to the IPC.

The *PCPI Working Group on Planning* held its ninth and tenth sessions in Geneva in April and in September 1982. At each session, 13 member States and one member Organization were represented.

At its ninth session, the Planning Group considered once again the structure of the long-term program of the PCPI, as given in the second draft that had been prepared by the International Bureau based upon the decision reached by the Planning Group at its seventh session. Certain changes were agreed upon. The Planning Group in reaching its conclusion expressed the view that the final draft of the long-term program of the PCPI should attempt to identify specific new tasks as distinct from the more general areas of future work presently given. The Planning Group also considered in detail a discussion paper prepared by the International Bureau and agreed that many fundamental and important questions which would in the future affect patent information and documentation matters had been raised in an objective manner, and appreciated its sense of realism. The Planning Group agreed that the translation of those questions into concrete tasks within the long-term program of the PCPI would enhance the long-term perspective of that program.

The Planning Group discussed the continuation of its project to produce a single machine-readable inventory of English-language abstracts of patent documents fall-

ing within PCT Rule 34.1(c). The Planning Group noted the decision of the PCT Committee for Technical Cooperation (PCT/CTC) at its fourth session that such an inventory should also include the symbols of the IPC where available. The Planning Group, moreover, agreed that the usefulness of such an inventory would be greatly improved if it also included the bibliographic details (e.g., volume and page number) of where the English-language abstracts had been published.

At its tenth session, the Planning Group discussed the fourth draft of the long-term program of the PCPI, as prepared by the International Bureau, made a minor change thereto and agreed to recommend its adoption to the PCPI, with a further recommendation that the said program should be subject to review in conformity with the biennial program of the PCPI. The Planning Group decided to recommend to the PCT/CTC that a machine-readable inventory of English-language abstracts of patent documents within PCT Rule 34.1(e) be restricted to the document number and the relevant IPC symbols.

The Planning Group, noting the revised mandate given to it by the PCPI at its last session, based its discussions upon its task of supervising the work of the PCPI Working Groups, considered in detail the recommendations made by those Working Groups to the PCPI insofar as those recommendations have implications related to the general planning or execution of the work of the PCPI and concluded that the progress of work by the various Working Groups on the tasks allotted to them in the PCPI Program for 1982 had been satisfactory.

In respect of requests for the revision of the IPC, the Planning Group considered the remaining items on the 1982/83 IPC revision program, decided to recommend to the PCPI that all IPC revision projects not completed in 1982 should form part of the 1983 program and added 57 new IPC revision requests to the PCPI program for the biennium 1982/83.

The *PCPI Working Group on Special Questions* held its first and second sessions in Geneva in April and in September 1982. Fourteen member States were represented at the first session, and 13 at the second. One member Organization was represented at both sessions.

At its first session, the Working Group made arrangements for the continuation of work on the preparation of the *Handbook for the Revision of Search Systems* and of studying the consistency in the application of the IPC. It considered the philosophy of the revision work on the IPC during the third revision period and, in this connection, took a number of decisions (in some cases by vote) on questions put by the PCPI Working Group on Planning relating to the introduction of hybrid systems in the IPC.

Finally, the Working Group took note of decisions made by the PCT/CTC concerning the revision of the list of PCT minimum documentation periodicals; it

agreed that insufficient facts were yet available to enable recommendations for revision of the list to be presented, and requested the International Bureau to carry out certain enquiries to facilitate discussion of the matter at the next session of the Working Group.

At the second session of the Working Group, upon special invitation, the following organizations were represented during discussions concerning "computerized searching aids": Derwent Publications Ltd., IFI/Plenum Data Corporation, INPADOC, Japan Patent Information Center (JAPATIC), Japanese Institute of Invention and Innovation, Pergamon International Information Corporation. In addition, six States were represented by observers during the said discussions.

In order to assist the Working Group in its study of computerized searching aids, presentations were given of such aids used within the industrial property offices of France, the Soviet Union, Spain, the United Kingdom, and the EPO, and on-line demonstrations of computerized searching aids were given by most of the specially invited organizations. The Working Group identified eight basic problems in respect of the present state of the various computerized search systems which permit on-line access to data bases dealing exclusively, or almost exclusively, with patent information and agreed upon recommendations to the PCPI for further work on this project. The Working Group also decided on a number of tentative recommendations to be brought to the attention of the members of the PCPI for comments.

The Working Group approved the text of Section I of the IPC part of the *Handbook for the Revision of Search Systems*, which relates to the "Philosophy of the IPC Revision Work."

The Working Group agreed upon recommendations to the PCPI concerning consistency in the application of the IPC and recommended that their conclusions be brought to the attention of all offices using the IPC, in particular for training purposes.

The *PCPI Working Group on General Information* held its fourth session in May 1982 in Geneva. Seventeen member States and one organization, members of the Working Group, were represented, together with observers from four other organizations.

The Working Group discussed the decision of the PCPI not to revise fundamentally the existing standard code for identification of different kinds of patent documents and decided not to reopen the substantial discussion on that matter, noting that the said standard allows a unique identification of the kind of document concerned if used together with the respective Country Name or Country Code, and that the feasibility of an additional "identity code" giving supplementary information would be further investigated.

The Working Group decided to recommend to the PCPI a revised version of the standard relating to the use of punch fields in 8-up aperture cards in order to allow also the punching of the optional second digit of

the kind-of-document code, and it recommended the implementation of this amended standard from January 1, 1984.

The Working Group further elaborated Guidelines to be taken into account when creating abstracts of patent documents for selective dissemination of information (SDI) services in the form of card files, as well as a recommendation concerning the exchange of patent documents in microforms. This recommendation, if approved by the PCPI, will implement the A6 size microfiche as a unit record microform for international exchange of patent documents, as a possible alternative to the 8-up aperture card.

The Working Group started discussion on the possibilities of elaborating standards for the exchange of abstracts of patent documents in machine-readable form and for the presentation of, and sorting criteria to be applied to, names in name indexes to patent documents.

The *WIPO Permanent Committee on Patent Information (PCPI)* held its sixth session in Geneva in November and December 1982, jointly with the fifth session of the PCT/CTC. Twenty-two member States and one member Organization were represented; one organization was represented by an observer.

The Permanent Committee approved the report prepared by the International Bureau on the various tasks assigned to it in the biennium 1982/83. In respect of the publication of industrial property statistics, it underlined the importance of publishing as soon as possible in any given calendar year the important statistical information of the previous year, and noted that the International Bureau would make a detailed proposal regarding improvements needed in the submission and presentation of statistical data on patent applications filed and patents granted, as well as trademark applications filed and trademarks registered, in order to cope with the increased complexities of the statistics due to international agreements, conventions and treaties now in force.

The Permanent Committee unanimously adopted its long-term program. The Permanent Committee, moreover, agreed that its long-term program should be reviewed biennially in parallel with the establishment of its biennial program.

The Permanent Committee approved texts concerning both philosophy and procedure in relation to revising the IPC, for inclusion in the *Handbook for the Revision of Search Systems*. It also endorsed recommendations of the Working Group on Special Questions concerning the philosophy of the revision work in respect of the introduction of hybrid systems.

The Permanent Committee discussed work on quantifying consistency in the application of the IPC, and agreed that an updated study should be prepared so as to identify areas of the IPC apparently giving rise to a lower consistency compared with other areas, in order

to assist in selecting areas for revision of the IPC during the fourth revision period.

In relation to its continuing survey of computerized searching systems, the Permanent Committee agreed that the International Bureau should continue to update and review regularly the compilation of computerized searching aids, which should cover those data bases which, although not consisting wholly of patent information, were nevertheless of potential use as computerized searching aids in the search and examination of patent applications; as a second step of its study, it should collect information on the use (including experiences) and the extent of use of the systems by the various industrial property offices or by other organizations.

The Permanent Committee adopted standards, guidelines or criteria relating to 8-up aperture cards, the identification of different kinds of patent documents, separately published abstracts cards, photo-optically generated microfiches, bibliographic data and priority technical fields of interest to developing countries.

The second *Advanced IPC Seminar* was organized by WIPO at the Austrian Patent Office in Vienna in May 1982 (the first such seminar was organized in Stockholm in November 1980); fifteen officials participated, from ten industrial property offices of countries of the IPC Union and the EPO.

The purpose of the Seminar was to consider the need to provide, in the Guide to the IPC, more detailed rules concerning the classification of non-searched, unexamined applications and concerning the identification of the technical subject or subjects of an invention disclosed in a patent document. Lectures were given by officials of WIPO and of the Offices of Austria and the Soviet Union.

The Seminar agreed to make certain recommendations to the PCPI ad hoc Working Group on the Revision of the Guide to the IPC concerning possible additions to and amendments of the text of the Guide, and requested the International Bureau to invite comments on the said recommendations from the members of the IPC Union, the EPO and OAPI.

The *ad hoc Working Group on the Revision of the Guide to the IPC* of the PCPI held its first session in Geneva in October 1982. Five members of the Working Group (Germany (Federal Republic of), Soviet Union, Sweden, United States of America, EPO) were represented at the session.

The Working Group discussed the part of the Guide relating to "obligatory" and "non-obligatory" classification, in the light of the conclusions of the IPC Advanced Seminars held in Stockholm in November 1980 and in Vienna in May 1982, and agreed on a revised draft text of the said part. It requested that all members of the IPC Union be invited to comment on the said draft, taking into account certain observations made by the Working Group and recorded in its report,

in time to enable the IPC Committee of Experts to consider the revised draft text at its session in December 1982.

The Working Group also discussed the revision of the Guide warranted by the introduction in some areas of the IPC of the new concept referred to as "hybrid systems," and agreed to the creation of a new chapter dealing with the said systems. The Working Group further agreed on the wording of the notes to appear in the elaboration of the IPC where hybrid systems were to be introduced.

The *Committee of Experts of the IPC Union* held its tenth (first extraordinary) session in Geneva in February 1982. Twelve of the 27 States members of the Committee and one intergovernmental organization were represented. The Committee considered the conditions for the sale and use of the magnetic tapes of the third edition of the IPC and reached decisions on those questions.

The Committee of Experts held its eleventh session in Geneva in December 1982. Thirteen member States and one intergovernmental organization were represented.

The Committee of Experts approved amendments (in both the English and the French versions) relating to five classes and 84 subclasses of the IPC, submitted to it by the Working Group on Search Information of the PCPI, noted a report on the IPC activities of the PCPI and its Working Groups in 1982 and endorsed the recommendations of the PCPI. The Committee of Experts considered the report of the first session of the PCPI ad hoc Working Group on the Revision of the Guide to the IPC and made certain observations on the recommended revised text of the Guide submitted to it by the said Working Group, and noted the recommendations and conclusions of the Advanced IPC Seminar held in Vienna, in May 1982, the results of which had been considered by the ad hoc Working Group on the Revision of the Guide to the IPC at its first session, and a report by the International Bureau on the preparation of the fourth edition of the IPC, its associated publications and other material relating thereto.

By the end of 1982, *annual technical reports* for 1981 were received from 24 national offices, and the EPO and OAPI, and circulated to the members of the PCPI.

Twelve issues of the *WIPO Journal of Patent-Associated Literature (JOPAL)* were published in 1982. The said Journal is a compilation of bibliographic data of articles of relevance to patent searching appearing in periodicals included in the list of minimum documentation under the PCT, arranged according to the IPC. The selection and the classification of the said articles is undertaken by the industrial property offices which cooperate in the project (Australia, Austria, Czechoslovakia, France, German Democratic Republic, Germany

(Federal Republic of), Japan, Soviet Union, Sweden, United Kingdom, United States of America, EPO).

Volume 2 of pages of the *WIPO Handbook on Patent Information and Documentation*, which replaces the former ICIREPAT Manual, was published and distributed in August 1982; the preparation continued of the final (third) volume.

The Supervisory Board (*Aufsichtsrat*) of INPADOC met in February, April, July, September, October, November and December 1982 in Vienna; WIPO was represented at its sessions. Furthermore, WIPO assisted in the negotiations concerning new forms of cooperation between INPADOC and the EPO.

WIPO continued its efforts to bring to an early conclusion by INPADOC the *CAPRI System*—the Computerized Administration of Patent Documents Reclassified According to the International Patent Classification. In March 1982, WIPO issued a survey indicating the IPC subclasses not yet included in the CAPRI Central Data Base, and the status of reclassification of the said subclasses.

Issues of the periodical *World Patent Information*, a joint periodical of the Commission of the European Communities and WIPO, were published by Pergamon Press Ltd. in March, June and November 1982. WIPO was represented at a meeting of the Management Committee of the periodical in Munich in May 1982.

## VII. Development of Trademark Classification

### Objective

The objective is to continue the improvement of the Nice Classification of Goods and Services for the Purposes of the Registration of Marks, an important tool in the orderly registration of trademarks and service marks. "Improvement" means the covering of new products and services and the more precise description and classification of existing ones, in addition to the updating of the Classification in various languages.

### Activities

The *Committee of Experts of the Nice Union* held its 14th session in Geneva in May 1982. Fourteen member States (of which nine were party to the Geneva Act of the Nice Agreement and five were party to the Stockholm Act) were represented, and six other States and three international organizations were represented as observers.

The Committee of Experts discussed about 80 proposals for the amendment of the Nice Classification submitted by the Preparatory Working Group. It gave favorable advice on the large majority of the said pro-

posals, and on corresponding explanatory notes prepared by the International Bureau. Subject to any objections expressed in correspondence, the amended classification will enter into force on June 1, 1983.

An official of WIPO visited the industrial property offices of Portugal in May 1982 and of Germany (Federal Republic of) and of Italy in June 1982 to discuss cooperation in the establishment of *official texts* of the amended Nice Classification in the *Portuguese, German and Italian languages*.

In June 1982, the *Nice Classification and Alphabetical List of Goods* were published in a bilingual (English and French) edition from a computerized data base, including a listing by classes in alphabetical order within the classes with corresponding serial numbers from the Classification.

*Poland* denounced the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks with effect from July 20, 1982.

## VIII. Development of Industrial Designs Classification

### Objective

The objective is to continue the improvement of the Locarno Classification for Industrial Designs, an important tool in the orderly registration of industrial designs. "Improvement" means the covering of new kinds of goods in which designs are incorporated and the more precise description and classification of the existing ones, in addition to the updating of the Classification in various languages.

### Activities

The *Committee of Experts of the Locarno Union* met in Geneva in December 1982. Nine countries members of the Locarno Union participated; three other countries of the Paris Union, one intergovernmental organization and one non-governmental organization were represented by observers.

The Committee decided on a certain number of proposals for additions and amendments to the List of Goods, submitted by certain countries, members of the Locarno Union, as well as on proposals made by the International Bureau on the basis of a review of formal aspects of the List of Goods, which, in some cases led to a correction of the headings of classes or subclasses.

With regard to further proposals made by the International Bureau for improving the use of the List of Goods by limiting the Alphabetical List of Goods and the List of Goods in the order of classes and subclasses to single-product indications, and supplementing the

said lists with a "Catchword Index," with cross references wherever necessary containing clusters of all related product designations, the Committee recommended that the International Bureau should proceed and rearrange the presentation of the Classification as proposed.

The *United States of America* denounced the Locarno Agreement Establishing an International Classification for Industrial Designs with effect from July 21, 1982.

## IX. Cooperation with States and Various Institutions in Matters Concerning Industrial Property

### Objective

The objective is to ensure that, through regular contacts between the International Bureau on the one hand and the governments of States and international organizations on the other hand, there should be full awareness of what is being done and planned on either side, in order to inspire mutually more and more useful activities, to combine forces wherever possible and to avoid all unnecessary duplication.

### Activities

*Various Forms of Cooperation.* WIPO continued to cooperate with States, with intergovernmental organizations and with international and national non-governmental organizations in matters concerning industrial property. Missions undertaken by the Director General and his staff for this purpose, and representation at meetings of organizations of the United Nations system, were covered in the first part of this report, which dealt also with cooperation with governments of developing countries, individually or in groups, and, on general matters, with certain intergovernmental specialized institutions of developing countries (e.g., Industrial Property Organization for English-Speaking Africa (ESARIPO), Board (*Junta*) of the Cartagena Agreement (JUNAC), African Intellectual Property Organization (OAPI)).

*Australia.* An official of WIPO visited the Australian Patent Office in March 1982 for discussions concerning the survey of computerized search systems, and also on PCT matters and the use of the Locarno and Nice Classifications.

*France.* WIPO was represented at the inaugural meeting of the *Institut de recherche en propriété intellectuelle Henri Desbois (IRPI)* in Paris in February 1982. A WIPO official gave a lecture on the revision of the Paris Convention.

*Italy.* The Director General participated in the celebration, in Rome in December 1982, of the 100th anniversary of the *Società Italiana Brevetti*.

*Spain.* WIPO was represented at the Fourth Congress of the Spanish Association of Engineers, on Economic and Technical Cooperation between Spain and Latin America, in Madrid, in March 1982.

A WIPO official worked in Madrid with officials of the Industrial Property Registry of Spain, in February 1982, on the preparation of a feasibility study on the implementation, in terms of requirements for documentation, staff and premises, of a new patent law requiring the furnishing of a report on the state of the art in respect of each patent application.

*United States of America.* The Director General addressed a meeting of the Association of Corporate Patent Counsel at Durango (Colorado) in June 1982.

*Commission of the European Communities (CEC).* The Director General visited the CEC in Brussels in May 1982 for discussions on links between the Madrid Agreement Concerning the International Registration of Marks and the proposed European Community Trade Mark.

*Council for Mutual Economic Assistance (CMEA).* WIPO was represented at meetings of the Conference of the Heads of the Offices for Inventions of the CMEA countries held in Sibiu (Romania) in July and in Moscow in December 1982.

*African, Caribbean and Pacific Group of States.* WIPO was represented at a preparatory meeting, convened by the Secretariat General of the African, Caribbean and Pacific Group of States (ACP Group) (party to the Lomé Convention with the European Communities), on Intra-ACP Cooperation in the Transfer of Technology, Know-How and Financial Assistance, in Brussels in October 1982.

*European Patent Organisation (EPO).* WIPO was represented at sessions of the Administrative Council of the EPO held in Munich in June and December 1982 and also at an EPO Working Party on Technical Information in January and October 1982.

The Director General visited the search branch of the EPO in The Hague in June 1982.

*Interim Committee for the Community Patent.* WIPO was represented at a meeting of a Working Group of the Interim Committee in Brussels in April 1982.

*International Organization for Standardization (ISO).* WIPO was represented at the annual meeting, in Geneva in May 1982, of the ISO Maintenance Agency for Standard ISO 3166 (Country Codes).

*Other Organizations.* WIPO was also represented at the following meetings of other 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 Executive Committee and Working Commissions of the International Association for the Protection of Industrial Property (IAPIP) in Moscow in April 1982, and the IAPIP Program Committee in Geneva in September 1982; a Seminar on the European Community Trade Mark organized by the Center for the International Study of Industrial Property (CEIPI) in Strasbourg in March 1982; the Annual General Assembly of the International Federation of Inventors' Associations (IFIA) in London in May 1982; the 25th anniversary meeting of the Patent Documentation Group in Basle in May 1982; a meeting of the Patent Documentation Committee of the German Society for Documentation in Munich in May 1982; the Industrial Property Commission of the International Chamber of Commerce (ICC) in Paris in September 1982; the Patent Documentation Group of the International Federation for Documentation (FID) in Nordborg (Denmark) in October 1982; a Round Table on industrial designs organized by the Union of European Practitioners in Industrial Property (UEPIP) in Paris in December 1982.

The Director General and a Deputy Director General participated in, and took the chair at sessions of, a Conference on Economic Efficiency and Industrial Property Protection, organized in September 1982 in Budapest by the *Hungarian Group of IAPIP* and the Hungarian Association for the Protection of Industrial Property.

In October 1982, the Director General presented, at a special ceremony arranged by the Swedish Inventors' Association in Stockholm, a WIPO gold medal to Mr. Harald Romanus in recognition of his outstanding contribution to the promotion of the interests of inventors, particularly through IFIA.

## X. Registration Activities in the Field of Industrial Property

### Objective

The objective is to maintain the registration and similar activities under the Paris Convention, the Patent Cooperation Treaty, the Madrid Agreement (Marks), the Hague Agreement (Industrial Designs) and the Lisbon Agreement (Appellations of Origin), in particular by providing accurately and promptly the services required under those treaties.

### Activities

*Paris Convention for the Protection of Industrial Property: Communication of State Emblems, etc.*

In 1982, four communications of an official sign were made under Article 6ter of the Paris Convention, coming from Monaco, Portugal, the Republic of Korea and the International Maritime Organization (IMO).

### *Patent Cooperation Treaty (PCT): Meetings*

The *PCT Union Assembly* held its ninth session (6th extraordinary) in Geneva in September 1982. The Assembly amended, with effect from January 1, 1983, the Schedule of Fees annexed to the PCT Regulations by increasing the fees, when expressed in Swiss francs, by 7.5%.

A *meeting of national and international non-governmental organizations*, with participation from Offices of PCT Contracting States, was convened by WIPO in Geneva in April 1982 in the context of the study of the improvement of PCT procedures decided on by the PCT Union Assembly at its seventh session in 1981. Around 25 persons attended the meeting, representing six international non-governmental organizations, ten national non-governmental organizations and nine Offices. A number of proposals were discussed for amendment of certain time limits under the PCT and of the PCT Regulations, to be taken into account in documents to be submitted to the PCT Committee for Administrative and Legal Matters in September 1982.

The *PCT Committee for Administrative and Legal Matters* held its first session in Geneva in September 1982. Nineteen States and one International Searching and Preliminary Examining Authority, members of the Committee, were represented. Five other States were represented by observers, as well as six international non-governmental organizations.

The Committee considered amendments to certain time limits in the PCT and to the Regulations under the PCT, proposed by the International Bureau within the framework of the study, entrusted to it by the PCT Union Assembly, of possible improvements to the PCT system.

The most important proposals which were put before the Committee are intended to achieve the following goals:

(i) making the procedure during the international phase under Chapter I of the PCT safer and simpler for the applicant; for example, some proposals are aimed at giving the applicant the means to ensure, in a simpler way than under the existing Rules, that he will not lose his international application because the record copy has not reached the International Bureau in due time; other proposals are aimed at allowing the extension of time limits fixed by the receiving Office and at obliging that Office to excuse trivial errors whose correction it asked for but did not receive; further proposals, dealing with the procedure under which the applicant may amend the claims during the international phase, are aimed at giving him more time to do so, at giving him the possibility to state more in his explanations of amendments and at permitting him to submit the amendments in the language of publication only; certain other proposals are aimed at making more liberal

the rules concerning the rectification of errors in documents;

(ii) making the procedure during the international phase under Chapter II of the PCT more attractive for the applicant; for example, some proposals are aimed at giving the applicant more opportunities to present arguments to the International Preliminary Examining Authority and at making longer the time limit for establishing the international preliminary examination report in certain cases;

(iii) simplifying the tasks of the international authorities running the operations under the PCT;

(iv) making it safer and simpler for the applicant to enter the national phase; for example, some proposals are aimed at fixing at 20 months from the priority date the time limit for entering the national phase in designated States where the International Searching Authority declares that no international search report will be established, and at fixing at 30 months from the priority date the time limit for entering the national phase in elected States; other proposals are aimed at making it clear that certain requirements for entering the national phase are not allowed under the PCT, and that certain other requirements to be complied with during the national phase must be complied with by the applicant only after entering the national phase and only after being invited to comply with them; further proposals are aimed at reducing the scope of the translations that the applicant has to furnish when entering the national phase; still other proposals are aimed at making it clear in which cases Contracting States must excuse delays in meeting time limits;

(v) including certain patent documents published in the Spanish language in the PCT minimum documentation and including the Spanish language among the languages of international publication of international applications;

(vi) simplifying the wording of certain Rules and deleting some obsolete Rules.

Altogether, the proposals put before the Committee affect two Articles of the Treaty and more than 40 Rules of the Regulations.

The Committee advised the International Bureau on the proposed amendments and will consider at its second session, to be held in April 1983, a revised set of proposals to be prepared by the International Bureau.

The *PCT Committee for Technical Cooperation (PCT/CTC)* held its fifth session in Geneva in November and December 1982, jointly with the sixth session of the PCPI. Sixteen member States and one member Organization of the Committee were represented, one State was represented in its capacity as Special Observer, and five States were represented by observers.

The Committee agreed that the existing inventories of patent documents falling within the minimum documentation period defined in the PCT should be updated

so as to cover the years 1980, 1981 and 1982. It discussed proposals referred to it by the PCT Assembly and the PCT Committee for Administrative and Legal Matters concerning amendment of Rules on minimum documentation. In relation to a proposal concerning the addition of Spanish-language patent documents, the Committee noted that, if the proposal were adopted, the increase in the number of documents was likely to be relatively small vis-à-vis the yearly total of patent documents falling within the PCT minimum documentation. (The International Bureau pointed out that, according to the statistics of recent years, the increase would be no more than 5,000 per annum, that is, less than one percent of the present annual increase.) Some delegations expressed the view that the inclusion of Spanish-language documents could lead to an increase in quality of the results of the international search and also make the PCT system more attractive for Spanish-speaking countries. The Committee noted with great interest a declaration by the Special Observer of Spain that, if the proposal were adopted, the Spanish Industrial Property Registry intended to prepare and make available sorted collections of documents in precisely the manner which the Committee agreed would be necessary.

The Committee reached agreement also on questions concerning machine-readable inventories of English-language abstracts of patent documents, and decided not to pursue further at that time a proposal to bring forward the cut-off year, at present 1920.

The Committee agreed that seven periodicals presently on the list of periodicals contained in the minimum documentation should be deleted from the list, and requested the PCPI Working Group on Special Questions to recommend whether or not others should be deleted or added.

The Committee considered a study prepared by the International Bureau on the advantages and disadvantages of the possible courses of action that presented themselves to ensure the publication of *JOPAL* in the long term, and agreed that after the present trial period, which should end within one year, it should decide on the final outcome of the project.

A meeting was held in Geneva in May 1982, with participation from 27 European industrial enterprises identified as having large foreign patenting activities, at which the advantages to industry of using the PCT were discussed, on the basis of addresses delivered by the Director General and a representative of a United States enterprise. A total number of 33 persons attended the meeting.

The Director General gave a lecture at a meeting of the *Association of Corporate Patent Counsel* (of the United States of America) in Durango (Colorado) in June 1982; he spoke mainly of the advantages offered by the PCT.

A *PCT Seminar* was organized in Seoul in August 1982 by WIPO and the Office of Patents Administration (OPA) of the Republic of Korea. Lectures on the PCT were given by two WIPO officials to about 260 Korean participants from the OPA, from industry and from the legal profession.

In September 1982, a WIPO official gave a lecture on the advantages of the PCT for industry at a meeting in Budapest of the Council of Patent Attorneys of the CMEA countries.

#### *PCT: Receiving and Publication of International Patent Applications*

During 1982, 4,713 international applications were filed. The percentage of applications filed during this period with each receiving Office was the following: United States of America: 38.91%; Japan: 10.31%; Sweden: 9.42%; United Kingdom: 7.60%; EPO: 5.86%; Germany (Federal Republic of): 4.96%; Australia: 4.77%; France: 4.77%; Switzerland: 3.01%; Denmark: 2.46%; Finland: 1.51%; Hungary: 1.44%; Norway: 1.29%; Netherlands: 0.95%; Austria: 0.79%; Soviet Union: 0.76%; Belgium: 0.55%; Brazil: 0.47%; Romania: 0.15%; Luxembourg: 0.02%; other receiving Offices: 0%.

The total number of applications filed in each calendar year since the beginning of PCT operations was as follows:

June to December 1978	687
1979	2,734
1980	3,958
1981	4,321
1982	4,713
Total:	16,413

#### *PCT: Publications*

Since April 1982, a computer system has been used for the photocomposition of the *PCT Gazette* and the front pages of the PCT pamphlets.

Regular (fortnightly) publication of the *PCT Gazette* in separate English and French editions was continued throughout 1982. Altogether, 30 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 4,519 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*. Supplements were issued, consolidating the information of a general character.

Replacement pages were issued from time to time to update the *PCT Applicant's Guide*. This Guide is a publication in two volumes which gives detailed informa-

tion on the PCT intended for those interested in filing international applications under the PCT. Volume I contains over 120 questions and answers about the procedure before receiving Offices, International Searching Authorities, International Preliminary Examining Authorities and the International Bureau (the "international phase"). It is supplemented by detailed indexes and annexes listing various data and requirements of the PCT Authorities and receiving Offices and showing samples of the most important forms. Volume II contains "national chapters" giving information on requirements for the processing of international applications before designated and elected Offices, whether national or regional (EPO, OAPI) Offices (the "national phase"), indexing schedules of national fees and national forms to be used by applicants; national chapters were issued during 1982 for the Offices of Brazil, the Democratic People's Republic of Korea, Malawi and Sri Lanka. All designated and elected Offices are now covered by national chapters, with one exception (Madagascar).

WIPO cooperated with the German Patent Office in the publication of the *PCT Applicant's Guide* in German. The second volume was published in March 1982 by Carl Heymanns Verlag.

#### *Madrid Agreement Concerning the International Registration of Marks: Meetings*

A meeting of *Users of the Madrid Agreement Concerning the International Registration of Marks* was held in Geneva in March 1982. Representatives of 20 States members of the Madrid Union, and of one regional Trademark Office, participated in the meeting (Algeria, Austria, Belgium, Czechoslovakia, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Italy, Monaco, Netherlands, Portugal, Romania, San Marino, Soviet Union, Spain, Switzerland, Tunisia, Yugoslavia, Benelux Trademark Office).

The purposes of the Users' Meeting, the first such meeting in the history of the Madrid Union, were to examine the most common types of problems which arise in the filing of international applications and the recording of changes, to provide information on recent modifications in the administration of the Madrid Agreement and to permit an exchange of views on possible improvements.

The meeting discussed, in particular, proposals to change the international application form, to establish a standard notice concerning irregularities and to change the notice concerning the classifying of goods and services; the national administrations were asked to reexamine the question of adopting the standardized form for the notification of refusals; the International Bureau gave explanations concerning new requirements for copies of figurative marks and concerning changes made in the publication of registrations, renewals and changes in *Les Marques internationales*. The represen-

tatives of some national administrations drew attention to certain problems which might require revision of the Regulations.

At their sessions in November 1981, the Assembly and the Committee of Directors of the Madrid Union Concerning the International Registration of Marks had agreed that the Director General should convene a *Working Group on Links Between the Madrid Agreement and the Proposed (European) Community Trade Mark*. In August 1982, a document was issued by WIPO, having been jointly prepared by the International Bureau of WIPO and the competent services of the CEC, in preparation of the meeting of the said Working Group, after discussions between officials of WIPO and of the Commission in Geneva in February and May and in Brussels also in May 1982. The said document contains proposals for possible measures to be taken in order to ensure that any international registration could have the effect of a Community registration and that any Community registration could serve as a basis for an international registration. In September 1982, the Director General was informed, on behalf of the delegations of the member States of the European Communities, that the said delegations were inclined to think that the year 1983, in which it had been expected that the Working Group would meet, would be too early for that purpose.

#### *Madrid Agreement (Marks): Registration of Marks and Connected Tasks*

WIPO continued to perform the tasks provided for in the Madrid Agreement. In 1982, the total number of registrations effected was 8,096. To this figure should be added 4,465 renewals under the Nice or Stockholm Acts of the Madrid Agreement. The total number of registrations and renewals during the said period was therefore 12,561, as compared with 12,517 during the previous corresponding period. The total number of changes recorded in the International Register of Marks was 16,158, as compared with 17,847 in the previous corresponding period.

On the closing of the accounts for 1981 of the Madrid Union (Marks), the member States received the following amounts as their part in the supplementary and complementary fees:

	<i>Swiss francs</i>
Algeria	143,215.93
Austria	425,868.98
Benelux	883,951.95
Czechoslovakia	438,643.36
Democratic People's Republic of Korea	125,305.84
Egypt	467,941.41
France	381,446.10
German Democratic Republic	250,960.28
Germany (Federal Republic of)	493,314.91

Hungary	444,123.99
Italy	393,807.18
Liechtenstein	117,785.59
Monaco	121,320.—
Morocco	117,681.03
Portugal	672,405.61
Romania	435,091.40
San Marino	82,904.90
Soviet Union	226,001.76
Spain	717,605.70
Switzerland	407,243.05
Tunisia	115,576.94
Viet Nam	68,429.62
Yugoslavia	535,144.47
<b>Total:</b>	<b>8,065,770.—</b>

In addition, each member State received 4,084 francs, being an equal share of one-tenth of the profits of 1981, the remaining nine-tenths going to the Reserve Fund. The sums due, in Swiss francs, are used by many member States for the payment of their contributions to the budgets of Unions administered by WIPO other than the Madrid Union.

*Madrid Agreement (Marks): Publications and Trademark Search Service*

The review *Les Marques internationales*, containing the publication of registrations of marks, renewals and

changes recorded in the International Register, continued to appear each month.

The *Guide to the International Registration of Marks* was published in French in February, in English in May and in Spanish in June 1982.

WIPO continued to maintain its *Trademark Search Service*, a service open to the public for identifying identical or similar marks among those registered. The total number of trademark searches carried out in 1982, was 2,407, as compared with 2,912 in the previous year.

*The Hague Agreement Concerning the International Deposit of Industrial Designs: Receiving Industrial Designs and Connected Tasks*

WIPO continued to perform the tasks provided for in the Hague Agreement, in particular the registration and monthly publication (in the periodical *International Designs Bulletin/Bulletin des dessins et modèles internationaux*) of industrial designs deposited with it. In 1982, the total number of international deposits was 1,784 and the total number of prolongations was 577, as against 1,619 and 702, respectively, in the previous year.

The *Guide to the International Deposit of Industrial Designs* was published in English and French in May 1982.

## Plant Varieties

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

#### Ratification of the 1978 Act

#### FRANCE

The Government of France deposited, on February 17, 1983, its instrument of ratification of the Act of October 23, 1978, of the International Convention for the Protection of New Varieties of Plants (UPOV) of

December 2, 1961, as revised at Geneva on November 10, 1972.

The said instrument of ratification contains the following declaration:

"Referring to Article 36, paragraph (1), of the Convention, the Government of France declares that it is applicable to the territory of the French Republic, including the Overseas Departments and Territories."(Translation)

The said 1978 Act will enter into force, with respect to France, on March 17, 1983.

UPOV Notification No. 27, of February 22, 1983.

# WIPO Meetings

## Paris Union

### Diplomatic Conference on the Revision of the Paris Convention

Third Session  
(Geneva, October 4 to 30 and  
November 23 to 27, 1982)

#### NOTE†

The third session of the Diplomatic Conference on the Revision of the Paris Convention took place in Geneva from October 4 to 30 (first part) and November 23 to 27 (second part), 1982.††

A summary of the third session of the Diplomatic Conference appears in "The World Intellectual Property Organization" on page 87 of this issue of *Industrial Property*. The list of participants appears below.

† Prepared by the International Bureau.

†† For the Note on the second session, see *Industrial Property*, 1981, p. 309.

#### LIST OF PARTICIPANTS

##### I. States

###### ALGERIA<sup>1</sup>

###### Head of the Delegation

B. Ould-Rouis, Ambassadeur, Représentant permanent, Mission permanente, Genève

###### Alternate Head of the Delegation

B. Saci, Ministre Conseiller, Mission permanente, Genève

###### Delegates

D. Hadj-Sadok, Directeur Général, Institut algérien de normalisation et de propriété industrielle, Alger\*

M. Mati, Conseiller, Mission permanente, Genève

###### ANGOLA\*

###### Head of the Delegation

A.A. Dos Santos Sousa, Director, Secretaria de Estado da Cultura, Instituto Nacional da Propriedade Intelectual, Luanda

###### Delegate

J.A. Rangel Dias Dos Santos, Official, Secretária de Estado da Cultura, Instituto Nacional da Propriedade Intelectual, Luanda

\* Present at the first part only.

\*\* Present at the second part only.

<sup>1</sup> Member of the Paris Union.

<sup>2</sup> Member of WIPO but not of the Paris Union.

###### ARGENTINA<sup>1</sup>

###### Head of the Delegation

F. Jiménez Dávila, Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra

###### Delegate

J. Pereira, Segundo Secretario, Misión Permanente, Ginebra

###### AUSTRALIA<sup>1</sup>

###### Head of the Delegation

D.M. Sadleir, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

###### Alternate Heads of the Delegation

F.J. Smith, Commissioner of Patents, Registrar of Trademarks and Designs, Patent, Trademarks and Designs Offices, Department of Science and Technology, Canberra\*\*

C.H. Friemann, Deputy Commissioner of Patents, Deputy Registrar of Patent, Trademarks and Designs Offices, Department of Science and Technology, Canberra

P.A.D. Smith, Senior Assistant Commissioner (Policy), Patent, Trademarks and Designs Offices, Department of Science and Technology, Canberra\*

###### Delegates

W.R. Steele, Counsellor, Permanent Mission, Geneva\*

K.R. Widdows, First Secretary, Permanent Mission, Geneva\*

###### Advisors

D.W. Berryman, President, Australian Manufacturers' Patent, Industrial Design, Copyright and Trademark Association, Melbourne\*

A.L. Limbury, Solicitor, Minter Simpson & Co., Sydney\*

###### AUSTRIA<sup>1</sup>

###### Head of the Delegation

O. Leberl, President of the Austrian Patent Office, Director General, Industrial Property Department, Federal Ministry of Commerce, Trade and Industry, Vienna

###### Alternate Head of the Delegation

G. Mayer-Dolliner, Hofrat, Industrial Property Department, Federal Ministry of Commerce, Trade and Industry, Vienna\*

###### Delegate

F. Trauttmansdorff, Second Secretary of Embassy, Permanent Mission, Geneva

###### BELGIUM<sup>1</sup>

###### Head of the Delegation

A. Onckelinx, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

###### Delegates

J. Schokkaert, Directeur des Relations économiques extérieures, Ministère des Relations extérieures, Bruxelles\*

C. Funes-Noppen, Premier Secrétaire, Mission permanente, Genève

J. Degavre, Conseiller adjoint, Service de la propriété industrielle et commerciale, Ministère des affaires économiques, Bruxelles

F. Gevers, Président du Conseil supérieur de la propriété industrielle, Bruxelles\*

M. Chomé, Membre du Conseil supérieur de la propriété industrielle, Bruxelles\*

H.G. Ernst, Conseiller en propriété industrielle, Société Procter & Gamble, Bruxelles\*

P. Theunis, Spécialiste des brevets à la Société Agfa Gevaert, Conseil de la propriété industrielle, Bruxelles \*

BRAZIL<sup>1</sup>*Head of the Delegation*

A. Gurgel de Alencar, Minister Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva

*Delegates*

E. Cordeiro, Second Secretary, Permanent Mission, Geneva  
C.A. Ferreira Guimarães, Secretary of Embassy, Division of Commercial Policy, Ministry of External Relations, Brazil \*  
M.F. Cruz Filho, Advisor, National Institute of Industrial Property (INPI), Ministry of Industry and Trade, Rio de Janeiro \*  
A.L. Barbosa, Advisor, National Institute of Industrial Property (INPI), Ministry of Industry and Trade, Rio de Janeiro \*

BULGARIA<sup>1</sup>*Head of the Delegation*

K. Iliev, Directeur général, Institut des inventions et des rationalisations, Sofia \*  
D. Popov, Ministre plénipotentiaire, Ministère des affaires étrangères, Sofia \*\*

*Delegates*

R. Kazandjiewa, Vice-directeur général, Institut des inventions et des rationalisations, Sofia \*\*  
I. Kotzev, Premier Secrétaire, Affaires scientifiques et techniques, Mission permanente, Genève  
I. Angelov, Expert, Ministère du commerce extérieur, Sofia \*

BURUNDI<sup>1</sup>*Alternate Head of the Delegation*

B. Seburiyamo, Premier Conseiller, Mission permanente, Genève

BYELORUSSIAN SSR<sup>2</sup>*Head of the Delegation*

V.V. Grekov, Permanent Representative, Permanent Mission, Geneva \*\*

*Delegate*

S.N. Chilovitch, Second Secretary, Permanent Mission, Geneva

CAMEROON<sup>1</sup>*Head of the Delegation*

D. Yong, Représentant permanent adjoint, Mission permanente, Genève \*  
F.-X. Ngoubeyou, Conseiller technique, Ministère de l'information et de la culture, Yaoundé \*\*

*Delegate*

W. Eyambe, Deuxième Secrétaire, Mission permanente, Genève

*Advisor*

D. Ekani, Directeur général, Organisation Africaine de la Propriété Intellectuelle (OAPI), Yaoundé \*\*

CANADA<sup>1</sup>*Head of the Delegation*

D.S. McPhail, Ambassador, Permanent Representative, Permanent Mission, Geneva

*Alternate Head of the Delegation*

P.F. Hay, Director General, Policy, Research, Analysis and Liaison Directorate, Department of Consumer and Corporate Affairs, Ottawa, Canada

*Delegates*

R. Théberge, Counsellor, Policy, Research, Analysis and Liaison Directorate, Department of Consumer and Corporate Affairs, Ottawa, Canada  
J. Lynch, First Secretary, Permanent Mission, Geneva \*\*  
R. Ballhorn, Desk Officer, Economic Law and Treaty Division, Department of External Affairs, Ottawa, Canada  
P. Henry, Desk Officer, General Economic Relations Division, Department of External Affairs, Ottawa, Canada \*

J. Osborne, Counsel, Gowling and Henderson, Barristers and Solicitors, Ottawa, Ontario \*

A. Swabey, Patent Agent, Swabey, Mitchell, Houle, Marcoux and Sher, Toronto, Ontario

CHILE<sup>2</sup>*Head of the Delegation*

J. Berguño, Embajador, Representante Permanente, Misión Permanente, Ginebra \*

*Delegates*

L. Gillet, Subdirector de Asuntos Jurídicos, Ministerio de Relaciones Exteriores, Santiago \*\*  
R. Plaza, Consejero, Misión Permanente, Ginebra \*  
P. Barros, Primer Secretario, Misión Permanente, Ginebra

CHINA<sup>2</sup>*Head of the Delegation*

Tang Zongshun, Adviser to the Patent Office, Patent Office, Beijing \*

*Delegates*

Shen Yaozeng, Deputy Director General, Patent Office, Beijing \*\*  
Huang Renxun, Expert, Trade Mark Office, State Administration for Industry and Commerce, Beijing \*  
Liu Feng-yun, Acting Deputy Director, Department of International Cooperation, Patent Office, Beijing \*  
Kung Hsi, Third Secretary, Permanent Mission, Geneva

COLOMBIA<sup>2</sup>*Head of the Delegation*

T. Ivars, Embajador Alterno, Representante Permanente, Misión Permanente, Ginebra

*Alternate Head of the Delegation*

L.-F. Paredes, Segundo Secretario, Misión Permanente, Ginebra \*

*Delegate*

L.-C. Suárez de Páez, Jefe, División de Propiedad Industrial, Superintendencia de Industria y Comercio, Ministerio de Desarrollo Económico, Bogotá \*

CONGO<sup>1\*</sup>*Head of the Delegation*

A. Gabou, Procureur général près la Cour suprême, Conseiller juridique, Ministère de la coopération, Brazzaville

*Delegates*

D. Ngassaki, Chef de l'Antenne nationale de la propriété industrielle, Direction générale de l'industrie, Ministère de l'industrie et de la pêche, Brazzaville  
B. Kabé-Abbo, Fonctionnaire, Ministère des affaires étrangères, Brazzaville

COSTA RICA<sup>2</sup>*Head of the Delegation*

E. Soley Soler, Embajador, Representante Permanente, Misión Permanente, Ginebra

*Delegate*

L.C. Delgado, Ministro Consejero, Misión Permanente, Ginebra  
J. Rhenán Segura, Ministro Consejero, Misión Permanente, Ginebra \*\*

CUBA<sup>1</sup>*Head of the Delegation*

L. Solá Vila, Embajador Extraordinario y Plenipotenciario, Representante Permanente, Misión Permanente, Ginebra

*Advisor*

A.V. González, Tercer Secretario, Misión Permanente, Ginebra

CZECHOSLOVAKIA<sup>1</sup>*Head of the Delegation*

M. Bělohávek, President, Office for Inventions and Discoveries, Prague

*Alternate Head of the Delegation*

V. Vaniš, Vice-President, Office for Inventions and Discoveries, Prague\*

*Delegates*

J. Prošek, Head of the Trademarks Department, Office for Inventions and Discoveries, Prague  
M. Slámová, Counsellor, Permanent Mission, Geneva

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA<sup>1</sup>\**Delegates*

Choi J.N., Examiner, Invention Committee, State Committee on Science and Technology, Pyongyang  
Kim C.H., Examiner, Invention Committee, State Committee on Science and Technology, Pyongyang

## DEMOCRATIC YEMEN

*Head of the Delegation*

S.A.S. Fares, Ministre plénipotentiaire, Mission permanente, Genève

DENMARK<sup>1</sup>*Head of the Delegation*

R. Carlsen, Registrar of Trademarks, Ministry of Commerce, Patent and Trademark Office, Copenhagen

*Alternate Head of the Delegation*

L. Österborg, Head of Division, Ministry of Commerce, Patent and Trademark Office, Copenhagen

EGYPT<sup>1</sup>*Head of the Delegation*

F. El Ibrashi, Minister Plenipotentiary, Ministry for Foreign Affairs, Cairo\*

*Alternate Head of the Delegation*

M. Dagash, Counsellor, Permanent Mission, Geneva

*Delegate*

W. Bassim, Third Secretary, Permanent Mission, Geneva\*

EL SALVADOR<sup>2</sup>*Head of the Delegation*

J.L. Lovo Castelar, Embajador, Representante Permanente, Misión Permanente, Ginebra

*Delegates*

M. González Dubon, Ministro-Consejero, Representante Permanente, Misión Permanente, Ginebra\*  
C.A. Barahona Rivas, Secretario de Embajada, Misión Permanente, Ginebra

FINLAND<sup>1</sup>*Head of the Delegation*

O. Lares, Ambassador, Head of Legal Department, Ministry for Foreign Affairs, Helsinki\*

*Alternate Head of the Delegation*

E. Wuori, Deputy Director General, National Board of Patents and Registration, Helsinki

*Delegates*

S.-L. Lahtinen, Deputy Director General, National Board of Patents and Registration, Helsinki\*  
A.-R. Ketokoski, Counsellor, Ministry for Foreign Affairs, Helsinki\*  
M. Huhta, Second Secretary, Ministry for Foreign Affairs, Helsinki

*Advisors*

V. Vainio, Director, Confederation of Finnish Industries, Helsinki  
S. Henriksson, Legal Counsel, Confederation of Finnish Industries, Helsinki

FRANCE<sup>1</sup>*Head of the Delegation*

R. de Souza, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Alternate Heads of the Delegation*

G. Vianès, Chef du Service de la propriété industrielle, Directeur de l'Institut national de la propriété industrielle, Ministère de la recherche et de l'industrie, Paris  
G. Le Tallec, Directeur adjoint, Institut national de la propriété industrielle, Ministère de la recherche et de l'industrie, Paris\*

*Delegates*

H. Hiance, Conseiller juridique, Institut national de la propriété industrielle, Paris  
I.C. Duhamel, Attaché d'administration, Direction des affaires civiles et du scea, Ministère de la justice, Paris\*  
R. Tinlot, Directeur adjoint, Direction de la consommation et de la répression des fraudes, Ministère de la consommation, Paris\*  
J.-M. Mornal, Deuxième Conseiller, Mission permanente, Genève  
L. Nicodème, Secrétaire-adjoint principal des affaires étrangères, Direction des affaires économiques et financières, Ministère des relations extérieures, Paris  
L. Le Vert, Conseiller des affaires étrangères, Direction des Nations Unies et organisations internationales, Ministère des relations extérieures, Paris\*  
J. Myard, Secrétaire adjoint des affaires étrangères, Direction des affaires juridiques, Ministère des relations extérieures auprès de l'Office des Nations Unies à Genève, Genève\*  
C. Rosenau, Attaché, Mission permanente, Genève\*

*Advisors*

A. Françon, Professeur à l'Université de Paris II, Membre du Conseil supérieur de la propriété industrielle, Paris\*  
A. Devlétian, Chef du Service étranger, Institut national des appellations d'origines des vins et eaux-de-vie, Paris\*  
P. Rouyrre, Directeur des accords et de la propriété industrielle de la Société Creusot-Loire, Membre du Conseil supérieur de la propriété industrielle, Paris

GERMAN DEMOCRATIC REPUBLIC<sup>1</sup>*Head of the Delegation*

J. Hemmerling, President, Office for Inventions and Patents, Berlin\*

*Deputy Head of the Delegation*

D. Schack, Head, Department of International Cooperation, Office for Inventions and Patents, Berlin

*Delegates*

F. Jonkisch, Head, Legal Main Department, Office for Inventions and Patents, Berlin\*  
M. Förster, Interpreter, Office for Inventions and Patents, Berlin  
H.-W. Mattern, Second Secretary, Permanent Mission, Geneva

GERMANY (FEDERAL REPUBLIC OF)<sup>1</sup>*Head of the Delegation*

N. Lang, Minister, Acting Permanent Representative, Permanent Mission, Geneva

*Alternate Head of the Delegation*

E. Steup, Head of Division, Federal Ministry of Justice, Bonn

*Delegates*

G. von Boehmer, First Counsellor, Ministry for Foreign Affairs, Bonn\*  
F. Lambach, First Counsellor, Permanent Mission, Geneva  
J. Reinbothe, Counsellor, Federal Ministry of Justice, Bonn

*Advisors*

G. Albrechtskirchinger, Lawyer, Deutsch-Französische Gesellschaft, Frankfurt  
H. Bezenberger, Chairman, Industrial Property Committee, Association of German Industry, Director, Hoeschst A.G., Frankfurt\*  
K.A. Endemann, Hoeschst, A.G., Frankfurt\*  
K.J. Heimbach, European Patent Attorney, Leverkusen\*

H.P. Kunz-Hallstein, Lawyer, Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, Munich  
G. Peters, Lawyer, Odenthal-Hüttchen\*

GHANA<sup>1</sup>*Head of the Delegation*

A. Cato, Minister Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva\*

*Alternate Head of the Delegation*

A.J.B. McCarthy, Delegate, Permanent Mission, Geneva

*Delegate*

Y. Addo-Daaku, First Secretary, Permanent Mission, Geneva\*

GREECE<sup>1</sup>*Head of the Delegation*

P. Apostolides, Conseiller d'Ambassade, Genève

*Delegates*

P. Geroulakos, Conseiller juridique, Direction de la propriété commerciale et industrielle, Ministère du commerce, Athènes  
G. Rounis, Conseiller juridique, Ministère des Affaires étrangères, Athènes\*

## GUATEMALA\*

*Head of the Delegation*

A. Fajardo-Maldonado, Embajador, Representante Permanente, Misión Permanente, Ginebra

*Delegate*

N.M. de Contreras, Ministro-Consejero, Misión Permanente, Ginebra

HOLY SEE<sup>1</sup>*Head of the Delegation*

G. Bertello, Conseiller, Chargé d'affaires, a.i., Mission permanente, Genève

*Delegate*

O. Roulet, Avocat, Genève

## HONDURAS

*Head of the Delegation*

I. Romero M., Embajador, Representante Permanente, Misión Permanente, Ginebra\*

*Delegates*

J.M. Ritter Arita, Consejero, Misión Permanente, Ginebra  
A. Ariza, Segundo Secretario, Misión Permanente, Ginebra\*

HUNGARY<sup>1</sup>*Head of the Delegation*

Gy. Pusztai, Président, Office national des inventions, Budapest

*Delegates*

J. Bobrovsky, Directeur général, Office national des inventions, Budapest\*  
G. Bánrévy, Directeur général adjoint, Ministère du commerce extérieur, Budapest\*  
S. Horváth, Deputy Director General, National Office of Inventions, Budapest\*\*  
G. Szénási, Deuxième Secrétaire, Conseiller juridique, Ministère des affaires étrangères, Budapest\*

INDIA<sup>2</sup>*Head of the Delegation*

C.K. Modi, Joint Secretary, Department of Industrial Development, Ministry of Industry, Government of India, New Dehli\*

*Delegates*

R.L. Mukherjee, Senior Central Government Advocate, Ministry of Law, Justice and Company Affairs, Government of India, New Dehli\*

K.V. Swaminathan, Director, Department of Science and Technology, Government of India, New Dehli\*

P.R. Chandran, Deputy Secretary, Department of Industrial Development, Ministry of Industry, New Dehli\*

L. Puri, First Secretary, Permanent Mission, Geneva

K. Thairani, Deputy Educational Adviser, Ministry of Education and Culture, New Dehli\*\*

INDONESIA<sup>1</sup>*Head of the Delegation*

I. Darsa, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

*Delegates*

H. Adisumarto, Director General of Law and Legislation, Department of Justice, Jakarta\*\*

W. Martosewojo, Director, Directorate for Civil Law, Ministry of Justice, Jakarta\*

N. Wisnoemoerti, Counsellor, Permanent Mission, Geneva

*Alternate Delegates*

R. Siahaan, Head of Sub-Directorate, Directorate of Legal and Treaty Affairs, Ministry for Foreign Affairs, Jakarta\*

R. Tanzil, Third Secretary, Permanent Mission, Geneva

R. Mustakim, Official, Ministry for Foreign Affairs, Jakarta\*

E. Kusumaatmadja, Padjadjaran State University, Bandung\*

S. Parnohadiningrat, Staff, Permanent Mission, Geneva\*\*

IRELAND<sup>1</sup>*Head of the Delegation*

J. Quinn, Controller of Patents, Designs and Trade Marks, Patents Office, Dublin

*Alternate Head of the Delegation*

B. O'Gorman, Assistant Principal, Patents Office, Dublin\*

*Delegates*

F. McCarthy, Legal Advisor, Office of the Attorney-General, Dublin\*

P. McDonagh, First Secretary, Permanent Mission, Geneva

ISRAEL<sup>1</sup>*Delegates*

M.M. Shaton, Counsellor, Permanent Mission, Geneva

Y.A. Tsur, Commissioner of Patents, Designs and Trade Marks, Ministry of Justice, Jerusalem\*

ITALY<sup>1</sup>*Head of the Delegation*

G.L. Milesi-Ferretti, Ambassadeur, Délégué pour les Accords de propriété intellectuelle, Ministère des affaires étrangères, Rome

*Deputy Head of the Delegation*

A.V. de Mohr Sunnegg Morberg, Premier Conseiller, Mission permanente, Genève\*

*Delegates*

S. Samperi, Directeur, Office central des brevets, Ministère de l'industrie, du commerce et de l'artisanat, Rome\*

L. Vannuccini, Office central des brevets, Ministère de l'industrie, du commerce et de l'artisanat, Rome\*

R. Boros, Conseiller juridique, Direction générale, Programmation et développement, Ministère des participations d'Etat, Rome

*Advisors*

L. Sordelli, Professeur ordinaire de l'Université de Sienne, Président du Groupe italien de l'Association internationale pour la protection de la propriété industrielle (AIPPI), Milan\*

G. Fiammenghi, Avocat, Expert du Collège italien des consultants en propriété industrielle et du Groupe italien de l'Association internationale pour la protection de la propriété industrielle (AIPPI), Rome\*

W. Giugni, Président de l'Association des consultants en propriété industrielle travaillant dans l'industrie (AICIPI), Industrie Zanussi SpA, Rome\*

- G. Costi, Expert, Confédération de l'industrie, Rome\*  
 M. Bellenghi, Expert, Conseil en propriété industrielle, Confédération de l'industrie, Rome  
 A. Ferrante, Président de la Commission de propriété industrielle (CCI), Milan

IVORY COAST<sup>1</sup>*Head of the Delegation*

- A. Traore, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Deputy Head of the Delegation*

- B.T. Aka, Directeur de la normalisation et de la technologie, Ministère du plan et de l'industrie, Abidjan

*Delegate*

- K.F. Ekra, Conseiller, Mission permanente, Genève

JAPAN<sup>1</sup>*Head of the Delegation*

- F. Suzuki, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

*Alternate Head of the Delegation*

- K. Wakasugi, Director General, Patent Office, Tokyo\*

*Alternate Delegates*

- I. Shamoto, Director General, Department of Appeal, Patent Office, Tokyo  
 K. Uesugi, Director General, First Examination Department, Patent Office, Tokyo\*  
 T. Ogawa, Senior Inspection Officer, General Administration Department, Patent Office, Tokyo  
 S. Ono, First Secretary, Permanent Mission, Geneva

*Advisors*

- K. Sakamoto, First Secretary, Permanent Mission, Geneva\*  
 T. Moriya, Officer, Specialized Agencies Division, United Nations Bureau, Ministry for Foreign Affairs, Tokyo\*  
 K. Ishimaru, Director, Japan Trade Center (Jetro), Dusseldorf\*

JORDAN<sup>1</sup>*Head of the Delegation*

- K. Abdul-Rahim, Third Secretary, Permanent Mission, Geneva

KENYA<sup>1\*\*</sup>*Delegate*

- S.K. Muchui, Second Secretary (Legal), Embassy of Kenya, Brussels

LIECHTENSTEIN<sup>1</sup>*Head of the Delegation*

- A.F. de Gerliczy-Burian, Chef de l'Office pour les relations internationales, Vaduz\*

*Alternate Head of the Delegation*

- R. Marxer, Chef suppléant, Office pour les relations internationales, Vaduz\*

*Delegate*

- C. Fritsche-Mündle, Collaboratrice, Office pour les relations internationales, Vaduz

LUXEMBOURG<sup>1</sup>*Head of the Delegation*

- J.-L. Wolzfeld, Premier Secrétaire, Représentant permanent adjoint, Mission permanente, Genève\*

*Deputy Head of the Delegation*

- F. Schlessler, Inspecteur, Service de la propriété industrielle, Ministère de l'économie et des classes moyennes, Luxembourg

*Delegate*

- J.-P. Hoffmann, Directeur honoraire du Service de la propriété intellectuelle, Ministère de l'économie et des classes moyennes, Luxembourg\*

MADAGASCAR<sup>1</sup>*Head of the Delegation*

- M.P. Zafera, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Delegates*

- S. Rabearivelo, Premier Conseiller, Mission permanente, Genève  
 O. Raveloson, Premier Secrétaire, Mission permanente, Genève

MEXICO<sup>1</sup>*Head of the Delegation*

- A. Rozental, Embajador, Representante Permanente, Misión Permanente, Ginebra

*Delegates*

- A. Székely Sánchez, Ministro, Representante Permanente Alteroo, Misión Permanente, Ginebra  
 F.J. Cruz González, Consejero, Misión Permanente, Ginebra  
 M.A. Arce, Agregada, Misión Permanente, Ginebra

MONACO<sup>1\*</sup>*Head of the Delegation*

- E. Franzi, Directeur du commerce, de l'industrie et de la propriété industrielle, Département des finances et de l'économie, Monaco

*Delegate*

- C. Mathyssens-Orecchia, Rédacteur principal, Département des finances et de l'économie, Direction du commerce, de l'industrie et de la propriété industrielle, Monaco

MOROCCO<sup>1</sup>*Head of the Delegation*

- A. Skalli, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Delegate*

- M. Halfaoui, Deuxième Secrétaire, Mission permanente, Genève

NETHERLANDS<sup>1</sup>*Head of the Delegation*

- F. van Dongen, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

*Deputy Heads of the Delegation*

- J.J. Bos, President, Patent Office, Rijswijk  
 E. van Weel, Vice-President, Patent Office, Rijswijk\*

*Delegates*

- W. Neervoort, Member of the Patent Council, Patent Office, Rijswijk  
 J.W. Weck, Head, Legislation and Legal Affairs Department, Ministry of Economic Affairs, The Hague\*\*  
 S.H.M. Hollander-Tjon Ajong, Head, Patent and Trademark Office, Curaçao\*  
 H.J.G. Pieters, Advisor on Industrial Property Matters, Legislation and Other Legal Affairs Department, Ministry of Economic Affairs, The Hague\*  
 E.L.M. Kalshoven van Tijen, Civil Servant, Treaties Preparation Section, Ministry for Foreign Affairs, The Hague\*  
 E.W.P. Klipp, First Secretary, Permanent Mission, Geneva\*

*Advisor*

- D. Hijmans, Patent Agent, Rijswijk\*

NEW ZEALAND<sup>1</sup>*Head of the Delegation*

- T. O'Brien, Ambassador, Permanent Representative, Permanent Mission, Geneva

*Alternate Head of the Delegation*

- R.M. Richards, Counsellor, Deputy Permanent Representative, Permanent Mission, Geneva

*Delegates*

A.G. Williams, Second Secretary (Economic Affairs), Ministry for Foreign Affairs, Wellington  
H. Riddell, Third Secretary, Permanent Mission, Geneva\*\*

## NICARAGUA

*Head of the Delegation*

G.A. Vargas, Embajador, Representante Permanente, Misión Permanente, Ginebra\*

*Alternate Head of the Delegation*

I. Garay, Consejero, Misión Permanente, Ginebra\*

*Deputy Head of the Delegation*

C. Vega, Embajador, Representante Permanente Alterno, Misión Permanente, Ginebra

NIGERIA<sup>1</sup>*Delegate*

T.O. Oseni, First Secretary (Economic Affairs), Permanent Mission, Geneva

NORWAY<sup>1</sup>*Head of the Delegation*

A.G. Gerhardsen, Director General, Norwegian Patent Office, Oslo

*Alternate Head of the Delegation*

J. Smith, Deputy Director General, Norwegian Patent Office, Oslo

*Delegate*

B. Bye, Counsellor, Ministry for Foreign Affairs, Oslo

*Advisor*

P.A. Martinsen, Counsellor, Norwegian Patent Office, Oslo\*

PAKISTAN<sup>2\*</sup>*Delegates*

T. Altaf, First Secretary, Permanent Mission, Geneva  
S. Bashir, Second Secretary, Permanent Mission, Geneva

## PANAMA

*Head of the Delegation*

I. Aizpurúa Peréz, Encargado de Negocios a.i., Misión Permanente, Ginebra

PHILIPPINES<sup>1</sup>*Head of the Delegation*

H.J. Brillantes, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

*Delegate*

E.A. Manalo, Third Secretary, Permanent Mission, Geneva

POLAND<sup>1</sup>*Head of the Delegation*

J. Szomanski, Président de l'Office des brevets, Varsovie\*

*Deputy Head of the Delegation*

R. Farfal, Président adjoint de l'Office des brevets, Varsovie\*\*

*Delegates*

B. Rokicki, Chef de la Section de la coopération internationale, Office des brevets, Varsovie  
P. Jenke, Conseiller, Département juridique et des traités, Ministère des affaires étrangères, Varsovie\*

PORTUGAL<sup>1</sup>*Head of the Delegation*

F. Reino, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Alternate Head of the Delegation*

J. Mota Maia, Directeur général, Institut national de la propriété industrielle, Ministère du commerce et du tourisme, Lisbonne

*Delegates*

R.A. Costa de Morais Serrão, Directeur, Service des marques, Institut national de la propriété industrielle, Ministère du commerce et du tourisme, Lisbonne

A. Santana Carlos, Conseiller, Mission permanente, Genève\*

A. Mendonça Moura, Premier Secrétaire, Mission permanente, Genève\*

J. Van-Zeller Garin, Conseiller juridique, Institut national de la propriété industrielle, Ministère du commerce et du tourisme, Lisbonne

J. Pereira da Cruz, Agent officiel de la propriété industrielle, Lisbonne

QATAR<sup>2</sup>*Head of the Delegation*

M.S.R. Al-Kuwari, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Delegate*

A. Al-Gattari, Troisième Secrétaire, Mission permanente, Genève

*Advisor*

A. Abbass, Responsable de la Section de l'information, Conseiller, Mission permanente, Genève\*

REPUBLIC OF KOREA<sup>1</sup>*Head of the Delegation*

H.S. Park, Chairman, Appellate Trial Board, Office of Patents Administration, Seoul\*

*Alternate Head of the Delegation*

S.-Y. Kim, Attaché (Commercial Affairs), Permanent Mission, Geneva\*

*Delegates*

T.-C. Choi, Director, International Cooperation Division, Office of Patents Administration, Ministry of Commerce and Industry, Seoul

J.-I. Kim, Assistant Director, Treaties Division, Ministry of Foreign Affairs, Seoul\*\*

ROMANIA<sup>1</sup>*Head of the Delegation*

I. Datcu, Ambassadeur, Représentant permanent, Mission permanente, Genève

*Alternate Heads of the Delegation*

I. Marinescu, Directeur a.i., Office d'Etat pour les inventions et les marques, Bucarest\*

T. Melescanu, Conseiller, Mission permanente, Genève\*

*Delegates*

D. Deac, Deuxième Secrétaire, Mission permanente, Genève\*

P. Gavrilăscu, Troisième Secrétaire, Ministère des affaires étrangères, Bucarest

SAUDI ARABIA<sup>2\*</sup>*Head of the Delegation*

A.M. Aziz-Alrahman, Director of the Patent Office, National Center for Science and Technology, Riyadh

*Deputy Head of the Delegation*

S. Al-Mubarak, Counsellor, National Center for Science and Technology, Riyadh

*Delegate*

S. Al-Shayea, Counsellor, National Center for Science and Technology, Riyadh

SENEGAL<sup>1</sup>*Head of the Delegation*

A. Sène, Ambassadeur, Représentant permanent, Mission permanente, Genève

*Deputy Head of the Delegation*

I. Sy, Premier Conseiller, Mission permanente, Genève\*

*Delegates*

S. Diop, Premier Secrétaire, Ambassade du Sénégal, Berne\*  
S.C. Konate, Deuxième Conseiller, Mission permanente, Genève

*Alternate Delegate*

M. N'Diaye, Secrétaire d'Ambassade, Mission permanente, Genève

SOMALIA<sup>2\*\*</sup>*Delegate*

F. Eno-Hassan, Deuxième Conseiller, Mission permanente, Genève

SOVIET UNION<sup>1</sup>*Head of the Delegation*

I. Nayashkov, Chairman, USSR State Committee for Inventions and Discoveries, Moscow

L.E. Komarov, First Deputy Chairman, USSR State Committee for Inventions and Discoveries, Moscow\*\*

*Deputy Head of the Delegation*

V. Zubarev, Director, External Relations Department, USSR State Committee for Inventions and Discoveries, Moscow

*Delegates*

S.V. Birioulev, Ministre plénipotentiaire, Représentant permanent adjoint, Mission permanente, Genève\*

Y. Gyrdymov, Deputy Director, External Relations Department, USSR State Committee for Inventions and Discoveries, Moscow\*

M. Boguslavsky, Professor, State and Law Institute, USSR Academy of Sciences, Moscow\*

A. Ruban, Chief Expert, External Relations Department, USSR State Committee for Inventions and Discoveries, Moscow\*\*

E. Koutakova, Expert, External Relations Department, USSR Committee for Invention and Discoveries, Moscow

*Advisors*

V. Timofeev, Assistant to the Chairman of the USSR State Committee for Inventions and Discoveries, Moscow\*

R. Shabanov, Chief, Department of the Trademarks and Industry Designs, USSR State Committee for Inventions and Discoveries, Moscow\*

SPAIN<sup>1</sup>*Head of the Delegation*

J. Delicado Montero-Ríos, Director General del Registro de la Propiedad Industrial, Ministerio de Industria y Energía, Madrid

*Delegates*

E. Rúa Benito, Director, Departamento de Patentes y Modelos, Registro de la Propiedad Industrial, Ministerio de Industria y Energía, Madrid

A. Casado Cerviño, Jefe, Servicio de Relaciones Internacionales, Registro de la Propiedad Industrial, Ministerio de Industria y Energía, Madrid

A.C. Ortega Lechuga, Jefe, Servicio de Examen, Departamento de Patentes y Modelos, Registro de la Propiedad Industrial, Madrid\*

J.I. Lopez de Chicheri y Sainz, Consejero de Embajada, Misión Permanente, Ginebra\*

L. Nagore San Martín, Primer Secretario de Embajada, Misión Permanente, Ginebra

SRI LANKA<sup>1\*</sup>*Head of the Delegation*

M.A.T. Jayakoddy, Ambassadeur, Représentant permanent, Mission permanente, Genève

SUDAN<sup>2</sup>*Head of the Delegation*

I.A. Hamra, Ambassadeur, Deputy Permanent Representative, Permanent Mission, Ginebra\*

*Delegates*

Y. Ismail, Counsellor, Permanent Mission, Geneva  
M.S. Abbas, First Secretary, Permanent Mission, Geneva\*

SWEDEN<sup>1</sup>*Head of the Delegation*

G. Borggård, Director General, Royal Patent and Registration Office, Ministry of Commerce, Stockholm

*Deputy Head of the Delegation*

C. Uggla, President, Court of Patent Appeals, Stockholm

*Delegates*

M. Jacobsson, Head of Department, Ministry of Justice, Stockholm\*

P. Lindh, Legal Adviser, Ministry of Commerce, Stockholm\*

E. Cornell, Minister, Deputy Permanent Representative, Permanent Mission, Geneva\*

*Advisors*

L. Körner, Deputy Managing Director, Federation of Swedish Industries, Stockholm\*

T. Hård, Deputy Director, Federation of Swedish Industries, Stockholm

SWITZERLAND<sup>1</sup>*Head of the Delegation*

P. Braendli, Directeur, Office fédéral de la propriété intellectuelle, Berne

*Alternate Head of the Delegation*

R. Kämpf, Chef de la Section du droit des brevets et des dessins et modèles, Office fédéral de la propriété intellectuelle, Berne

*Delegates*

J.-M. Souche, Collaborateur juridique, Section du droit des brevets et des dessins et modèles, Office fédéral de la propriété intellectuelle, Berne\*

A.-M. Buess, Collaboratrice de la direction, Office fédéral de la propriété intellectuelle, Berne

A. von Graffenried, Collaborateur diplomatique, Département des affaires étrangères, Direction des organisations internationales, Berne

M. Kummer, Secrétaire du Directoire de l'Union suisse du commerce et de l'industrie, Zurich

*Advisors*

H. Gubler, Directoire de l'Union suisse du commerce et de l'industrie, Zurich\*

M. Mathez, Directoire de l'Union suisse du commerce et de l'industrie, Bâle\*

SYRIA<sup>1</sup>*Delegates*

A. Daoudy, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

A. Saker, Ministre plénipotentiaire, Mission permanente, Genève\*

M. Sayadi, Conseiller, Mission permanente, Genève\*

A. Hamoui, Attaché, Mission permanente, Genève\*

TANZANIA<sup>1</sup>*Head of the Delegation*

W.-K. Chagula, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

*Delegates*

R. Mngulwi, Registrar of Patents and Trade Marks, Ministry of Trade, Dar es Salaam\*

E.-E. Mtango, Minister-Counsellor, Permanent Mission, Geneva

THAILAND<sup>\*\*</sup>*Delegate*

C. Veerasa, First Secretary, Permanent Mission, Geneva

TRINIDAD AND TOBAGO<sup>1</sup>*Head of the Delegation*

W.S. Naimool, Ambassador, Permanent Representative, Permanent Mission, Geneva\*

*Alternate Head of the Delegation*

H. Robertson, First Secretary, Permanent Mission, Geneva

TUNISIA<sup>1</sup>*Head of the Delegation*

F. Mebazaa, Ambassadeur, Représentant permanent, Mission permanente, Genève\*

*Deputy Head of the Delegation*

A. Miladi, Directeur du commerce intérieur, Ministère de l'économie nationale, Tunis\*

*Delegates*

K. Gueblaoui, Chargé de mission au Cabinet du Premier Ministre, Ministère du commerce, Tunis

M. Baati, Secrétaire d'Ambassade, Mission permanente, Genève\*

M. Ben Khelifa, Sous-Directeur au Ministère de l'économie nationale, Tunis\*\*

S. Ben Hamida, Chef du Service de la propriété industrielle, Ministère du commerce, Tunis\*

M. Bouaziz, Ecole nationale d'administration de Tunis, Tunis

M. Harbaoui, Ecole nationale d'administration de Tunis, Tunis\*

TURKEY<sup>1</sup>*Head of the Delegation*

Y. Alpogan, Counsellor, Permanent Mission, Geneva

*Delegates*

M. Çetin, President, Industrial Property, Ministry of Industry and Technology, Ankara\*

Z. Bastürk, Chief, Patent Section, Ministry of Industry and Technology, Ankara\*

E. Apakan, Counsellor, Permanent Mission, Geneva

UKRAINIAN SSR<sup>2\*</sup>*Head of the Delegation*

V.G. Batiouk, Représentant permanent, Mission permanente, Genève

UNITED KINGDOM<sup>1</sup>*Head of the Delegation*

I.J.G. Davis, Comptroller-General of Patents, Designs and Trade Marks, The Patent Office, London

*Deputy Head of the Delegation*

V. Tarnofsky, Assistant Comptroller, Department of Trade, The Patent Office, London\*

*Delegates*

T.W. Sage, Superintending Examiner, Department of Trade, The Patent Office, London

J.W.B. Richards, First Secretary, Permanent Mission, Geneva

*Advisors*

J.M. Aubrey, Consultant, Courtaulds Limited, Coventry

E.R. Wenman, Consultant, Imperial Chemical Industries Limited, London\*

C.G. Wickham, Chairman, Industrial Property Panel, Confederation of British Industry, London

UNITED STATES OF AMERICA<sup>1</sup>*Head of the Delegation*

G.J. Mossinghoff, Ambassador, Commissioner of Patents and Trademarks, Patent and Trademark Office, Department of Commerce, Washington, D.C.

*Alternate Heads of the Delegation*

M.K. Kirk, Assistant Commissioner for External Affairs, Patent and Trademark Office, Department of Commerce, Washington, D.C.

H.J. Winter, Director, Office of Business Practices, Bureau of Economic and Business Affairs, Department of State, Washington, D.C.

*Delegates*

G.T. Dempsey, Second Secretary, Permanent Mission, Geneva

L.J. Schroeder, Industrial Property Specialist, Patent and Trademark Office, Department of Commerce, Washington, D.C.

*Congressional Advisor*

T. Railsback, United States House of Representatives, Washington, D.C.\*

*Advisors*

D.R. Dunner, Attorney, Finnegan, Henderson, Farabow, Garret and Dunner, Washington, D.C.\*

W.T. Hofstetter, Attorney, Pattishall, McAuliffe and Hofstetter, Chicago, Illinois\*

J.T. Lanahan, Trademark Counsel, UOP Inc., Des Plaines, Illinois\*

B. Lehman, Chief Counsel, Subcommittee on Courts, Civil Liberties and the Administration of Justice, United States House of Representatives, Washington, D.C.\*

A.D. Lourie, Vice-President, Smith Kline Beckman Corp., Philadelphia, Pennsylvania

L.B. Mackey, Vice-President, International Tel & Tel Corporation, New York, New York\*

T. Mooney, Committee on the Judiciary, United States House of Representatives, Washington, D.C.\*

P. Newman, Director, Patent and Licensing Department, FMC Corporation, Philadelphia, Pennsylvania\*

L.T. Pirkey, Attorney, Arnold, White and Durkee, Austin, Texas\*

T.F. Smegal, Attorney, Townsend and Townsend, San Francisco, California\*

R.C. Witte, Patent Counsel, The Procter and Gamble Company, Cincinnati, Ohio\*

K. Zebrowski, Counsel, Committee on the Judiciary, United States Senate, Washington, D.C.\*

R. Oman, Staff Director, Criminal Law Subcommittee, United States Senate, Washington, D.C.\*

URUGUAY<sup>1</sup>*Head of the Delegation*

C. Fernández Ballesteros, Ministro, Representante Permanente Adjunto, Misión Permanente, Ginebra

*Delegate*

A. Moerzinger, Primer Secretario, Misión Permanente, Ginebra

## VENEZUELA\*

*Head of the Delegation*

G. Pérez-Castillo, Ministro-Consejero, Misión Permanente, Ginebra

*Alternate Head of the Delegation*

H. Suárez Mora, Primer Secretario, Misión Permanente, Ginebra

VIET NAM<sup>1</sup>*Head of the Delegation*

Nguyễn Thuong, Ambassadeur, Représentant permanent, Mission permanente, Genève

*Delegates*

Truong Phap, Deuxième Secrétaire, Mission permanente, Genève

Doan Tat Cam, Attaché, Mission permanente, Genève\*

YEMEN<sup>2</sup>*Head of the Delegation*

A. Tarcici, Ambassadeur, Conseiller général, Mission permanente, Genève

YUGOSLAVIA<sup>1</sup>*Head of the Delegation*

D. Bošković, Director, Federal Patent Office, Belgrade

*Deputy Head of the Delegation*

D. Cémalović, Counsellor, Federal Patent Office, Belgrade\*

*Advisors*

M. Kisić, Counsellor, Permanent Mission, Geneva\*

B. Branković, Counsellor, Permanent Mission, Geneva\*

ZAIRE<sup>1</sup>*Head of the Delegation*

E. Esaki Kabeya, Premier Secrétaire, Chargé d'affaires a.i., Mission permanente, Genève\*

*Delegates*

L. Elebe, Premier Secrétaire, Mission permanente, Genève

G. Osil, Deuxième Secrétaire, Mission permanente, Genève\*

ZAMBIA<sup>1\*\*</sup>*Delegate*

A.R. Zikonda, Registrar, Registrar of Patents, Trade Marks and Designs, Ministry of Commerce and Industry, Lusaka

ZIMBABWE<sup>1\*\*</sup>*Delegate*

E.M. Kahari, Deputy Controller of Patents, Trade Marks and Industrial Designs, Office of the Controller of Patents, Trade Marks and Industrial Designs, Ministry of Justice, Harare

## II. Intergovernmental Organizations

*United Nations: United Nations Industrial Development Organization (UNIDO)*

R. Kloepzig, Senior Industrial Development Officer, Development and Transfer Technology Branch, Division for Industrial Studies, Vienna\*

S.-P. Padolecchia, Assistant to the Special Representative of the Executive Director, Vienna\*\*

*United Nations: United Nations Conference on Trade and Development (UNCTAD)*

R. Dhanjee, Associate Economic Affairs Officer, Technology Division, Geneva

E. Chrispeels, Division of Programme Support Services, Geneva\*

*United Nations: Office of the United Nations High Commissioner for Refugees (UNHCR)\**

G.J.L. Coles, Senior Legal Adviser, Chief of the Conference and Treaties Section, Geneva

N. Cronstedt, Legal Officer, Conference and Treaties Section, Geneva

J.-P. Colombey, Legal Officer, Conference and Treaties Section, Geneva

*African Intellectual Property Organization (OAPI)*

D. Ekani, Directeur général, Yaoundé

*European Communities*

B. Harris, Chef de la Division de la propriété intellectuelle, Direction générale du marché intérieur et des affaires industrielles, Commission des Communautés européennes, Bruxelles

J. Delmoly, Conseiller juridique, Communautés européennes, Bruxelles\*\*

A. McClellan, Conseiller juridique, Service juridique, Commission des Communautés européennes, Bruxelles\*

U. Brühann, Administrateur, Direction générale du marché intérieur et des affaires industrielles, Commission des Communautés européennes, Bruxelles\*

*European Patent Organisation (EPO)*

J.C.A. Staehelin, Vice-President, Directorate General 5, Legal Affairs and International Relations, Munich

U.J. Schatz, Principal Director, International Affairs, Munich\*

J.-F. Mézières, Head, International Affairs II, Munich\*

*European Space Agency (ESA)\**

R. Oosterlinck, Chef, Service de la propriété intellectuelle, Paris

*General Agreement on Tariffs and Trade (GATT)*

R. Krommenacker, Officer, Economic Affairs, Non-Tariff Measures Division, Geneva

*Organisation of African Unity (OAU)*

L. Buzingo, Conseiller, Chargé des questions économiques, Genève

K.L.D. Ramasawmy, Conseiller, Chargé des affaires sociales, Genève

*Secretariat of the Interim Committee for the Community Patent*

V. Scordamaglia, Head of Division, Brussels\*

J.-F. Faure, Administrator, Brussels\*

K. Mellor, Administrator, Brussels

## III. International Non-Governmental Organizations

*Asian Patent Attorneys Association (APAA)*

F. Ohtsuka, Patent Attorney, Tokyo\*

K. Kato, Patent Attorney, Tokyo\*

Y. Uchida, Patent Attorney, Tokyo\*

A. Sugimura, Patent Attorney, Tokyo\*\*

*Center for the International Study of Industrial Property (CEIPI)*

J. Servot, Professeur à l'Université des sciences juridiques, politiques, sociales et de technologie, Strasbourg

P. Nuss, Conseil en brevets d'inventions, Strasbourg\*

*Institute of Professional Representatives Before the European Patent Office (EPI)*

K.J. Veryard, Président, Londres

M.P. Micheli, Conseil en brevet, Genève

*International Association for the Protection of Industrial Property (IAPIP)*

P. Mathély, Président de l'AIPPI, Paris\*

G. Gaultier, Rapporteur général de l'AIPPI, Paris

R. Harle, Membre d'honneur de l'AIPPI, Paris\*

*International Chamber of Commerce (ICC)*

G. Gansser, Directeur adjoint, Ciba-Geigy S.A., Bâle, Rapporteur, Commission de la propriété industrielle de la CCI, Paris

B. Kish, International Patent Counsel, Merck and Co., Inc., Rahway, New Jersey\*

R. Markley, Commissioner, Europe, U.S. Council for International Business\*

J. Buraas, Representative of the ICC to the United Nations and Other Organizations, Geneva

J. Servot, Expert, Commission de la propriété industrielle de la CCI, Paris

P. Johnson, Attaché juridique, Paris

*International Federation of Inventors' Associations (IFIA)*

F. Burmester, Deutscher Erfinderverband e.V. (DEV), Nürnberg

C.P. Feldmann, Vice-President, Glattbrugg

S.-E. Angert, Djursholm

*Pacific Industrial Property Association (PIPA)\**

T. Okabe, General Manager, Patent and Licensing Department, Nippondenso Co., Ltd., Aichi-ken

Z. Nakamura, Manager of Foreign Patent Affairs, Patent and Licensing Department, Takeda Chemical Industries, Ltd., Osaka  
 T.I. O'Brien, Chief Patent Counsel, Union Carbide Corporation, Danbury, Connecticut  
 W.D. Roberson, Associate Patent Counsel, Polaroid Corporation, Patent Department, Cambridge, Massachusetts  
 K.F. Jorda, Corporate Patent Counsel, Ciba-Geigy Corporation, Ardsley, New York

*Union of European Practitioners in Industrial Property (UEPIP)*

K.J. Veryard, Président d'honneur de l'UPEPI, Londres  
 G.E. Kirker, Ingénieur-Conseil en propriété industrielle, Genève\*

*Union of Industrial of the European Community (UNICE)*

G. Gansser, Directeur adjoint, Ciba-Geigy S.A., Bâle\*  
 P.E. Bessièr, Président du groupe de travail "Brevets," Bruxelles

*United States Trademark Association (USTA)\**

R.A. Rolfe, Executive Director, New York

#### IV. International Bureau of the World Intellectual Property Organization (WIPO)

A. Bogsch, Director General  
 K. Pfanner, Deputy Director General  
 M. Porzio, Deputy Director General  
 L. Baeumer, Director, Industrial Property Division  
 G. Ledakis, Legal Counsel  
 I. Thiam, Director, External Relations Division  
 F. Balles, Head, Industrial Property Law Section, Industrial Property Division  
 V. Yossifov, Program Officer, Industrial Property Law Section  
 I. Pike-Wanigasekara, Senior Assistant, Office of the Director General  
 M. Qayoom, Head, Conferences and Common Services Section  
 H. Rossier, Head, Mail and Documents Section  
 Tran-Thi T.-L., Legal Officer, Industrial Property Law Section

### WIPO Permanent Committee on Patent Information (PCPI)

Sixth Session  
 (Geneva, November 29 to December 3, 1982)

#### NOTE\*

The WIPO Permanent Committee on Patent Information (hereinafter referred to as "the Permanent Committee") held its sixth session in Geneva from November 29 to December 3, 1982,<sup>1</sup> which session was held

jointly with the fifth session of the Committee for Technical Cooperation of the Patent Cooperation Treaty (see separate note). Twenty-two member States and one member Organization were represented; one organization was represented by an observer. The list of participants follows this Note.

#### *Consideration of Tasks Assigned to the International Bureau in the Biennium 1982-1983*

The Permanent Committee approved the report prepared by the International Bureau on the various tasks assigned to it in the biennium 1982-1983.

Taking note of the Annual Technical Reports for 1981, prepared by the PCPI members and submitted in 1982, the Permanent Committee encouraged its members to continue their efforts, and to submit such Reports for 1982 in 1983.

In respect of the publication of Industrial Property Statistics, the Permanent Committee underlined again the importance of publishing as soon as possible in any given calendar year the important statistical information of the previous year. The Permanent Committee noted further that the International Bureau would make a detailed proposal for inclusion in the program of the next biennium (1984-1985) regarding improvements needed in the submission and presentation of statistical data on patent applications filed and patents granted, as well as trademark applications filed and trademarks registered, in order to cope with the increased complexities of the statistics due to international agreements, conventions and treaties now in force.

#### *Long-Term Program for the PCPI*

The Permanent Committee unanimously adopted its long-term program. The Permanent Committee, moreover, agreed that its long-term program should be reviewed biennially in parallel with the establishment of its biennial program.

#### *Handbook for the Revision of Search Systems*

The Permanent Committee approved the text of Sections I ("Philosophy of the IPC Revision Work") and II ("Procedure for the Revision of the IPC") of the IPC part of the *Handbook for the Revision of Search Systems*.

#### *Consistency in the Application of the IPC*

The Permanent Committee agreed that the methodology now developed, and tested using a representative sample of 20 patent families, namely, the computer analysis of IPC symbols given to patent families having three or more members (including both published unexamined patent applications and granted patents) related together with statistics giving the frequency of use of IPC symbols used in classifying patent documents, permitted consistency in the application of the IPC to be quantified.

\* Prepared by the International Bureau.

<sup>1</sup> For a Note on the fifth session of the Permanent Committee, see *Industrial Property*, 1982, p. 81.

In view of the age of the data used so far (based upon patent documents having priority data in the year 1974), the Permanent Committee further agreed that an updated study should be prepared so as to identify areas of the IPC apparently giving rise to a lower consistency in the use of IPC symbols in classifying patent documents compared with other areas, and that that survey should be completed in good time so as to enable it to be part of the conclusions for selecting areas for revision of the IPC during the fourth IPC revision period.

The following reasons for inconsistency in the use of the IPC had been identified:

(i) *Deficiency of the (classification) system*

- (a) inconsistency due to lack of definitions, references, or classification rules;
- (b) inconsistency due to incorrect interpretation of function-oriented places versus application-oriented places;

(ii) *Inconsistency due to classifier*

- (a) interpretation of the scope of an invention or wording of a group;
- (b) not taking into account, or misinterpreting, definitions, references, notes or the "last place rule";
- (c) not classifying according to all aspects of the invention;
- (d) not classifying in the most indented group covering all aspects of the invention;

(iii) *Inconsistency due to other reasons*

- (a) invention being classified not properly provided for in the IPC;
- (b) clerical errors.

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

With respect to the introduction of hybrid systems in the IPC, the Permanent Committee endorsed the recommendations of the Working Group on Special Questions, namely, that:

- (a) indexing codes may relate to the invention symbols;
- (b) indexing codes may relate to the supplementary information symbols;
- (c) hybrid systems in which the indexing codes would be linked, when presented on the patent documents, to the classification symbols to which they relate should be accepted in the IPC;
- (d) hybrid systems in which the indexing codes would not be linked, when presented on the patent documents, to the classification symbols to which they relate should also be accepted in the IPC;

(e) for hybrid systems according to (c), above, the link between the indexing codes and the classification symbols to which they relate should be comprised of the

classification symbol and its associated indexing codes within a bracket, in a similar manner to the presentation of the existing complementary information;

(f) for all indexing codes printed on patent documents, a colon should replace the slash that appears in the IPC classification symbols, which confirms the decisions taken by the PCPI;

(g) the indexing codes, linked as well as unlinked, should be presented on patent documents after the complementary information, with the unlinked indexing codes at the very end;

(h) the same entries, i.e., entries with identical wording, may serve both for classification and indexing purposes, but only if so required on the grounds of technical considerations;

and agreed to forward these recommendations to the IPC Committee of Experts.

*Computerized Searching Systems*

The Permanent Committee agreed that:

(a) the International Bureau should continue to update and review regularly the compilation of computerized searching aids and that the compilation eventually should become part of the *WIPO Handbook on Patent Information and Documentation*. That compilation should cover those data bases which, although not consisting wholly of patent information, were nevertheless of potential use as computerized search aids in the search and examination of patent applications, and the next update of the compilation should be prepared in time for the first session of the Working Group on Special Questions in 1983;

(b) the International Bureau—as a second step of its study—should collect information on the use (including experiences) and the extent of use of the systems by the various industrial property offices or by organizations outside those offices which make their views known to the offices;

(c) the results of a certain number of model searches conducted in the various data bases or combinations thereof, as well as the methodology used to achieve the said results, should be made available by those offices that can provide them.

*Standardization of Abstracts Published Separately from Patent Documents and of Bulletins Containing Such Abstracts*

The Permanent Committee adopted the "Guidelines for the Physical Characteristics of Separately Published Abstracts in SDI (Selective Dissemination of Information) Services presented in the Form of Card Files."

*Exchange of Patent Documents in Microform*

The Permanent Committee adopted the "Guidelines for Photo-Optically Generated Microfiches."

### *Criteria for Establishing Priority Technical Fields of Interest to Developing Countries*

The Permanent Committee adopted "Criteria for Establishing Priority Technical Fields of Interest to Developing Countries."

#### LIST OF PARTICIPANTS\*

##### I. Member States

**Australia:** F.J. Smith. **Austria:** J. Fichte. **Bulgaria:** I. Kotzev. **Czechoslovakia:** M. Kopča; M. Fořtová. **Democratic People's Republic of Korea:** Ri Tchun Seung; Pak Tchun Rim. **Denmark:** S. T. Simonsen. **Finland:** E. Häkli. **France:** J.C. Combaldieu; M. Verderosa; A. de Pastors. **German Democratic Republic:** H. Konrad. **Germany (Federal Republic of):** A. Wittmann. **Iran:** A. Hashemi. **Japan:** K. Hoshikawa; S. Ono; K. Ishimaru. **Madagascar:** S. Rabearivelo. **Netherlands:** J.C.H. Perizonius. **Norway:** P.E. Lillejordei. **Poland:** Z. Sobszyk; M. Swiechowski. **Soviet Union:** W.I. Koukolev; V.I. Blinnikov. **Spain:** T.L. Heras; J.D. Vila Robert. **Sweden:** L.G. Björklund; J.E. Bodin. **Switzerland:** E. Caussignac; M. Leuthold. **United Kingdom:** V.S. Dodd. **United States of America:** T.F. Lomont; G.L. Skillington.

##### II. Member Organization

**European Patent Office (EPO):** A. Vandecasteele; R. Baré.

##### III. Observer Organization

**Patent Documentation Group (PDG):** P. Ochsenbein.

##### IV. Officers

**Chairman:** L.G. Björklund (Sweden). **Vice-Chairmen:** W.I. Koukolev (Soviet Union); A. Hashemi (Iran). **Secretary:** P. Claus (WIPO).

##### V. International Bureau of WIPO

L.E. Kostikov (*Deputy Director General*); P. Claus (*Director, Classifications and Patent Information Division*); B. Hansson (*Head, IPC Section, Classifications and Patent Information Division*); P. Higham (*Head, Developing Countries Section, Classifications and Patent Information Division*).

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

## International Patent Cooperation (PCT) Union

### Committee for Technical Cooperation (PCT/CTC)

#### Fifth Session

(Geneva, November 29 to December 3, 1982)

#### NOTE\*

The Committee for Technical Cooperation of the Patent Cooperation Treaty (hereinafter referred to as "the Committee") held its fifth session in Geneva from November 29 to December 3, 1982.<sup>1</sup> In accordance with Article 4(3) of the Organizational Rules of the WIPO Permanent Committee on Patent Information (PCPI), the Committee held its fifth session jointly with the sixth session of the PCPI. Sixteen member States and one member Organization of the Committee were represented, one State was represented in its capacity as Special Observer, and five States were represented by observers. The list of participants follows this Note.

#### PCT Minimum Documentation: "Patents"

The Committee agreed that the existing inventories of patent documents falling within the minimum documentation period defined in PCT Rule 34.1(c)(i) to (v) should be updated so as to cover the years 1980, 1981 and 1982.

The Committee noted that the International Bureau had distributed the inventory of Australian patent documents according to PCT Rule 34.1(c)(iv) to those Offices that had requested it.

The Committee discussed but reached no decision on a proposal by the Soviet Union to add at the end of PCT Rule 34.1(c)(vi) the wording "and also provided that these documents are classified according to the IPC," which had been referred to it by the PCT Assembly.

The Committee also discussed a proposal concerning the addition of Spanish-language patent documents under PCT Rules 34.1(c)(vi) and 34.1(e), which the PCT Committee for Administrative and Legal Matters had referred to the Committee for consideration of the technical questions involved. The Committee noted that, if the proposal were adopted, the increase in the number of documents was likely to be relatively small vis-à-vis the yearly total of patent documents falling within the PCT minimum documentation. (The International Bureau pointed out that the increase would not be more than 5,000 documents per annum or less than one per cent of the annual increase of the number of patent

\* Prepared by the International Bureau.

<sup>1</sup> For a Note on the fourth Session of the PCT/CTC, see *Industrial Property*, 1982, p. 85.

documents that fall within the PCT minimum documentation.)

As regards the machine-readable inventories of English-language abstracts of patent documents according to PCT Rule 34.1(e), the Committee agreed that the inventories of patent documents published both by the Soviet Union and by Japan should be distributed in early 1983 to those offices that had requested them, that yearly updates should be secured from the Japanese Patent Office, Derwent Publications Ltd., and Chemical Abstracts Service and distributed, and that the International Bureau should report regularly, e.g., every two years, to the Committee on this question.

In respect of a proposal to bring forward the cut-off year "1920" specified in PCT Rule 34.1(c) (i), the Committee decided that this matter should not be further pursued at this time but that any ISA which had at its disposal or would complete further studies on this subject should bring them to the attention of the other ISAs and the International Bureau.

#### PCT Minimum Documentation: "Non-Patent Literature"

##### *List of Periodicals Established Under PCT Rule 34.1(b)(iii)*

The Committee agreed that seven periodicals presently on the list of periodicals established under PCT Rule 34.1(b)(iii) should be deleted from the list and requested the PCPI Working Group on Special Questions to recommend whether or not others should also be deleted. On the question of possible additions to the said list, the Committee requested the PCPI Working Group on Special Questions to consider a list of additions proposed by members and to make recommendations thereon to the Committee for its next session.

##### *Journal of Patent-Associated Literature (JOPAL)*

The Committee considered the study prepared by the International Bureau on the advantages and disadvantages of the possible courses of action that presented themselves to ensure the publication of *JOPAL* in the long term. With reference to the decision taken at its third session held in October 1980 concerning the implementation of the one-year trial project of cooperation in selecting articles from PCT minimum documentation periodicals, the Committee agreed that after the present trial period, which should end within one year, it should decide on the final outcome of the project.

In reaching the above decision, the Committee noted statements by several delegations that the present form of publication prevented efficient utilization of *JOPAL* information within their offices and noted several suggestions for improvement.

The Committee requested the PCPI Working Group on Special Questions to consider this matter at its session in May 1983.

## LIST OF PARTICIPANTS\*

### I. Member States

**Australia:** F.J. Smith. **Austria:** J. Fichte. **Democratic People's Republic of Korea:** Ri Tchun Seung; Pak Tchan Rim. **Denmark:** S.T. Simonsen. **Finland:** E. Häkli. **France:** J.C. Combaldieu; M. Verderosa; A. de Pastors. **Germany (Federal Republic of):** A. Wittmann. **Japan:** K. Hoshikawa; S. Ono; K. Ishimaru. **Madagascar:** S. Rabearivelo. **Netherlands:** J.C.H. Perizonius. **Norway:** P.E. Lillejordet. **Soviet Union:** W.I. Koukolev; V.I. Blinnikov. **Sweden:** L.G. Björklund; J.E. Bodin. **Switzerland:** E. Caussignac; M. Leuthold. **United Kingdom:** V.S. Dodd. **United States of America:** T.F. Lomont; G.L. Skillington.

### II. Member Organization

**European Patent Office (EPO):** A. Vandecasteele; R. Baré.

### III. Special Observers

**Spain:** T.L. Heras; J.D. Vila Robert.

### IV. Observer States

**Bulgaria:** I. Kotzev. **Czechoslovakia:** M. Kopča; M. Fořtová. **German Democratic Republic:** H. Konrad. **Iran:** A. Hashemi. **Poland:** Z. Sobczyk; M. Swiechowski.

### V. Observer Organization

**Patent Documentation Group (PDG):** P. Ochsenbein.

### VI. Officers

**Chairman:** L.G. Björklund (Sweden). **Vice-Chairmen:** W.I. Koukolev (Soviet Union); A. Hashemi (Iran). **Secretary:** P.A. Higham (WIPO).

### VII. International Bureau of WIPO

**L.E. Kostikov** (*Deputy Director General*); **P. Claus** (*Director, Classifications and Patent Information Division*); **P. Higham** (*Head, Developing Countries Section, Classifications and Patent Information Division*); **B. Bartels** (*Head, PCT Legal Section, PCT Division*).

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

## International Patent Classification (IPC) Union

### Committee of Experts

Eleventh Session  
(Geneva, December 6 to 10, 1982)

#### NOTE\*

The Committee of Experts of the International Patent Classification (IPC) Union held its eleventh session in Geneva from December 6 to 10, 1982. Thirteen member States were represented. The European Patent Office (EPO) was also represented. The list of participants follows this Note.

The Committee of Experts, among other things:

— approved amendments (in both the English and the French versions) relating to five classes and 84 subclasses of the IPC, submitted to it by the Working Group on Search Information of the WIPO Permanent Committee on Patent Information (PCPI), as follows:

Section A: amendments affecting 12 subclasses

Section B: amendments affecting one class and 21 subclasses

Section C: amendments affecting two classes and 11 subclasses

Section D: amendments affecting three subclasses

Section E: amendments affecting two subclasses

Section F: amendments affecting one class and eight subclasses

Section G: amendments affecting one class and 16 subclasses

Section H: amendments affecting 11 subclasses;

— noted the report on the IPC activities of the PCPI and its Working Groups in 1982 and endorsed the recommendations of the PCPI;

— considered the report of the first session of the PCPI ad hoc Working Group on the Revision of the Guide to the IPC and made certain observations on the recommended revised text of the Guide submitted to it by the said Working Group;

— noted the recommendations and conclusions of the Advanced IPC Seminar held in Vienna, in May 1982, the results of which had been considered by the ad hoc Working Group on the Revision of the Guide to the IPC at its first session;

— noted the report by the International Bureau on the preparation of the fourth edition of the IPC, its associated publications and other material relating thereto.

### LIST OF PARTICIPANTS\*

#### I. Member States

**Denmark:** S.T. Simonsen. **Finland:** H.I. Lommi. **France:** A. de Pastors. **Germany (Federal Republic of):** H. Höper. **Japan:** K. Hoshikawa; S. Ono; K. Ishimaru. **Netherlands:** S. de Vries. **Norway:** P.E. Lillejordet. **Soviet Union:** M. Makarov. **Spain:** J.D. Vila Robert. **Sweden:** J. von Döbeln. **Switzerland:** E. Caussignac. **United Kingdom:** V.S. Dodd. **United States of America:** T.F. Lomont.

#### II. International Organizations

**European Patent Office (EPO):** E. de Bundel; F. Borms.

#### III. Officers

*Chairman:* E. Caussignac (Switzerland). *Vice-Chairmen:* K. Hoshikawa (Japan); S.T. Simonsen (Denmark). *Secretary:* B. Hansson (WIPO).

#### IV. International Bureau of WIPO

P. Claus (*Director, Classifications and Patent Information Division*); B. Hansson (*Head, IPC Section, Classifications and Patent Information Division*); A. Sagarminaga (*Senior Patent Classification Officer, IPC Section*); A. Nakamura (*Senior Patent Classification Officer, IPC Section*).

\* Prepared by the International Bureau.

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

## General Studies

### What Protection for Type Faces in Switzerland?

K. STOYANOV\*







## News Items

### REPUBLIC OF KOREA

*Administrator, Office of Patents Administration*

We have been informed that Mr. Sung Jua Hong has been appointed Administrator of the Office of Patents Administration.

## Calendar of Meetings

### WIPO Meetings

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

#### 1983

April 18 to 20 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on General Information

April 25 to 29 (Geneva) — International Patent Cooperation (PCT) Union — Committee for Administrative and Legal Matters

May 2 to 6 (Geneva) — Committee of Experts Concerning Joint Inventive Activity

May 26 to June 3 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Special Questions and Working Group on Planning

June 6 to 17 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Search Information

June 13 to 17 (Geneva) — Committee of Experts on the Legal Protection of Computer Software

June 20 to 24 (Geneva) — Permanent Committee on Patent Information (PCPI) — Ad Hoc Working Group on the Revision of the Guide to the IPC

July 4 to 8 (Geneva) — Joint Unesco-WIPO Consultative Committee on the Access by Developing Countries to Works Protected by Copyright (convened jointly with Unesco)

September 12 to 20 (Geneva) — International Patent Classification (IPC) Union — Committee of Experts

September 14 to 16 (Paris) — Forum of International Non-Governmental Organizations on Double Taxation of Copyright Royalties (convened jointly with Unesco)

September 19 to 23 (Geneva) — Permanent Committee on Patent Information (PCPI) and PCT Committee for Technical Cooperation (PCT/CTC)

September 26 (Geneva) — Paris Union — Celebration of the Centenary of the Paris Convention for the Protection of Industrial Property

September 26 to October 4 (Geneva) — Governing Bodies (WIPO General Assembly, Conference and Coordination Committee; Assemblies of the Paris, Madrid, Hague, Nice, Lisbon, Locarno, IPC, PCT, Budapest, TRT and Berne Unions; Conferences of Representatives of the Paris, Hague, Nice and Berne Unions; Executive Committees of the Paris and Berne Unions; Committee of Directors of the Madrid Union; Council of the Lisbon Union)

- October 17 to 21 (Geneva) — Committee of Governmental Experts on Model Statutes for Institutions Administering Authors' Rights in Developing Countries (convened jointly with Unesco)
- November 21 to 25 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on General Information
- November 28 to December 2 (Geneva) — Permanent Committee on Patent Information (PCPI) — Working Group on Special Questions and Working Group on Planning
- December 5 to 7 (Geneva) — Berne Union, Universal Copyright Convention and Rome Convention — Subcommittees on Cable Distribution of the Executive Committee of the Berne Union, of the Intergovernmental Copyright Committee and of the Intergovernmental Committee of the Rome Convention (convened jointly with ILO and Unesco)
- December 8 and 9 (Geneva, ILO Headquarters) — Rome Convention — Intergovernmental Committee (convened jointly with ILO and Unesco)
- December 12 to 16 (Geneva) — Berne Union — Executive Committee — Extraordinary Session (sitting together, for the discussion of certain items, with the Intergovernmental Committee of the Universal Copyright Convention)

## 1984

- February 27 to March 24 (Geneva) — Revision of the Paris Convention — Diplomatic Conference

## UPOV Meetings

### 1983

- April 26 and 27 (Geneva) — Administrative and Legal Committee
- April 28 (Geneva) — Consultative Committee
- May 17 to 19 (Cambridge) — Technical Working Party on Automation and Computer Programs
- May 30 (Zaragoza) — Technical Working Party for Vegetables — Subgroup
- May 30 to June 1 (Zaragoza) — Technical Working Party for Vegetables
- June 7 (Tystofte, Skaelskør) — Technical Working Party for Agricultural Crops — Subgroups
- June 8 to 10 (Tystofte, Skaelskør) — Technical Working Party for Agricultural Crops
- September 20 (Rome) — Technical Working Party for Fruit Crops — Subgroup
- September 21 to 23 (Rome) — Technical Working Party for Fruit Crops
- September 27 to 29 (Conthey) — Technical Working Party for Ornamental Plants and Forest Trees
- October 3 and 4 (Geneva) — Technical Committee
- October 11 (Geneva) — Consultative Committee
- October 12 to 14 (Geneva) — Council
- November 7 and 8 (Geneva) — Administrative and Legal Committee
- November 9 and 10 (Geneva) — Hearing of International Non-Governmental Organizations

## Other Meetings Concerned with Industrial Property

### 1983

- Beuescience Foundation: April 27 to 29 (Munich) — Conference on Patent Claim Drafting and Interpretation
- European Patent Organisation: December 6 to 9 (Munich) — Administrative Council
- Government of France: May 25 (Paris) — Ceremony in Honor of the Centenary of the Paris Convention ("*Un siècle d'inventions françaises*")
- International Association for the Advancement of Teaching and Research in Intellectual Property: September 5 to 7 (Munich) — Assembly and Annual Meeting
- International Association for the Protection of Industrial Property: May 22 to 27 (Paris and Versailles) — XXXII Congress and Celebration of the Centenary of the Paris Convention.
- International League Against Unfair Competition: September 18 to 21 (Montreal) — Working Session (*Journées d'Etudes*)

### 1984

- Royal Patent and Registration Office: June 13 to 15 (Stockholm) — Symposium on the Centenary of the Swedish Patent System

