

# Industrial Property

Published monthly  
Annual subscription:  
Sw.fr. 140.-  
Each monthly issue:  
Sw.fr. 14.-

24th Year - No. 11  
November 1985

Monthly Review of the  
World Intellectual Property Organization

## Contents

### WORLD INTELLECTUAL PROPERTY ORGANIZATION

Dr. Arpad Bogsch Re-Elected Director General of WIPO ..... 319

### NOTIFICATIONS

Budapest Treaty, Ratification: Norway ..... 321

### WIPO MEETINGS

WIPO Permanent Committee on Patent Information (PCPI). Working Group on Patent Information for Developing Countries ..... 322

### GENERAL STUDIES

Recent Developments in Industrial Property in Argentina (E. Aracama Zorraquín) ..... 324

The New Law on Distinctive Signs for Goods of the German Democratic Republic (J. Hemmerling) ..... 331

CALENDAR OF MEETINGS ..... 333

### INDUSTRIAL PROPERTY LAWS AND TREATIES

#### Editor's Note

#### FRANCE

Law on Authors' Rights and on the Rights of Performers, Producers of Phonograms and Videograms and Audiovisual Communication Enterprises (No. 85-660, of July 3, 1985) (*Extract*) ..... Text I-001

#### GERMAN DEMOCRATIC REPUBLIC

Law on Distinctive Signs for Goods of November 30, 1984 ..... Text 3-001

#### JAPAN

Law for Partial Amendments to the Copyright Law (No. 62, of June 14, 1985) ..... Text 1-002

© WIPO 1985

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

ISSN 0019-8625



# World Intellectual Property Organization

## Dr. Arpad Bogsch Re-Elected Director General of WIPO

At its ordinary session of September/October 1985, the General Assembly of the World Intellectual Property Organization (WIPO) re-elected Dr. Arpad Bogsch as Director General of WIPO. The election, which was unanimous and by acclamation, took place in a joint meeting with the Assemblies of the Paris Union for the Protection of Industrial Property and the Berne Union for the Protection of Literary and Artistic Works. Constitutionally, the agreement of the Assemblies of those two Unions is also necessary for the appointment of the Director General.

Dr. Bogsch was first appointed Director General in 1973 for a term of six years. In 1979, he was re-elected for a second term of six years. And in 1985, he was re-elected for a third term of six years, which expires on December 1, 1991.

Dr. Bogsch was born in Hungary in 1919 and, since 1959, has been a citizen of the United States of America. He has law degrees from universities in Budapest, Paris and Washington.

He delivered the following speech to the Governing Bodies following his re-election on September 23, 1985:

*"Mr. Chairman Jean-Louis Comte,*

*Thank you for the good news and for having conveyed it to me with warmth and eloquence.*

*Honorable Delegates,*

*I am grateful to you for your decision to re-elect me to the post of Director General of the World Intellectual Property Organization.*

*Since this decision is based on a decision of the WIPO Coordination Committee that was made last year on the proposal of the delegation of my country, the United States of America, I wish to repeat my heartfelt thanks to the delegation of that country, to the members of the Coordination Committee and to the then Chairman of that Committee, Minister Carlos Fernández Ballesteros.*

*Today, naturally, my thanks go to all the countries and all the delegations, the more so as, to my great pleasure, their decision was unanimous.*

*As Director General of an intergovernmental worldwide organization, I wish to continue to serve with equal attention all the member countries. The fact that you have unanimously decided to place me in that position is a sign of confidence and, therefore, a source of encouragement for which I am particularly grateful to you.*

*With this confidence manifested by you, and with this encouragement coming from you, I shall continue to serve this Organization as much as I can in achieving the goals for which it was founded and for which it exists.*

*Naturally, the efficiency of an intergovernmental organization depends mainly on the attitudes and decisions, including decisions on program and budget, of the*

*governments of its member States. But it is the secretariat of an intergovernmental organization that is to a large extent responsible for creating the conditions propitious to the making of good decisions. Those conditions include, in particular, an atmosphere of mutual respect between delegations, a completely open and equal attitude by the secretariat vis-à-vis all member countries, a judicious planning of meetings among representatives of member countries and good preparation and good servicing of those meetings. By good preparation, I mean documents that are clear, as short as possible, objective and correct. By good servicing, I mean efforts to bring about the maximum extent of agreement among delegations.*

*As I said in the Coordination Committee last year, in connection with its proposal that I be elected this year, I shall try to deploy and develop the services of the International Bureau or secretariat of WIPO mainly in three fields. Those intentions, by the way, also underlie my proposals contained in the draft budget for 1986 and 1987, and the draft medium-term plan for the four years following 1987 and ending with 1991, proposals that are before the present sessions of the Governing Bodies.*

*The three fields in question are: development cooperation with developing countries, extension or consolidation of intellectual property protection in new fields, and simplification of the international protection of intellectual property rights.*

*Development cooperation: our goal is that intellectual property should accelerate the development of developing countries. Naturally, each developing country's government sets its own economic goals. It is in the service of those goals that intellectual property should play a significant and realistic role. Such service requires*

trained persons, well-equipped and well-functioning industrial property offices and adequate legislation. My objective is that in every case where a developing country asks for advice and training, WIPO should be in a position to furnish it.

The second main objective is the consolidation of existing protection and the extension of intellectual property to new fields. Such new fields include, for example, biotechnology, computer software, integrated circuit designs, television broadcast satellites, cable television and videocassettes. One has to act positively and fast enough in all those and other fields, both nationally and internationally. Otherwise, intellectual property will lose much of its *raison d'être*. "Consolidation" also means our efforts to harmonize certain provisions of intellectual property legislation. And it also means our efforts to harmonize patent documentation in order to promote patent information. The latter is the backbone of any legal system for protecting inventions.

The third main objective is the simplification of the obtaining of protection for inventions, trademarks and industrial designs where the owner needs and wishes protection in several countries. Such "international" protection should cost less and should be obtainable in a simpler way than today. Our means of action are, or should be, the Patent Cooperation Treaty, a new worldwide system for the registration of marks, and an extension of the Hague Agreement Concerning the International Deposit of Industrial Designs.

Results in all these fields come from interaction between the member States with WIPO as catalyzer and organizer.

\* \* \*

The staff of WIPO is eager to give good service to the member States.

I wish to thank the staff of WIPO, once again, publicly, addressing myself to the representatives of our member States. It is their hard work, their enthusiasm for the objectives of the Organization, their imagination and their patience that I wish to praise and thank them for. It would take too much time to name all the staff members. But let me name the three Deputy Directors General, Klaus Pfanner, Marino Porzio and Lev Kostikov. Their devotion and skill are exemplary. I shall propose that they be continued in their present position. And I also mention those of my colleagues who are, or shortly should become, directors, namely, Claude Masouyé, Shahid Alikhan, Ludwig Baeuner, Paul Claus, François Curchod, Mihály Ficsor, Kamil Idris, Roger Harben, Lakshmanathan Kadirgamar, Thomas Keefer, Gust Ledakis, Enrique Pareja and Ibrahima Thiam.

Through my colleagues mentioned by name, I wish to thank all the staff and ask those mentioned by name to convey these thanks to those working directly with them.

Mr. Chairman, Honorable Delegates,

It is with these resolves towards the member States, and these feelings towards the staff, that I express my deep gratitude for your decision to re-elect me.

Thank you."

## Notifications

### Budapest Treaty

#### Ratification

#### NORWAY

The Government of Norway deposited, on October 1, 1985, its instrument of ratification of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, done at Budapest on April 28, 1977.

The said Treaty will enter into force, with respect to Norway, on January 1, 1986.

Budapest Notification No. 49, of October 3, 1985.

## WIPO Meetings

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

#### Working Group on Patent Information for Developing Countries

Sixth Session  
(Geneva, September 11 to 13, 1985)

#### NOTE\*

The Working Group on Patent Information for Developing Countries (hereinafter referred to as "the Working Group") of the WIPO Permanent Committee on Patent Information (PCPI) held its sixth session in Geneva from September 11 to 13, 1985.<sup>1</sup>

The following 18 members of the Working Group were represented at the session: Algeria, Austria, Brazil, Canada, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Japan, Senegal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, and the European Patent Office (EPO). The Arab Industrial Development Organization (AIDO), the International Federation for Documentation (FID) and the International Patent Documentation Center (INPADOC) were represented by observers. The list of participants follows this Note.

The Working Group noted with approval the oral report of the International Bureau on the follow-up to various decisions taken by the PCPI in 1984. In particular, it was noted that an updated inventory of computerized search systems was to be published shortly in the WIPO Handbook on Patent Information and Documentation and that discussions had been started, with encouraging preliminary results, between the International Bureau and various data base brokers and vendors on steps to be taken to assist developing countries in their access to and use of computerized data bases.

Furthermore, the Working Group discussed in detail the present situation under the WIPO Program of Free-of-Charge Patent Information Services, and noted with approval that the scope of contributions to this program had been further broadened, to cope with the increasing

demand from the side of users in developing countries.

The Working Group also noted analytical surveys prepared by the International Bureau on the replies received to the various questions put forward in the evaluation questionnaires distributed together with the search reports, and requested the International Bureau to continue analyzing the technological, economic and legal impact of those reports.

The Working Group noted a bibliographic survey compiled by the International Bureau of technical monographs based on patent documents published so far by various industrial property offices and other institutions, and requested the International Bureau to ensure the regular updating and compilation of the said survey and its publication in an appropriate way.

The Working Group also approved a Methodology for the Elaboration of Technical Monographs Based on Patent Documents and recommended it to the PCPI for adoption and subsequent inclusion in the *WIPO Handbook on Patent Information and Documentation*.

The Working Group discussed proposals for a revision of WIPO's "Guidelines for the Planning and Organization of a Patent Information and Documentation Center in a Developing Country."

Finally, the Working Group formulated proposals to the PCPI concerning the tasks to be allotted to the Working Group for the biennium 1986/1987.

#### LIST OF PARTICIPANTS\*

##### I. Member States

Algeria: H. Touati. Austria: H. Marchart. Brazil: P.R. Franca. Canada: P. Trépanier. Egypt: W.Z. Kamil. Finland: R.K. Laukarinen. France: M. Verderosa; A. de Pastors. German Democratic Republic: H. Konrad; K.P. Wittig. Germany (Federal Republic of): M. Voegtel. Japan: Y. Masuda. Senegal: S.C. Konate. Soviet Union: B. Rozov. Spain: R. Vazquez de Parga. Sweden: U. Jansson. Switzerland: E. Caussignac. United Kingdom: G.K. Lindsey. United States of America: W.S. Lawson; T. Lomont.

##### II. Member Organization

European Patent Office (EPO): J. Atkins.

\* Prepared by the International Bureau.

<sup>1</sup> For a note on the fifth session, see *Industrial Property*, 1985, p. 69.

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

### III. Observer Organizations

Arab Industrial Development Organization (AIDO): A. el M.M. Mahmoud. International Federation for Documentation (FID): F.J. Leloux. International Patent Documentation Center (INPADOC): G. Quarda.

### IV. Officers

*Chairman:* H. Marchart (Austria). *Vice Chairmen:* B. Rozov (Soviet Union); W.Z. Kamil (Egypt). *Secretary:* R. Blumstengel (WIPO).

### V. International Bureau of WIPO

L.E. Kostikov (*Deputy Director General*); P.A. Higham (*Head, Patent Information Section*); R. Blumstengel (*Head, Developing Countries Section (Patent Information)*); R. Andary (*Senior Program Officer, Developing Countries Section (Patent Information)*); N. Yoshikuni (*Program Officer, Developing Countries Section (Patent Information)*).

## General Studies

### **Recent Developments in Industrial Property in Argentina**

E. ARACAMA ZORRAQUIN\*













**The New Law on Distinctive Signs for  
Goods of the  
German Democratic Republic**

J. HEMMERLING\*



## Calendar of Meetings

### WIPO Meetings

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

#### 1985

- November 25 to December 6 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Search Information  
 December 2 to 6 (Paris) — Committee of Governmental Experts on Model Provisions for National Laws on Publishing Contracts for Literary Works (convened jointly with Unesco)  
 December 3 to 6 (Geneva) — Permanent Committee for Development Cooperation Related to Industrial Property  
 December 11 to 13 (Geneva) — Committee of Experts on the International Registration of Marks  
 December 16 (Geneva) — Informal Meeting with International Non-Governmental Organizations Essentially Concerned with Industrial Property

#### 1986

- January 20 to 24 (Geneva) — International Patent Classification (IPC) Union: Committee of Experts  
 January 27 to 31 (Geneva) — Group of Experts on Model Provisions for National Laws on Employed Authors (convened jointly with Unesco)  
 January 29 to 31 (Geneva) — Madrid Union: Working Group on Links Between the Madrid Agreement and the Proposed (European) Community Trade Mark  
 February 3 to 7 (Geneva) — Paris Union: Committee of Experts on Biotechnological Inventions and Industrial Property  
 April 8 to 11 (Geneva) — Permanent Committee for Development Cooperation Related to Industrial Property  
 April 14 to 18 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on General Information  
 April 28 to May 2 (Paris?) — Committee of Governmental Experts on Audiovisual Works and Phonograms (convened jointly with Unesco)  
 May 5 to 7 (Geneva) — Paris Union: Committee of Experts on Protection Against Counterfeiting  
 May 12 to 14 (Geneva) — WIPO Worldwide Forum on Collective Administration of Authors' Rights  
 May 26 to 30 (Geneva) — Paris Union: Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions  
 May 26 to June 6 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Search Information  
 June 4 to 6 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Patent Information for Developing Countries  
 June 9 to 13 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Groups on Special Questions and on Planning  
 September 1 to 5 (Geneva) — Permanent Committee on Patent Information (PCPI) and PCT Committee for Technical Cooperation (PCT/CTC)  
 September 8 to 10 (Geneva) — Patent Information Fair  
 September 9 to 12 (Geneva) — Governing Bodies (WIPO Coordination Committee, Executive Committees of the Paris and Berne Unions, Assembly of the Berne Union)  
 October 13 to 17 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on General Information  
 November 24 to December 5 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Search Information  
 December 8 to 12 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Groups on Special Questions and on Planning

### UPOV Meetings

#### 1986

- April 15 and 16 (Geneva) — Administrative and Legal Committee  
 April 17 (Geneva) — Consultative Committee  
 May 21 to 23 (Hanover) — Technical Working Party on Automation and Computer Programs  
 May 26 to 29 (Pontecagnano-Salerno) — Technical Working Party for Vegetables, and Subgroup  
 June 3 to 6 (Dublin) — Technical Working Party for Agricultural Crops, and Subgroup  
 July 15 to 18 (Wageningen) — Technical Working Party for Ornamental Plants and Forest Trees, and Subgroup  
 September 15 to 19 (Wädenswil) — Technical Working Party for Fruit Crops, and Subgroup

November 18 and 19 (Geneva) — Administrative and Legal Committee

November 20 and 21 (Geneva) — Technical Committee

December 1 (Paris) — Consultative Committee

December 2 and 3 (Paris) — Council

## Other Meetings Concerned with Industrial Property

### 1986

January 14 to 17 (Munich) — European Patent Organisation: Administrative Council

March 14 (London) — Pharmaceutical Trade Marks Group: 32nd General Assembly

June 1 to 4 (San Diego) — The United States Trademark Association: Annual Meeting

June 8 to 13 (London) — International Association for the Protection of Industrial Property: XXXIII Congress



