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WIPO Meetings

Governing Bodies of WIPO and the Unions Administered by WIPO

Sixteenth Series of Meetings
(Geneva, September 23 to October 1, 1985)

NOTE*

The Governing Bodies of WIPO and the Unions administered by WIPO held their sixteenth series of meetings in Geneva from September 23 to October 1, 1985. The following 23 Governing Bodies held sessions:

WIPO General Assembly, eighth session (7th ordinary);
WIPO Conference, seventh session (7th ordinary);
WIPO Coordination Committee, nineteenth session (16th ordinary);
Paris Union Assembly, tenth session (7th ordinary);
Paris Union Conference of Representatives, twelfth session (7th ordinary);
Paris Union Executive Committee, twenty-first session (21st ordinary);
Berne Union Assembly, seventh session (7th ordinary);
Berne Union Conference of Representatives, seventh session (7th ordinary);
Berne Union Executive Committee, twenty-fifth session (16th ordinary);
Madrid Union Assembly, fifteenth session (6th ordinary);
Madrid Union Committee of Directors, fifteenth session (6th ordinary);
Hague Union Assembly, eighth session (5th ordinary);
Hague Union Conference of Representatives, eighth session (5th ordinary);
Nice Union Assembly, eighth session (7th ordinary);
Nice Union Conference of Representatives, seventh session (7th ordinary);
Lisbon Union Assembly, sixth session (6th ordinary);
Lisbon Union Council, thirteenth session (13th ordinary);

Locarno Union Assembly, eighth session (6th ordinary);
IPC [International Patent Classification] Union Assembly, sixth session (5th ordinary);
PCT [Patent Cooperation Treaty] Union Assembly, thirteenth session (5th ordinary);
TRT [Trademark Registration Treaty] Union Assembly, fourth session (4th ordinary);
Budapest Union Assembly, fifth session (3rd ordinary);
Vienna Union Assembly, first session (1st ordinary).

Delegations of the following 86 States participated in the meetings: Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Byelorussian SSR, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Haiti, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Ivory Coast, Japan, Libya, Luxembourg, Madagascar, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Soviet Union, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukrainian SSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire. Nineteen intergovernmental organizations and 11 international non-governmental organizations were represented by observers. The list of the 273 participants, and the list of elected officers, follow this Note.

Director General. On the basis of the nomination made by the WIPO Coordination Committee at its eighteenth session, the WIPO General Assembly, unanimously and by acclamation, appointed Dr. Arpad Bogsch as the Director General of WIPO for a further period of six years. A great number of delegations of States and representatives of intergovernmental organizations congratulated Dr. Bogsch. The text of the speech made by Dr. Bogsch on this occasion appeared, in an announcement concerning the appointment by the General Assembly, in the November 1985 issue of *Industrial Property*.

* Prepared by the International Bureau.

Activities, Accounts, etc. The Governing Bodies noted with approval reports by the Director General on the activities of WIPO in 1984 and from January to August 1985, and on financial matters. Twenty-eight delegations of States and two observer organizations made statements. All the delegations expressed satisfaction with the number and range of activities, as well as their positive results, carried out by the International Bureau during the period under review.

Many delegations took special note of the resources and efforts of the International Bureau devoted to development cooperation activities for the benefit of developing countries, and expressed the view that in many instances such activities would enable the intellectual property systems in those countries to play a more significant role in social, technological and economic development. In pointing to the concrete benefits to their countries of WIPO's development cooperation activities, a number of delegations stressed the consequential growing importance of intellectual property protection in developing countries and requested the International Bureau to allocate more resources for development cooperation activities. They expressed appreciation for the support, and called for its continuation and expansion, from various donor countries and organizations. The delegations of a number of States drew attention to the assistance provided by their governments to developing countries through agreements or funds-in-trust arrangements with WIPO or through bilateral arrangements, and indicated their readiness to continue such assistance. Many delegations gave specific instances of participation in WIPO's development cooperation program in both the fields of industrial property and copyright and neighboring rights, as donors or beneficiaries or, in the case of several countries, as both, in such activities as training on the job and abroad, advisory missions, national and regional courses, seminars and meetings, exchange of documentation, preparation of state-of-the-art search reports, institution building, and drafting of laws.

Many delegations also commended the International Bureau on its activities in the fields of patent information, of the promotion of innovative and inventive activities and of copyright and industrial property issues of topical interest. The delegations referred in particular to the issues of the legal protection of computer programs and integrated circuits, the industrial property protection of biotechnological inventions, harmonization of certain provisions in laws for the protection of inventions, copyright aspects of direct broadcasting by satellite, transmission by cable of television programs, piracy, and model provisions for national laws on publishing contracts for literary works.

Program and Budget. The Governing Bodies adopted by consensus (with the exception of the delegations of five States, which declared that they could not join the consensus) the program and budget of WIPO

and the Unions for the 1986 to 1987 biennium. The budget for the "Program Unions," covered mainly by contributions from member States, is 47,128,000 Swiss francs for the biennium, and that of the "Registration Unions," covered by fees paid by applicants for international registrations of trademarks and industrial designs and applicants filing international patent applications, is 50,668,000 Swiss francs, a total of 97,796,000 Swiss francs.

The main activities (other than "registration" activities) of the approved program for 1986 and 1987 fall under the following headings:

In the field of *development cooperation with developing countries*: development of human resources, development of national and regional legislation, institution-building in developing countries, development of the effective use of the intellectual property system for the benefit of inventors, authors, the industry and the commerce of developing countries, acquisition by developing countries on improved terms of foreign technology protected by industrial property rights (licensing), the Joint International Unesco-WIPO Service for Facilitating the Access by Developing Countries to Works Protected by Copyright, protection of expressions of folklore, development in developing countries of access to the technological information contained in patent documents and its dissemination, development in developing countries of the profession of intellectual property lawyer and agent, WIPO Permanent Committees for Development Cooperation Related to Industrial Property and Related to Copyright and Neighboring Rights.

In the field of *information concerning intellectual property*: periodicals, collecting of intellectual property laws and treaties, surveys of the practical administration and application of intellectual property laws, industrial property statistics, summaries of copyright legislation, international register of audiovisual recordings, international forum on the collective administration of copyright and neighboring rights.

In the field of *industrial property questions of topical interest*: harmonization of laws (computer programs, integrated circuits, biotechnological inventions; in the field of patents: grace period, claims and description, right to file applications, granting of filing date, formalities on which automation of procedures may have an impact, novelty effect of prior applications; in the field of trademarks: definition of "mark," registration of service marks, use requirements, well-known marks; protection of confidential information disclosed to government authorities under regulatory requirements), international protection (computer programs, integrated circuits, various questions just mentioned under "harmonization of laws," international registration of marks, possible revision of the Budapest Treaty or its Regulations), effective enforcement of industrial property rights (particularly in respect of counterfeit goods).

In the field of *copyright questions of topical interest*: the printed word, audiovisual works, phonograms, works of visual art, works of architecture, works of applied art, dramatic and choreographic works, musical works.

In the field of *patent information*: meetings of the WIPO Permanent Committee on Patent Information (PCPI) and its subsidiary bodies, streamlining and otherwise improving PCPI activities, cooperation with the International Patent Documentation Center (INPADOC).

In the field of *classifications*: improvement of the International Patent Classification, the International Classification of Goods and Services for the Purposes of the Registration of Marks and the International Classification of Industrial Designs.

In the field of the *promotion of the worldwide recognition of and respect for intellectual property*: promotion of accession to WIPO and the treaties administered by WIPO, commemoration of the centenary of the Berne Convention, celebration of the International Year (1986) of Peace and cooperation with States and international organizations.

The Governing Bodies noted the objectives and activities of a plan for the medium term of 1988 to 1991, and delegated to the WIPO Coordination Committee, subject to certain conditions, decisions concerning modifications of part of the headquarters buildings.

Matters of General Interest in the Field of Intellectual Property. The WIPO Convention contains a provision that the WIPO Conference shall discuss matters of general interest in the field of intellectual property and may adopt recommendations relating to such matters, having regard for the competence and autonomy of the Unions. At its 1985 session, the Conference took action under the said provision for the first time; it discussed, and unanimously adopted two recommendations, one concerning piracy and the other cable television. Both recommend that member States provide information through the International Bureau to the 1987 session of the Conference concerning developments related to the said matters.

The first reads as follows:

"The Conference of the World Intellectual Property Organization,

"Recalling its decision in 1983 that the resolutions adopted by the participants in the WIPO Worldwide Forum on the Piracy of Sound and Audiovisual Recordings and in the WIPO Worldwide Forum on the Piracy of Broadcasts and of the Printed Word, held in Geneva in March 1981 and in March 1983, respectively, should be circulated to all member States as a recommendation for implementation of appropriate anti-piracy measures at the national level,

"Considering that piracy undermines intellectual creativity and cultural development, with harmful

effects on the lawful interests of authors, performers, producers of films, phonograms and videograms, publishers and broadcasting organizations,

"Noting the steps already taken by certain Governments to combat piracy,

"Desiring to encourage further progress towards the elimination of piracy, and to review such progress on the basis of full and up-to-date information,

"Recommends that the Government of each member State provide information through the International Bureau to the next ordinary session (1987) of the Conference concerning

(a) the extent, within its jurisdiction, of commercial piracy of works protected by copyright and neighboring rights,

(b) measures adopted to combat piracy, and

(c) the effect of the said measures."

The second reads as follows:

"The Conference of the World Intellectual Property Organization,

"Welcoming the decision of the Executive Committee of the Berne Union in 1983 that the International Bureau be requested to officially transmit to all States members of WIPO and of the Berne Union the Annotated Principles of Protection of Authors, Performers, Producers of Phonograms and Broadcasting Organizations in Connection with Distribution of Programs by Cable together with the Report of the Subcommittees on Television by Cable,

"Noting that the said Annotated Principles, together with the said Report, constitute a valuable inventory of the problems and of possible solutions, offering guidance to national legislators,

"Desiring to encourage progress towards solutions of the problems based on common principles, and to review such progress on the basis of full and up-to-date information,

"Recommends that the Government of each member State provide information through the International Bureau to the next ordinary session (1987) of the Conference concerning the development, within its jurisdiction, of law and practice connected with the distribution of programs by cable."

Centenary of the Berne Convention. The Delegation of Switzerland confirmed an invitation extended by its Government to hold a session of the Assembly of the Berne Union in Berne on September 11, 1986, in order to celebrate the centenary of the Berne Convention and to adopt a solemn declaration (prepared by the Executive Committee of the Berne Union in June 1985) reaffirming the fundamental principles of the protection of the rights of authors. The WIPO Conference and the Assembly of the Berne Union unanimously adopted a resolution concerning the Berne Convention, which, *inter alia*, invites all States not yet members of the Berne Union to treat the centenary year as the occasion for

considering the advantages of adhering to it. The resolution reads as follows:

"The Conference of the World Intellectual Property Organization and the Assembly of the Berne Union for the Protection of Literary and Artistic Works, meeting at Geneva from September 23 to October 1, 1985,

"Recalling that September 9, 1986, will be the one hundredth anniversary of the adoption of the Berne Convention for the Protection of Literary and Artistic Works,

"Noting with satisfaction that, in the first century of the existence of the Berne Convention for the Protection of Literary and Artistic Works, the number of countries of the Union created by that Convention increased from nine (Belgium, France, Germany, Haiti, Italy, Spain, Switzerland, Tunisia and the United Kingdom) to 76 (Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, Congo, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Greece, Guinea, Holy See, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Japan, Lebanon, Libya, Liechtenstein, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Monaco, Morocco, Netherlands, New Zealand, Niger, Norway, Pakistan, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, United Kingdom, Uruguay, Venezuela, Yugoslavia, Zaire, Zimbabwe),

"Referring to Article 27(2) of the Universal Declaration of Human Rights which provides that 'Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author,'

"Bearing in mind that, in accordance with Article 62(1) and (2) of the Charter of the United Nations, the Economic and Social Council of the United Nations may make recommendations with respect to international economic, social, cultural, educational and related matters and may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all;

"Declare their conviction that the Berne Convention for the Protection of Literary and Artistic Works, by providing at the international level for the protection of the rights of authors in as effective and uniform a manner as possible, contributes to the practical implementation of the Universal Declaration of Human Rights and to cultural, social and economic development in all countries of the Berne Union;

"Invite all States not yet members of the Berne

Union to treat 1986, the year of the centenary of the Berne Convention, as the occasion for considering, as a matter of high priority, the advantages of adhering to it, and

"Request the Director General to transmit this resolution to the Secretary-General of the United Nations with a view to its being brought to the attention of the Economic and Social Council of the United Nations in 1986 for the adoption of an appropriate recommendation by that Council."

Revision of the Paris Convention. The Assembly of the Paris Union noted reports on progress under the machinery for consultations established by the Assembly in 1984 to prepare, on substance, the next session of the Diplomatic Conference on the Revision of the Paris Convention. The said reports covered the preparatory meetings, held in December 1984 and September 1985, between the Spokesmen of the Groups of countries participating in the Diplomatic Conference and on the First Consultative Meeting held in June 1985.

Counterfeit Goods. The Governing Bodies concerned discussed the role of WIPO concerning counterfeit goods, on the basis of a report by the Director General dealing, *inter alia*, with the relevant activities carried out within the General Agreement on Tariffs and Trade (GATT). The WIPO General Assembly adopted a decision inviting the Director General to convene an intergovernmental group of experts to examine the relevant provisions of the Paris Convention in order to determine to what extent such provisions can adequately provide for the efficient protection of industrial property and to recommend provisions for national legislation; the results of the group of experts are to be reported to the WIPO General Assembly in 1987.

Agreements with Intergovernmental Organizations; Admission of Observers. The WIPO Coordination Committee approved an agreement between WIPO and the African Regional Centre for Technology (ARCT), the African Intellectual Property Organization (AIPO) and the Industrial Property Organization for English-Speaking Africa (ESARIPO), and agreements with the Arab League Educational, Cultural and Scientific Organization (ALECSO), the Permanent Secretariat of the General Treaty on Central American Integration (SIECA) and the Latin-American Integration Association (LAIA). The Governing Bodies concerned accorded observer status to the ARCT, the European Association of Advertising Agencies (EAAA), the European Tape Industry Council (ETIC), the Ibero-American Television Organization (OTI), the Max Planck Institute for Foreign and International Patent, Copyright and Competition Law and the World Blind Union (WBU).

United Nations Resolutions; International Year of Peace. The WIPO General Assembly noted with approval activities performed or planned in respect of various resolutions and decisions of the General Assembly of the United Nations. In particular, the WIPO General Assembly unanimously approved measures to mark 1986 as the "International Year of Peace" declared by the General Assembly of the United Nations (dissemination of the text of a resolution—see below—, speech by the Director General, issuance of a WIPO medal inscribed "Authors and Inventors for World Peace," publication of a collection of articles), and adopted a resolution marking 1986 as the International Year of Peace. The said resolution reads as follows:

"The States members of the General Assembly of the World Intellectual Property Organization,

"Conscious of the enormous influence that authors and others connected with the creation of books, newspaper articles, plays, motion pictures, radio and television programs and other works in the domain of literature and art have on public opinion and the spiritual life of the world community,

"Conscious of the fact that harmonious cooperation among inventors and the industry of the various countries, and intensive international trade among countries, governed by the rules of the international treaties administered by the World Intellectual Property Organization, increase the desire of the countries to live in peace with each other,

"Recalling vast creative resources of mankind and the necessity to use them in order to solve such urgent global problems as elimination of economic backwardness of many countries of the world, saving of millions of people from hunger and poverty, protection of the environment,

"Recognizing that all these problems can be resolved only if peace is maintained,

"1. Appeal to all States to use the results of intellectual creative activity, achievements of scientific and technical progress of inventions and discoveries for the benefit of mankind.

"2. Invite the authors and inventors of the world, and all others who are involved in the creation, production and distribution of literary and artistic works and of industrial products and other technological achievements, protected by intellectual property, to use their spiritual and material influence for the promotion of peace among all the nations and peoples of the world."

Election of the Members of the Executive Committees of the Paris and Berne Unions, Designation of the Ad Hoc Members of the WIPO Coordination Committee, and Election of the Members of the WIPO Budget Committee. The Assemblies and Conferences of Representatives of the Paris and Berne Unions elected, each as far as it was concerned, the members of the Executive Committees of the Paris and Berne Unions, and the WIPO Conference designated the *ad hoc* members of the WIPO Coordination Committee. The resulting membership of those three Committees is as follows:

Paris Union Executive Committee: Algeria, Argentina, Australia, Austria, Brazil, Bulgaria, China, Cuba, Denmark, Egypt, Germany (Federal Republic of), Indonesia, Italy, Japan, Nigeria,* Philippines, Poland, Soviet Union, Switzerland (*ex officio*), United Republic of Tanzania, United States of America, Uruguay, Yugoslavia, Zaire.

Berne Union Executive Committee: Canada, Chile, Czechoslovakia, France, German Democratic Republic, Hungary, India, Ivory Coast, Mexico, Morocco, Netherlands, Senegal, Sweden, Switzerland (*ex officio*), Tunisia, Turkey,* United Kingdom, Venezuela, Zimbabwe.

WIPO Coordination Committee: Algeria, Angola,** Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, China, Colombia,** Cuba, Czechoslovakia, Denmark, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, India, Indonesia, Italy, Ivory Coast, Japan, Mexico, Morocco, Netherlands, Nicaragua,** Nigeria, Philippines, Poland, Saudi Arabia,** Senegal, Soviet Union, Sweden, Switzerland (*ex officio*), Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zimbabwe.

The WIPO General Assembly and the Assemblies of the Paris and Berne Unions elected the following States as members of the *WIPO Budget Committee*: Brazil, Cameroon, Canada, Cuba, Czechoslovakia, Egypt, France, Germany (Federal Republic of), India, Japan, Soviet Union, Sri Lanka, United States of America. Switzerland continues to be an *ex officio* member.

* Associate member.

** *Ad hoc* member.

LIST OF PARTICIPANTS*

I. States

Algeria^{1, 2, 3, 4, 6, 10, 14, 16}: M. Albane; H. Redouane; F. Bouzid; H. Touati.

Angola²: A.A. Dos Santos; F. Viegas.

Argentina^{1, 2, 3, 4, 6, 7}: O. López Noguero; R. Villambrosa; J. Viganó; N. Fasano.

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Austria^{1, 2, 3, 4, 6, 7, 10, 14, 19, 20, 22}: O. Leberl; E. Kubesch.

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Madagascar^{1, 8, 20}: P. Verdoux.

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

¹ WIPO General Assembly.

² WIPO Conference.

³ WIPO Coordination Committee.

⁴ Paris Union Assembly.

⁵ Paris Union Conference of Representatives.

⁶ Paris Union Executive Committee.

⁷ Berne Union Assembly.

⁸ Berne Union Conference of Representatives.

⁹ Berne Union Executive Committee.

¹⁰ Madrid Union Assembly.

¹¹ Madrid Union Committee of Directors.

¹² Hague Union Assembly.

¹³ Hague Union Conference of Representatives.

¹⁴ Nice Union Assembly.

¹⁵ Nice Union Conference of Representatives.

¹⁶ Lisbon Union Assembly.

¹⁷ Lisbon Union Council.

¹⁸ Locarno Union Assembly.

¹⁹ IPC [International Patent Classification] Union Assembly.

²⁰ PCT [Patent Cooperation Treaty] Union Assembly.

²¹ TRT [Trademark Registration Treaty] Union Assembly.

²² Budapest Union Assembly.

²³ Vienna Union Assembly.

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Sri Lanka^{1, 2, 4, 7, 20}: J. Dhanapala; P. Kariyawasam.

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Tunisia^{1, 2, 3, 4, 7, 9, 11, 13, 15, 16, 23}: F. Mebazaa; K. El Hafdh; A. Ben Gaied; H. Boufares; K. Gueblaoui; T. Ben Slama; B. Zgaya.

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United Republic of Tanzania^{1, 2, 3, 4, 6}: E.E.E. Mtango.

United States of America^{1, 2, 3, 4, 6, 14, 19, 20, 22}: D.J. Quigg; M.K. Kirk; H.J. Winter; L.J. Schroeder; P. Behnke; J. Richardson.

Uruguay^{1, 2, 3, 4, 6, 7}: C.A. Fernández Ballesteros.

Venezuela^{1, 2, 7}: A.R. Taylhardat; O. García García.

Viet Nam^{1, 2, 3, 4, 6, 10, 13}: Nguyen Van Vien; Nguyen Xuan Nguyen; Vu Huy Tan.

Yugoslavia^{1, 2, 3, 4, 6, 7, 10, 14, 18}: B. Zarković; M. Manigodić.

Zaire^{1, 2, 3, 4, 7, 9}: Monshemvula Onvuane Ntangu.

II. Intergovernmental Organizations

United Nations (UN): A. Djermakoye; United Nations Conference on Trade and Development (UNCTAD): R.R.R. Dhanjee; United Nations Development Programme (UNDP): E. Bonev. Food and Agriculture Organization of the United Nations (FAO): J.C. Vignaud; A. Purcell. International Labour Organisation (ILO): C. Privat. United Nations Educational, Scientific and Cultural Organization (UNESCO): A. Amri. World Meteorological Organization (WMO): A. Elamly. Secretariat of the General Agreement on Tariffs and Trade (GATT): P.J. Williams; A. Otten. African Intellectual Property Organization (AIPO): G. Meyo-M'Emane. Arab League Educational, Cultural and Scientific Organization (ALECSO): A. Derradji. Benelux Designs Office (BBDM): P. Rome. Benelux Trademark Office (BBM): P. Rome. Commission of the European Communities (CEC): B. Schwab. Council for Mutual Economic Assistance (CMEA): I. Tcherviakov. European Free Trade Association (EFTA): J.G. Petersson. European Patent Organisation (EPO): P. Braendli; P.G.M. Zwartkruis; G.D. Kolle. Interim Committee for the Community Patent: H.W. Kunhardt. League of Arab States (LAS): M. El May; M. Oreibi; Z. Tilili. Organization of African Unity (OAU): M.H. Tunis.

III. Non-Governmental Organizations

European Association of Industries of Branded Products (AIM): G.F. Kunze. European Broadcasting Union (EBU): W. Rumphorst. European Communities Trade Mark Practitioners' Association (ECTA): F. Gevers; C. Kik. International Association for the Protection of Industrial Property (AIPPI): G.E. Kirker. International Chamber of Commerce (ICC): J.M.W. Buraas. International Confederation of Free Trade Unions (ICFTU): G. Ryder. International Federation of Industrial Property Attorneys (FICPI): H. Bardehle. International Federation of Inventors' Associations (IFIA): K.E. Sundström. International Organisation for Standardization (ISO): J. Blanc. International Publishers Association (IPA): J.A. Koutchoumow. Union of European Practitioners in Industrial Property (UEPIP): C. Kik.

IV. Officers

WIPO General Assembly

Chairman: J.-L. Comte (Switzerland). *Vice-Chairmen:* O. Lopéz Noguerol (Argentina); I.S. Nayashkov (Soviet Union).

WIPO Conference

Chairman: J. Dhanapala (Sri Lanka). *Vice-Chairmen:* P.L. Thoft (Denmark); M. Běhlohlávek (Czechoslovakia).

WIPO Coordination Committee

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Berne Union Assembly

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Madrid Union Assembly

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Madrid Union Committee of Directors

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Hague Union Assembly

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Hague Union Conference of Representatives

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Nice Union Assembly

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Nice Union Conference of Representatives

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Lisbon Union Assembly

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Lisbon Union Council

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Locarno Union Assembly

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IPC [International Patent Classification] Union Assembly

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PCT [Patent Cooperation Treaty] Union Assembly

Chairman: P.A. Smith (Australia). *Vice-Chairmen:* K. Iliev (Bulgaria); I. Marinescu (Romania).

TRT [Trademark Registration Treaty] Union Assembly

Chairman: I.S. Nayashkov (Soviet Union). *Vice-Chairmen:* (Congo); (Togo).

Budapest Union Assembly

Chairman: M. Uga (Japan). *Vice-Chairmen:* L. Wuyts (Belgium); K. Iliev (Bulgaria).

Vienna Union Assembly

Chairman: J.J. Bos (Netherlands). *Vice-Chairmen:* F. Schlessler (Luxembourg); A. Ben Gaied (Tunisia).

V. International Bureau of WIPO

A. Bogsch (*Director General*); K. Pfanner (*Deputy Director General*); M. Porzio (*Deputy Director General*); L.E. Kostikov (*Deputy Director General*); C. Masouyé (*Director, Public Information and Copyright Department*); S. Alikhan (*Director, Developing Countries Division (Copyright)*); L. Baeumer (*Director, Industrial Property Division*); P. Claus (*Director, Patent Information and Classification Division*); F. Curchod (*Director, PCT Division (Patent Cooperation Treaty)*); M. Ficsor (*Director, Copyright Law Division*); R. Harben (*Director, Public Information Division*); K. Idris (*Director, Development Cooperation and External Relations Bureau for Arab Countries*); L. Kadrigamar (*Director, Development Cooperation and External Relations Bureau for Asia and the Pacific*); T.A.J. Keefer (*Director, Administrative Division*); G. Ledakis (*Legal Counsel*); E. Pareja (*Director, Development Cooperation and External Relations Bureau for Latin America and the Caribbean*); I. Thiam (*Director, Development Cooperation and External Relations Bureau for Africa and Western Asia*); P. Maugué (*Head, Trademark and Industrial Designs Registration Division*); B. Davoudi (*Head, Conference and General Services Section*); I. Pike-Wanigasekara (*Senior Assistant, Office of the Director General*); G. Yu (*Senior Assistant, Office of the Director General*); A. Damond (*Head, Registry, Documents and Meetings Service*).

**Paris Union Assembly and Conference
of Representatives
Madrid Union Assembly and Committee
of Directors**

**Recommendation on Identification of
Bibliographic Data Relating to Marks**

NOTE*

In 1967, the former Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) established a coding system for identifying bibliographic data on patent documents, in patent gazettes and in machine-readable records concerning patents. Maintenance of this coding system is the responsibility of the WIPO Permanent Committee on Patent Information (PCPI).

The system, which is published as WIPO Standard ST.9, is now in widespread use. It is generally referred to as the "INID Code" ("INID" stands for *Internationally agreed Numbers for the Identification of Data*).

In 1985, an INID Code for marks was prepared. This Code is aimed at ensuring the proper identification of bibliographic data elements in marks, even where the reader is not familiar with the language of the document or with the industrial property system of the country concerned.

The Paris Union Assembly and Conference of Representatives, and the Madrid Union Assembly and Committee of Directors, at their sessions in September/October 1985, adopted the recommendation reproduced below, and recommended that the INID code numbers set out in that recommendation be used by States members of the Paris Union, the International Bureau of WIPO and regional trademark offices in their trademark gazettes, machine-readable data records and other publications and records concerning registered trademarks.

**Recommendation Concerning Bibliographic
Data on and Relating to Marks**

(Identification and Minimum Required)

Introduction

I. This recommendation provides for means whereby the various bibliographic data relating to marks, e.g. as given in trademark gazettes or in machine-readable data records, can be identified without knowledge of the language used and the industrial property laws applied.

2. This recommendation further indicates the bibliographic data which as a *minimum* should be published in trademark gazettes.

3. This recommendation is aimed at improving the access to information relating to marks in general and to the bibliographic content of trademark gazettes in particular.

Definitions

4. For the purpose of this recommendation:

(a) "mark" means a trademark or a service mark; this term also includes collective marks and certification marks;

(b) "trademark gazette" means any official publication containing announcements relating to marks and made in accordance with requirements under national industrial property laws or international industrial property conventions and treaties;

(c) "INID" is an acronym for "*Internationally agreed Numbers for the Identification of Data*";

(d) "entry in a trademark gazette" means at least one comprehensive announcement made in a trademark gazette regarding the bibliographic data belonging to one trademark registration or an application therefor.

Identification of Bibliographic Data

5. The list of definitions of bibliographic data with their corresponding INID codes is attached.

6. The INID codes which are preceded by a single asterisk (*) relate to those data elements which are considered to be the minimum elements which should appear in trademark gazettes.

7. The INID codes which are preceded by a double asterisk (**) relate to those data elements which are considered to be minimum elements in circumstances specified in the accompanying note.

Application

8. The INID codes should be associated with the corresponding bibliographic data insofar as these data normally appear in trademark gazettes.

9. The INID codes should be printed in Arabic numerals, preferably within small circles or, if this is not possible, in parenthesis, immediately *before* the corresponding bibliographic data.

10. If bibliographic data to which INID codes are assigned in accordance with this recommendation do not appear in an entry in a trademark gazette—because they are not applicable (e.g. when no priority is claimed or for some other reason)—it is not necessary to call

* Prepared by the International Bureau.

attention to the non-existence of such elements (e.g. by leaving a space or by providing the relevant INID code followed by a dash).

11. Two or more INID codes may be assigned to a single bibliographic data when necessary.

12. The list of bibliographic data has been organized into categories (10, 20 ... 80) to facilitate grouping of related data. Each category has several subdivisions to each of which an INID code has been assigned. If none of the specific codes can be assigned to one of the bibliographic data which clearly falls within the category definition, the relevant category code, ending in 0, should be used.

Implementation

13. Provided the presentation of bibliographic data in entries in a trademark gazette is uniform, INID codes may be applied to the bibliographic data in a representative specimen entry in each issue of the gazette, instead of being included in each entry.

14. In order that the users of trademark gazettes may be enabled to make maximum use of the INID codes, it is recommended that a list of the codes be published in such gazettes at regular intervals.

15. Translations of this recommendation into various languages are available at the International Bureau of WIPO.

General Remark

16. This recommendation follows, with the exception of categories 50 and 80, the recommended Standard ST.9 approved by the WIPO Permanent Committee on Patent Information (PCPI), concerning the bibliographic data of patent and similar documents.

INID Codes for the Identification of Bibliographic Data Relating to Marks and Minimum Required

- ⑩ *Data concerning the registration*
- ⑪* Registration number
- ⑮* Registration date
- ⑰ Duration of the trademark
- ⑱ Date of expiration of the trademark right

- ⑲ WIPO country code, or other identification, of the national, regional or international authority registering the mark

⑳ *Data concerning the application*

- ⑳* Application number
- ㉑* Date of filing the application
- ㉒* Other date(s) of filing, including exhibition filing date
- ㉔ Date from which the trademark right may have effect

㉓ *Data relating to priority under the Paris Convention*

- ㉔* Number(s) assigned to priority application(s)
- ㉕* Date(s) of filing of priority application(s)
- ㉖* Country (countries) in which priority application(s) was (were) filed

Note: With the proviso that data coded ㉔, ㉕ and ㉖ are used together and on a single line, category ㉓ can be used, if so desired.

㉗ *Date(s) of making available to the public*

- ㉘ Date of publication of the application by printing or similar process [or date of making the application accessible to the public by any other means]
- ㉙ Date of publication of the registered mark by printing or similar process [or date of making the registered mark accessible to the public by any other means]

㉚ *Various information*

- ㉛* Indication of a class or classes according to the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Classification)
- ㉜ Indication of class or classes according to any other classification
- ㉝ Indication of the figurative elements of the mark, e.g. in terms of the Vienna Classification
- ㉞* Reproduction of the mark
- ㉟* Indication to the effect that the mark is a collective mark or a certification mark
- ㊱* Indication to the effect that the mark is three-dimensional
- ㊲* List of goods and/or services
- ㊳ Disclaimer
- ㊴* Indication concerning colors claimed

[Note: Code ㊳ is intended primarily for use by countries in which the national laws provide for "disclaimers"]

- ㊵ *References to other legally related registrations*
- ㊶* Number(s) and date(s) of earlier registration(s)

* For the meaning of this asterisk, see paragraph 6 of the Recommendation (*Editor's note*).

- (70) *Identification of parties concerned with the registration*
- (73)* Name(s) and address(es) of the proprietor(s) of the mark, and if applicable, an indication of his or their trade
- (74) Name(s) and address(es) of attorney(s) or agent(s)
- (77) Address for correspondence with the proprietor(s) of the mark.
- (80) *Identification of data related to international conventions other than the Paris Convention*
- (81)** List of countries for which protection is requested under the Madrid Agreement
- (85)** Date of entry in the International Register according to the provisions of Rule 13.1 of the Regulations to the Madrid Agreement
- (86)** Data identifying the initial national registration in a country of origin (Madrid Agreement)

Note: This category is solely concerned with data relating to the international registration of marks.

** For the meaning of this double asterisk, see paragraph 7 of the Recommendation (*Editor's note*).

Paris Union Assembly

View Expressed on International and Regional Applications as a Basis of Priority Claims

NOTE*

At its tenth session (seventh ordinary) in Geneva in September/October 1985, the Assembly of the Paris Union for the Protection of Industrial Property was called upon to express its view on the question whether an international or regional application—for example, an international application filed under the Patent Cooperation Treaty (PCT) or the Hague Agreement Concerning the International Deposit of Industrial Designs (hereinafter referred to as “the Hague Agreement”) or a regional application filed under the European Patent Convention (EPC)—must be recognized as giving rise to the right of priority provided for in Article 4 of the Paris Convention.

The Assembly considered that the answer was clearly affirmative where the country in which the priority is invoked is a country bound by the London Act (1934), the Lisbon Act (1958) and/or at least the substantive provisions of the Stockholm Act (1967) of the Paris Convention since Article 4A(2) of those Acts

provides that “any filing that is equivalent to a regular national filing under the *domestic legislation* of any country of the Union *or under bilateral or multilateral treaties* concluded between countries of the Union shall be recognized as giving rise to the right of priority” (emphasis added). The PCT, the Hague Agreement and the EPC are examples of such multilateral treaties.

The Assembly expressed the opinion that the answer was affirmative also for those countries (there are two of them: Brazil and the Dominican Republic) that are still bound, as far as Article 4 of the Paris Convention is concerned, by the Hague Act (1925) of the Paris Convention, despite the fact that that Act does not contain the provision quoted in the preceding paragraph. The obligation to recognize an international or regional application as a basis of priority was considered to be inherent in the following words of the first sentence of Article 4, words that are the same in the Hague Act (found in Section A) and in the later Acts (found in Section A(1)): “Any person who has duly filed an application for a patent, or for the registration of a utility model, or of an industrial design, or of a trademark, *in one of the countries of the [Paris] Union*, or his successor in title, shall enjoy, for the purpose of filing in other countries, [...] a right of priority ...” (emphasis added). In the opinion of the Assembly, an international or a regional application, when it is under a treaty concluded among countries members of the Paris Union and thus always having effect *in one of those countries*, is clearly covered by the quoted provision. That provision does not require that the application be filed with a national office; it merely requires that it be filed in one of the countries of the Paris Union. It is, therefore, of no consequence whether the application was filed with a national, a regional or an international office, as long as it has effect *in at least one of the countries of the Paris Union*. All that the revision conference of London (1934) did, when it introduced what, since that conference, is Article 4A(2), was to clarify an obligation already inherent in the earlier Acts without making a substantive change. That such a clarification was found useful in 1934 is presumably due to the fact that the first multilateral treaty providing for the filing of an international application with the International Bureau—namely the Hague Agreement Concerning the International Deposit of Industrial Designs—came into effect in 1928, that is, between the date of the revision conferences of The Hague (1925) and London (1934).

On the basis of the foregoing considerations, the Assembly of the Paris Union for the Protection of Industrial Property formally expressed the view that a correct interpretation of Article 4A of the Hague Act (1925) of the Paris Convention is that the words “any person who has duly filed an application ... in one of the countries of the Union” does not only cover applications filed with the national offices but also applications filed with international or regional offices as long as they have effect in a country of the Union.

* Prepared by the International Bureau.

International Patent Cooperation (PCT) Union

Committee for Technical Cooperation (PCT/CTC)

Eighth Session
(Geneva September 16 to 18, 1985)

NOTE*

The PCT Committee for Technical Cooperation held its eighth session in Geneva jointly with the ninth session of the WIPO Permanent Committee on Patent Information.¹ Sixteen States and one intergovernmental organization, members of the Committee, were represented, with observers from four States, from one international governmental organization and from three international non-governmental organizations.

The Committee discussed certain questions concerning the minimum patent documentation as defined in PCT Rule 34.1 and agreed to request the International Bureau to continue the production, on COM-microfiche and in the form of paper printout, of the inventories of patent documents published by Australia, Austria and Canada and which fall within PCT Rule 34.1(c) (vi), i.e., those patent documents in which no priority is claimed. The Committee noted the progress made by the International Bureau in its efforts to produce inventories of generally available English-language abstracts of the patent documents issued by Japan and the Soviet Union and which fall within PCT Rule 34.1(e).

The Committee noted corrections necessary to the revised list of periodicals established according to PCT Rule 34.1(b)(iii) due to changes of titles, ISSN numbers and the cessation of publication of a periodical, and requested members of the Committee to monitor continually the correctness of the said list, especially in respect of periodicals published in their own countries. Any apparent corrections should be communicated to the International Bureau which would publish any such corrections regularly in the *PCT Gazette*.

The Committee discussed the suggestion to change the format of PCT pamphlets, following a request made by the Assembly of the International Patent Cooperation Union, which aimed at making savings in the operations under the PCT. The Committee agreed that on technical considerations it would be most desirable not to reduce the size with which pages of international applications were published with two pages printed on each side of an A4 sheet and accordingly advised the Assembly that the suggestion should not be further

pursued. The Committee also felt that the present practice of printing both the international publication number and the international application number on each page of the pamphlet should be continued.

The Committee agreed that a recommendation should be considered for inclusion in the "Guidelines for International Search to be Carried Out under the Patent Cooperation Treaty (PCT)" to the effect that the PCT Searching Authorities should allot the non-obligatory classification and indexing codes of the IPC to the international applications they classify.

LIST OF PARTICIPANTS**

I. Member States

Australia: P.A. Smith. Austria: J. Fichte. Barbados: L. Duncan. Denmark: H.I. Rasmussen; S.T. Simonsen. Finland: E. Häkli. France: M. Verderosa; A. de Pastors. Germany (Federal Republic of): E. Häusser; A. Willmann, M. Vögtel. Japan: Y. Masuda. Netherlands: S. de Vries; D. Dogger. Norway: P.E. Lillejordet. Republic of Korea: Jin Woo Lee; Jae Uk Chae. Soviet Union: B. Rozov; T. Nemanova. Sweden: L.G. Björklund; J.-E. Bodin. Switzerland: E. Caussignac; K. Grünig. United Kingdom: G.K. Lindsey. United States of America: W.S. Lawson; T. Lomont.

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III. Observer States

Canada: P. Trépanier. Czechoslovakia: M. Kopča; M. Fořtová. German Democratic Republic: H. Konrad; K.-P. Wittig. Spain: J.-D. Vila Robert.

IV. Observer Organizations

Commission of the European Communities (CEC): H. Bank. International Patent Documentation Center (INPADOC): G. Quarda. Patent Documentation Group (PDG): P. Ochsenbein. World Patent Information (WPI): V.S. Dodd.

V. Officers

Chairman: M.E. Caussignac (Switzerland). Vice-Chairmen: M. Verderosa (France); B. Rozov (Soviet Union). Secretary: P. Higham (WIPO).

VI. International Bureau of WIPO

L.E. Kostikov (Deputy Director General); P. Claus (Director, Patent Information and Classification Division); F. Curchod (Director, Patent Cooperation Treaty (PCT) Division); B. Hansson (Head, Patent Classification Section, Patent Information and Classification Division); P. Higham (Head, Patent Information Section, Patent Information and Classification Division); G. Negouliaev (Senior Patent Information Officer, Patent Information Section).

* Prepared by the International Bureau.

¹ A note on the ninth session of the PCPI appears below; for the note on the seventh session of the PCT/CTC, see *Industrial Property*, 1985, p. 33.

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

WIPO Permanent Committee on Patent Information (PCPI)

I. Ninth Session (Geneva, September 16 to 20, 1985)

NOTE*

The WIPO Permanent Committee on Patent Information (hereinafter referred to as "the Permanent Committee") held its ninth session in Geneva from September 16 to 20, 1985.¹

Twenty-one members of the Permanent Committee were represented at the session (Australia, Austria, Barbados, Canada, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Japan, Netherlands, Norway, Republic of Korea, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, European Patent Office (EPO)). The Commission of the European Communities (CEC), the International Patent Documentation Center (INPADOC), the Patent Documentation Group (PDG), and the publishers of *World Patent Information* were represented by observers.

Among the topics discussed by the Permanent Committee were the following:

Consideration of Tasks Assigned to the International Bureau in 1985

The Permanent Committee approved the report prepared by the International Bureau on the various tasks assigned to it in 1985. Taking note of the Annual Technical Reports for 1984 prepared by 29 PCPI members and submitted in 1985, the Permanent Committee encouraged its members to continue their efforts to submit such reports also in 1986, at the same time adhering to the Guidelines which it had formulated in that respect.

The Permanent Committee noted that INPADOC's data base contained on July 26, 1985, information on a total of 12,001,311 patent documents. In respect of the CAPRI System (the Computerized Administration of Patent Documents Reclassified According to the International Patent Classification) the Permanent Committee noted that the total of subclasses covered was 597 out of a total of 614, and that it was very likely, in view of further commitments taken, that the said project might be brought to a successful conclusion by the end of 1988.

In respect of the *WIPO Handbook on Patent Information and Documentation*, the Committee noted that a first set of updating pages had been published in

November 1984 and a further set of updating pages, to incorporate decisions taken at its present session, would be published in November 1985. Similarly, the Permanent Committee noted that the *List of Titles of Classes and Subclasses* of the fourth edition of the IPC had been published and was available, in English and in French.

Consideration of the Reports of Sessions of the PCPI Working Groups in 1985

The Permanent Committee reviewed the activities of its Working Groups in 1985 on the basis of the reports of their sessions held in 1985. The Permanent Committee approved the actions taken by its Working Groups on the tasks that it had assigned to them, and congratulated the Working Groups for the work that they had done.

Recommendations to the Permanent Committee Formulated by the PCPI Working Groups in 1985

The Permanent Committee reviewed the recommendations made by the PCPI Working Groups in 1985 and took action on them. Those recommendations concerned the carrying out of the tasks assigned to the PCPI under its program for the 1984-1985 biennium.

Effectiveness of the PCPI Program for the 1984-1985 Biennium

The Permanent Committee endorsed the evaluation made by the Planning Group of the PCPI on the effectiveness of the work performed by the PCPI Working Groups in 1985 and welcomed statements made by the President of the German Patent Office and by the Commissioner of the Australian Patent Office concerning the general thrust and future policy of the work of the Permanent Committee.

PCPI Program for the 1986-1987 Biennium

The Permanent Committee adopted the PCPI program for the 1986-1987 biennium. That program contains a total of 42 tasks.

Furthermore, the Committee decided that the five Working Groups established for 1985 be continued in 1986 with unchanged mandates and distributed the tasks under the revised program among the five Working Groups. The Permanent Committee established a schedule of sessions itself and for its Working Groups in the biennium 1986-1987. The five Working Groups and their mandates are as follows:

(a) the *Working Group on Planning* with the mandate as follows:

1st assignment: planning tasks;

2nd assignment: coordination and supervision of the work of the PCPI in general and of the Working Groups in particular; for this purpose, the Working Group on Planning may be called upon to undertake certain

* Prepared by the International Bureau.

¹ For the note on the eighth session, see *Industrial Property*, 1984, p. 408.

preliminary studies in case a new task is concerned or a supplementary study in case the task is of a high policy nature;

3rd assignment: in exceptional circumstances only, and when not falling within the mandate of any other Working Group, tasks of a substantive nature;

(b) the *Working Group on Special Questions* with the mandate to deal with tasks of an urgent and important nature;

(c) the *Working Group on Search Information* with the mandate to deal with tasks concerning search file organization and maintenance, including IPC revision matters and search system development;

(d) the *Working Group on Patent Information for Developing Countries* with the mandate to deal with tasks concerning the identification of needs of developing countries in the field of patent information and to make proposals on ways and means of meeting such needs;

(e) the *Working Group on General Information* with the mandate to deal with tasks, such as those concerning standards, and other matters not appropriate to the Working Groups referred to under (b), (c) and (d), above.

In respect of IPC revision projects, one of the tasks under the revised PCPI Program, the Permanent Committee decided that certain projects should be considered as priority items which should, if possible, be completed in 1986 and agreed that all IPC revision requests which had been examined but not included in the program for the 1986-1987 biennium should be considered to have been rejected.

LIST OF PARTICIPANTS**

I. Member States

Australia: P.A. Smith. Austria: J. Fichte. Barbados: L. Duncan. Canada: P. Trépanier. Czechoslovakia: M. Kopča; M. Fořtová. Denmark: H.I. Rasmussen; S.T. Simonsen. Finland: E. Häkli. France: M. Verderosa; A. de Pastors. German Democratic Republic: H. Konrad; K.-P. Wittig. Germany (Federal Republic of): E. Häusser; A. Wittmann; M. Vögtel. Japan: Y. Masuda. Netherlands: S. de Vries; D. Dogger. Norway: P.E. Lillejordet. Republic of Korea: Jin Woo Lee; Jae Uk Chae. Soviet Union: B. Rozov; T. Nemanova. Spain: J.-D. Vila Robert. Sweden: L.G. Björklund; J.-E. Bodin. Switzerland: E. Caussignac; K. Grünig. United Kingdom: G.K. Lindsey. United States of America: W.S. Lawson; T. Lomont.

II. Member Organization

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

III. Observer Organizations

Commission of the European Communities (CEC): H. Bank. International Patent Documentation Center (INPADOC): G. Quarda. Patent Documentation Group (PDG): P. Ochsenbein. World Patent Information (WPI): V.S. Dodd.

IV. Officers

Chairman: M.E. Caussignac (Switzerland). Vice-Chairmen: M. Verderosa (France); B. Rozov (Soviet Union). Secretary: P. Claus (WIPO).

V. International Bureau of WIPO

L.E. Kostikov (*Deputy Director General*); P. Claus (*Director, Patent Information and Classification Division*); B. Hansson (*Head, Patent Classification Section, Patent Information and Classification Division*); P. Higham (*Head, Patent Information Section, Patent Information and Classification Division*); R. Blumstengel (*Head, Developing Countries Section (Patent Information)*); G. Negouliaev (*Senior Patent Information Officer, Patent Information Section*).

II. Working Group on General Information

Eighth Session
(Geneva, October 7 to 11, 1985)

NOTE*

The PCPI Working Group on General Information (hereinafter referred to as the "Working Group") held its eighth session in Geneva from October 7 to 11, 1985.

Seventeen members of the Working Group were represented at the session (Canada, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Japan, Netherlands, Norway, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, and the European Patent Office (EPO)). The Commission of the European Communities (CEC), the International Patent Documentation Center (INPADOC) and the Patent Documentation Group (PDG) were represented by observers.

The Working Group noted the decisions taken by the PCPI at its ninth session insofar as they related to the tasks of the Working Group and particularly took note of the tasks (numbering nine substantive items) given to it by the PCPI in the PCPI Program for the 1986-1987 biennium.

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

* Prepared by the International Bureau.

The Working Group approved a revised Appendix II to WIPO Standard ST.16 (Standard Code for the Identification of Different Kinds of Patent Documents). The Working Group agreed that if a need for a code for a kind of document published before 1920 were to be demonstrated then the full details of that kind of document should be given in the said Appendix and agreed that if no ST.16 code had been used in respect of a particular kind of document published after 1920 it would still be of interest to include a reference to such a document in the said Appendix. The Working Group agreed that the revised Appendix II to WIPO Standard ST.16 should be made as comprehensive as possible.

The Working Group considered the fourth draft of a Recommendation concerning name indexes to patent documents and the draft of a model preface to name indexes, and, after having made some final amendments, approved the text of the above said Recommendation and that of the model preface. The Working Group requested the International Bureau to complete two outstanding portions of the Recommendation so that it could be finalized in time for its next session in April 1986.

The Working Group considered two proposals aimed at reducing the bulk of priority documents filed, sometimes together with a translation, with patent applications made under the Paris Convention, the so-called "paper" solution which resulted in a 4- or 8-times reduction in bulk and the so-called "microfiche" solution in which the text of the priority application is filed on a microfiche together with an authenticating certificate. The Working Group agreed that sufficient interest had been shown by offices to exchange priority documents according to one or other of the solutions to warrant further work on the task, and the International Bureau was requested to prepare the first draft of a recommendation to cover both solutions.

The Working Group noted the revised textual portion of the proposed standard for coded character sets for the exchange of machine-readable records of patent documents as prepared by the International Bureau on the basis of the results of the trilateral negotiation between the European, Japanese and United States Offices and agreed upon the wording of the said portion as a basis for further discussion.

The Working Group also had preliminary discussions on proposals to revise WIPO Standard ST.3 (Two-Letter Code for Countries, Organizations and the Like) and WIPO Standard ST.9 (Recommendation Concerning Bibliographic Data on and Relating to Patent Documents).

LIST OF PARTICIPANTS**

I. Member States

Canada: C. Mc Dermott. Czechoslovakia: M. Kopča; M. Fořtová. Denmark: I.-L. Frisenberg. Finland: J. Ansala. France: M. Verderosa. German Democratic Republic: H. Konrad. Germany (Federal Republic of): E. Derday; R.H. Hilger. Japan: Y. Masuda. Netherlands: D. Dogger. Norway: P.E. Lillejordet. Soviet Union: A.I. Alekseev. Spain: A. Gomez Garcia. Sweden: L. Stolt. Switzerland: K. Grünig; K. Aeschlimann. United Kingdom: T. Saul. United States of America: J.R. Goudeau.

II. Member Organization

European Patent Office (EPO): C.J. Jonckheere; H. De Vries.

III. Observer Organizations

Commission of the European Communities (CEC): H. Bank. International Patent Documentation Center (INPADOC): G. Quarda. Patent Documentation Group (PDG): P. Ochsenbein; S. Hahnmann.

IV. Officers

Chairman: I.-L. Frisenberg (Denmark). Vice-Chairmen: M. Verderosa (France); M. Kopča (Czechoslovakia). Secretary: P. Higham (WIPO).

V. International Bureau of WIPO

L.E. Kostikov (*Deputy Director General*; P. Higham (*Head, Patent Information Section, Patent Information and Classification Division*); G. Negouliaev (*Senior Patent Information Officer, Patent Information Section*); V. Týč (*Assistant Patent Information Officer, Patent Information Section*).

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

General Studies

The Law on Economic Competition and Restraints of Trade in Hungary

I. VÖRÖS*

Activities of Other Organizations

International Association for the Advancement of Teaching and Research in Intellectual Property

Assembly and Annual Meeting
(Geneva, September 16 to 18, 1985)

NOTE*

The International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP) held the fifth session of its Assembly and its annual meeting at the headquarters of WIPO in Geneva from September 16 to 18, 1985.¹

WIPO provided conference facilities and other financial support for the Assembly and annual meeting, in which 60 professors and researchers from 26 countries participated. WIPO was represented by Mr. Gust Ledakis, Legal Counsel and member of ATRIP.

The Assembly of ATRIP noted with approval the reports on the activities and accounts of the Association presented, respectively, by its outgoing President, Professor Ernesto Aracama Zorraquín (Argentina), and Treasurer, Professor Alberto Bercovitz (Spain). The Assembly, in particular, expressed its satisfaction that 22 professors and researchers had become new members of ATRIP since the previous session of the Assembly, with the result that the membership of the Association, which had been 69 in 1981 when ATRIP was founded, had grown to 243 as of the start of the fifth session (from 43 countries, including 53 members from 19 developing countries).

The Assembly also considered and approved the program of activities and budget for 1986 and, on the basis of proposals made by the Nominations Committee, elected the officers of the Association for the next two-year period (starting on September 18, 1985). Those officers, who also constitute the members

of the Executive Committee, are as follows: President: Professor William R. Cornish (United Kingdom); President-Elect: Professor Glen E. Weston (United States of America); Vice-Presidents: Professors Guo Shoukang (China), Gunnar Karnell (Sweden), Vito Margini (Italy) and Nébila Mezghani (Tunisia); and Treasurer: Professor Alberto Bercovitz (Spain).

At the annual meeting, discussions were held on the following two subjects: "Choice of Research Topics in the Field of Intellectual Property," with Professor E. Aracama Zorraquín (Argentina) serving as Chairman and reports presented by Professors M.-A. Pérot Morel (France), A. Chavanne (France), F.-K. Beier (Federal Republic of Germany), J. Szwaja (Poland), A. Françon (France) and F. Dessemontet (Switzerland); and "Management of University Inventions and Innovations," with Professor H. Ullrich (Federal Republic of Germany) serving as Chairman and reports by Professors A. Bercovitz (Spain), F. Dessemontet (Switzerland), J. Lahore (United Kingdom), Y. Reboul (France) and J. Szwaja (Poland).

In addition, three working sessions were held. The first session, under the chairmanship of Professor L. Ubertazzi (Italy), was devoted to an "Exchange of Experiences and Information in Respect of Recent Legislative or Judicial Developments in Intellectual Property," and included reports by Professors E. Nana Kouanang (Cameroon), J. Szwaja (Poland), V. Nabhan (Canada), Shoukang Guo (China), E. Lontai (Hungary), N. Mezghani (Tunisia), N. Silveira (Brazil), V. Besarović (Yugoslavia), N. Orkin (United States of America) and A. Françon (France). The second session, under the chairmanship of Professor J. Azéma (France), dealt with the subject of "Piracy—Counterfeit Goods: Implications for Intellectual Property Law and its Development," and consisted of reports on the factual situation presented by three invited speakers and on possible legal remedies presented by Professors M. Levin (Sweden) and D. Rangel Medina (Mexico). Finally, the third session was consecrated to the "Consideration of the Third Draft Questionnaire Prepared by Professor Jeremy Phillips (United Kingdom) on the Ownership and Exploitation of Academic Results," and was chaired by Professor A. Bercovitz (Spain).

* Prepared by the International Bureau of WIPO.

¹ For the note on the fourth session of the Assembly and the 1984 annual meeting, see *Industrial Property*, 1984, p. 415.

Activities of Industrial Property Offices

Developments in Industrial Property in 1984

I. Statistical Analysis

In the following analysis, comparisons are made between the volume of applications filed and grants or registrations made in 1983 and 1984. The comparisons are expressed in percentages and are based on available statistics for the years 1983 and 1984, in the areas of patents, inventors' certificates and trademarks (including service marks). They concern certain countries and groups of countries.

It is evident that any comparison of percentage figures between countries or groups of countries without relating them to any absolute figures (which are available in the WIPO "Industrial Property Statistics" for 1983 and 1984) may, in some cases, give a distorted impression. This risk should constantly be kept in mind.

Patents and Inventors' Certificates. From 1983 to 1984, the overall number of applications and grants for patents and inventors' certificates increased by 4%. For patent applications there was an increase of 5%, and for patents granted of 8%, while the number of applications for inventors' certificates decreased by 2% and that of granted inventors' certificates decreased by 12%.

In 38 countries the number of patent applications increased, in 44 countries the number of applications decreased, and in 2 countries there was no substantial change. In 37 countries the number of patents granted increased, in 41 the number decreased and in 5 there was no substantial change. The number of inventor's certificate applications increased in 4 countries, decreased in 2 and remained unchanged in 2; the number of inventors' certificates granted increased in one country, decreased in 3 countries and remained unchanged in 2.

A breakdown of the number of applications filed and grants made according to groups of countries gives the following results:

	<i>Applications</i> %	<i>Grants</i> %
(a) Developed market-economy countries	+ 6	+ 9
(b) Socialist countries in Europe	- 1	- 7
(c) Arab and Middle-Eastern countries	+ 5	- 33
(d) Latin American and Caribbean countries	- 3	- 14
(e) Indian sub-continent and Asian countries	+ 16	+ 7
(f) African countries (other than (c))	- 2	- 18
(g) Central American countries	- 7	- 27

Among those industrialized countries having the most applications and grants, the percentage differences in the number of applications and grants are the following: Australia (+6; 0), Austria* (-10; +125), Belgium** (-8; -9), Bulgaria (+1; 0), Canada (+4; -2), Czechoslovakia (+3; 0), Denmark (+3; -6), Finland (+6; -1), France** (-5; -5), German Democratic Republic (+8; +48), Germany (Federal Republic of) (-4; +4), Hungary (+4; +18), Italy (-5; +81), Japan (+12; +13), Netherlands (-12; +23), New Zealand (+6; -1), Norway (+8; +1), Poland (+7; -5), Republic of Korea (+35; -3), South Africa (+4; -1), Soviet Union (-3; -14), Spain (+9; -7), Sweden (-8; +35), Switzerland (-11; +19), United Kingdom* (-5; -33), United States of America (+7; +18).

The percentage differences between the number of applications filed and the number of patents granted in some selected developing countries are the following: Argentina (+8; -13), Brazil (-7; -19), Chile (-5; +2), Colombia (-11; -5), Egypt (+2; -31), Hong Kong (-7; +36), India (+6; +25), Indonesia (-19; 0), Iran (Islamic Republic of) (-4; -38), Iraq (+35; -39), Mexico (-3; -28), Morocco (+2; +8), Philippines (-2; -12), Republic of Korea (+35; -3), Singapore (+9; no comparable data), Thailand (+18; 0), Turkey (+17; +37), Venezuela (+9; -4), Yugoslavia (-11; -18), Zimbabwe (-19; -29).

Patent Applications Filed, and Patents Granted, Under the European Patent Convention or the Patent Cooperation Treaty (PCT). From 1983 to 1984, the number of applications for patents filed under the European Patent Convention increased by 17% and the number of patents granted under that Convention increased by 37%.

The number of record copies received by WIPO under the Patent Cooperation Treaty (PCT) increased by 15% and WIPO published 11% more international patent applications in 1984 than in 1983.

Trademarks (Including Service Marks). The overall number of applications and registrations in respect of trademarks increased. For applications that number increased by 4% and for registrations by 7%. In 62 countries the number of applications increased, in 25 countries the number decreased, and in 3 countries there was no substantial change. In 44 countries the number of trademark registrations increased, in 41 countries the number of registrations decreased, and in 4 countries there was no substantial change.

A breakdown of the number of applications filed and registrations made according to groups of countries gives the following results:

* Figures for 1983 did not include granted European patents.

** Granted European patents not included.

	Applications %	Registrations %
(a) Developed market-economy countries	+10	+10
(b) Socialist countries in Europe	- 8	- 5
(c) Arab and Middle-Eastern countries	+ 8	+15
(d) Latin American and Caribbean countries	+31	+19
(e) Indian sub-continent and Asian countries	+14	+19
(f) African countries (other than (c))	+14	+ 5
(g) Central American countries	-32	-25

Among those industrialized countries having the most applications and registrations, the percentage differences in the number of applications and grants are the following: Australia (+15; 0), Austria (+11; +15), Canada (+15; +10), Denmark (+9; -2), France (+9; +18), Germany (Federal Republic of) (+5; -5), Italy (+10; -4), Japan (+8; +3), Republic of Korea (+3; +6), South Africa (+17; +81), Soviet Union (-18; -5), Spain (+22; -12), Sweden (+8; -7), Switzerland (+1; +13), United Kingdom (+3; +35), United States of America (+13; +19). The Benelux Trademark Office received 6% more applications and registered 5% more trademarks in 1984 than in 1983.

The percentage differences between the number of applications filed and the number of trademarks registered in some selected developing countries are the following: Algeria (+25; +52), Argentina (+94; +172), Brazil (+13; -13), Chile (+1; +23), China (+42; +120), Hong Kong (+1; -4), India (+3; -43), Indonesia (-1; +14), Iran (Islamic Republic of) (-25; -28), Mexico (-50; -33), Pakistan (+17; -14), Philippines (-11; -30), Republic of Korea (+3; +6), Singapore (-1; no comparable data), Thailand (+6; -6), Venezuela (+9; +4), Yugoslavia (-21; -25).

International Trademarks. Registration of international trademarks under the Madrid Agreement Concerning the International Registration of Marks increased by 2%; territorial extensions increased by 3%, while refusals of protection decreased by 15%.

II. Legislative Developments

The following survey of selected countries summarizes national legislative developments in the field of industrial property during the year 1984. The information for this survey was gathered from annual reports of industrial property offices for 1984 as well as from other data communicated to the International Bureau of WIPO by industrial property offices.

Australia. On May 8, 1984, the Patents Amendment Bill 1984 was passed by the House of Representatives.

The purpose of the Law, which modifies the Patents Act 1952, is to allow Australians to take advantage of the procedures made possible by the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, to which Australia has stated its intention to accede.

Austria. In 1984, Austria engaged in a significant amount of industrial property legislative activity. On December 1, 1984, the Patent Law Amending Law 1984¹ (BGBl No. 234) entered into force. The major purpose of the Patent Law Amending Law, which modified the Austrian Patent Law of 1970 as well as the Law Introducing the Patent Treaties, was to bring about a uniformization of Austrian patent law with the European Patent Convention (EPC). The Amending Law consequently adopts the provisions of the EPC in respect of disclosure, unity of invention, novelty, and the grounds for opposition and revocation. The Patent Law Amending Law also contains provisions expanding the field of competence of the Patent Office, in particular as regards patent information services and development cooperation activities, and making organizational and procedural improvements for the benefit of applicants and the Austrian economy. Furthermore, the Amending Law provides that the Austrian Patent Office may intensify its efforts in entering into agreements with developing countries, intergovernmental organizations and non-governmental organizations to provide technical assistance in the field of industrial property.

A Patent and Trademark Fees Amending Law entered into force on April 1, 1984. The Amending Law provides, *inter alia*, for a decrease in fees for commercial searches; that decrease, the purpose of which is to enable small and medium-sized enterprises to exploit better the Patent Office's store of patent documentation, has led to a notable increase in requests for such searches.

In a notification by the Federal Chancellor and the Federal Minister for Commerce, Trade and Industry, dated November 16, 1984, the Federal Law of September 26, 1923, Against Unfair Competition was republished under the title Federal Law Against Unfair Competition 1984 (BGBl No. 448).

Barbados. The Intellectual Property Acts (Amendment) Act, 1984-20, was promulgated on June 22, 1984. The Act amends the statute law in respect of certain technical deficiencies in the intellectual property legislation of Barbados, including the Patents Act, 1981-55, and the Trade Marks Act, 1981-56. As a result of the 1984 Act, both the Patents Act and the Trade Marks Act entered into force on January 1, 1985.² The Industrial

¹ To be published in *Industrial Property Laws and Treaties*.

² See *Industrial Property Laws and Treaties*, BARBADOS — Texts 2-001 and 3-001.

Designs Act, 1981-57, also entered into force on January 1, 1985.³

Belgium. On March 28, 1984, Belgium enacted a new Patent Law,⁴ which replaces the law of 1854. A major purpose of the new Law was to modernize Belgian legislation and to bring it into harmony with the Patent Cooperation Treaty (PCT) and the European Patent Convention (EPC). The new Law provides, *inter alia*, that a search report is to be drawn up by an intergovernmental body designated by the King as a result of each patent application, that patents are granted without prior examination and for a duration of 20 years calculated from the filing date, that among the rights conferred by the grant of a patent is the right to prevent third parties from supplying or offering to supply persons not entitled to exploit the invention with the means, relating to an essential element of the invention, for putting the invention into effect, that nonexclusive compulsory licenses may be granted under specified conditions by the Minister responsible for industrial property following a decision by the Compulsory License Commission, a body set up within the Central Council of the Economy and consisting of a chairman and eight members appointed by the Minister, and that natural persons or legal entities having no residence or effective place of business in Belgium must be represented before the Patent Office by a professional representative who meets the conditions laid down in the Law and is entered in the Register of Professional Representatives.

China. On March 12, 1984, China adopted its first Patent Law.⁵ Among the features of the Law are the following: patents are granted for inventions, utility models or designs; foreigners having no habitual residence or business office in China may seek patent protection by appointing a patent agency designated by the State Council of the People's Republic of China to act as agent; the requirements of patentability for an invention or utility model are novelty, inventiveness and practical applicability; for a design only novelty is required; an invention, utility model or design that was first exhibited at an international exhibition sponsored or recognized by the Chinese Government or first made public at a prescribed academic or technological meeting within six months before the date of filing of an application for a patent is to be treated as not having lost its novelty; applications for a patent for invention that have been found to be in conformity with the requirements of the Law, based upon a preliminary examination, are published by the Patent Office within 18 months from the date of filing and are examined as to

substance if the patent applicant requests such examination within three years from the date of filing or if the Patent Office considers such examination necessary; applications for a patent for a utility model or design are subjected only to preliminary examination; in all cases, opposition is possible against the grant of a patent; applicants whose applications have been rejected by the Patent Office may appeal to a Patent Reexamination Board; decisions of the Patent Reexamination Board are final in respect of patents for utility models or designs but applicants for patents for inventions who are dissatisfied with the decision of the Patent Reexamination Board may institute legal proceedings in the people's court; the duration of patent protection for inventions is 15 years counted from the date of filing, whereas the duration of patent protection for utility models or designs is five years (renewable for an additional three years); requests for invalidation of patents are determined by the Patent Reexamination Board, with the right, in the case of patents for inventions, subsequently to institute legal proceedings in the people's court; cases of infringement are either heard by the administrative authority for patent affairs or legal proceedings may be instituted before the people's court.

The Chinese Patent Law entered into force on April 1, 1985.

France. As a result of the Government plan of "Twenty Measures" for the promotion of industrial property, a number of legislative and administrative texts were promulgated with the aim of either facilitating access to industrial property protection or reinforcing that protection.

Law No. 84-500 of June 27, 1984,⁶ establishes the principle that free advice with respect to industrial property protection be provided to inventors with limited resources. The Law also grants the Director of the National Institute for Industrial Property (INPI) the right to rectify procedural errors rather than requiring applicants to bring actions before the Court of Appeals of Paris.

Decree No. 84-684 of July 17, 1984,⁷ concerns employee inventors and provides a simplified procedure by which such inventors may conserve their rights and fulfill their obligations in respect of their employers.

German Democratic Republic. On November 30, 1984, the German Democratic Republic enacted a Law on Distinctive Signs.⁸ The Law regulates trademarks, service marks, indications of source and trade names,

³ To be published in *Industrial Property Laws and Treaties*.

⁴ See *Industrial Property Laws and Treaties*, BELGIUM — Text 2-004.

⁵ See *Industrial Property Laws and Treaties*, CHINA — Text 2-001.

⁶ See *Industrial Property Laws and Treaties*, FRANCE — Text 2-001.

⁷ See *Industrial Property Laws and Treaties*, FRANCE — Text 2-007.

⁸ See *Industrial Property Laws and Treaties*, GERMAN DEMOCRATIC REPUBLIC — Text 3-001.

and contains provisions on mandatory marking, on registration and on proceedings before the Patent Office. It states, *inter alia*, that enterprises must mark all the goods they produce with a suitable distinctive sign or with the name of the enterprise, that goods intended for export must bear the indication "Made in the GDR" or a similar indication and that the exportation of goods may be refused if the provisions on mandatory marking are not complied with, that associations may be established for the collective use of distinctive signs, that in addition to words and pictures or combinations thereof, the special presentation or packaging of a product as well as identifying threads may be protected as marks, that the duration of protection of a registered mark is 10 years from the date of application and may be renewed for successive periods of 10 years, that indications of source may be protected by filing an application with the Patent Office indicating the territory where the goods are produced, the persons entitled to use the indication of source and, where applicable, information on the specific properties of the goods or method of manufacture, and that the Patent Office may designate a person responsible for ensuring that an indication of source from the German Democratic Republic is being used, both within the country and abroad, only by the persons entitled to do so and in accordance with the conditions for use.

Hungary. In 1984, Hungary promulgated Law No. IV on the Prohibition of Unfair Economic Activities.⁹ The Law contains provisions concerning the prohibition of unfair competition, the misrepresentation of consumers, restraints on economic competition, combination sales, the abuse of superior economic power and the enforcement of unfair prices. Among the remedies that are provided are injunctions and damages. In the case of the abuse of superior economic power, where a party unreasonably refuses to enter into a contract, the court is also given the power, at the request of the aggrieved party, to establish the contract and to fix its terms in accordance with the conditions customary in the branch of industry concerned.

Poland. On April 6, 1984, Poland amended its Law on Inventive Activity (of October 19, 1972). The consolidated text of the Polish Law¹⁰ was issued by the Polish authorities. The Law as amended provides, *inter alia*, the following: that inventions may be protected by patents or inventors' certificates; that two types of patents are issued, provisional patents, which have a term of five years and are issued following a restricted examination, and full patents, which have a term of 15 years and are issued following a complete examination; that the right to obtain a patent for an employee

invention belongs to the unit of the national economy under which the employee serves, whereas the right to remuneration, when an inventor's certificate is obtained, belongs to the employee inventor; that, except where the applicant is a foreign national or foreign legal entity, an inventor's certificate is issued simultaneously with the grant of a patent; that compulsory and "open" licenses may be granted in certain circumstances; that foreign applications for Polish inventions, which are effected through the intermediary of units of the national economy, may be filed only after applications have been filed in Poland; that utility models and rationalization proposals are protected; and that authors of employee invention proposals are entitled to remuneration in accordance with established principles.

Sweden. In 1984, Sweden enacted technical amendments to its Patent Law and Regulations to bring them into line with the most recent text of the Regulations under the Patent Cooperation Treaty (PCT).

United Kingdom. On May 24, 1984, the Trade Marks (Amendment) Act 1984¹¹ was enacted. The Act, which modifies the Trade Marks Act 1938, permits the registration of service marks. The Act is scheduled to enter into force on October 1, 1987, or on such earlier date as the Secretary of State for Trade and Industry may appoint.

United States of America. During 1984, several acts were enacted. A major development was the enactment, on November 8, 1984, of the Semiconductor Chip Protection Act of 1984 (Title III of Public Law 98-620).¹² The Act provides for a *sui generis* system of legal protection for original mask works used in the production of semiconductor chips. Protection is established by means of registration and the term of protection is 10 years.

Title I of Public Law 98-620,¹³ entitled the Trademark Clarification Act of 1984, amends the Lanham (Trademark) Act by establishing a test that courts are required to use when determining whether a trademark has become generic. That test is whether or not the public recognizes the trademark as identifying a service or product as emanating from a particular source.

Court procedure was also regulated in Title IV of Public Law 98-620, which eliminated the requirement for appellants in patent and trademark cases before the United States Court of Appeals for the Federal Circuit to file reasons for their appeal with the United States Patent and Trademark Office as well as the requirement

⁹ See *Industrial Property Laws and Treaties*, HUNGARY — Text 5-001.

¹⁰ To be published in *Industrial Property Laws and Treaties*.

¹¹ To be published in *Industrial Property Laws and Treaties*.

¹² See *Industrial Property Laws and Treaties*, UNITED STATES OF AMERICA — Text 1-001.

¹³ See *Industrial Property Laws and Treaties*, UNITED STATES OF AMERICA — Text 3-001.

for the USPTO to furnish certified copies of all papers to the Court.

On October 12, 1984, Public Law 98-473,¹⁴ which includes the Trademark Counterfeiting Act of 1984, was signed into Law. The Act imposes heavy criminal and civil penalties for trafficking in goods or services that bear a counterfeit mark.

On September 24, 1984, the Drug Price Competition and Patent Term Restoration Act of 1984 (Public Law 98-417)¹⁵ entered into force. That Act extends by up to five years the patent term for pharmaceuticals and other products subject to Food and Drug Administration regulatory review to compensate at least partially for delays in commercializing those inventions on account of Federal premarketing clearance procedures.

The Patent Law Amendments Act of 1984 (Public Law 98-622),¹⁶ which was signed into Law on November 8, 1984, incorporates a number of significant amendments to the Patent Law. It closes a loophole in the Law by which competitors of a patentee for a machine were able substantially to make the invention in the United States of America but could avoid infringement by completing the last step of assembly in a foreign country. It also establishes a statutory

invention registration system that provides defensive protection only; statutory invention registration is useful when the owner of an invention does not intend to enforce exclusive patent rights, and is a faster and less expensive procedure than that for a patent. In addition, the Act modifies the requirement of nonobviousness to take into consideration that many inventions arise from corporate or team research, broadens the concept of joint inventorship, merges the Board of Appeals and Board of Patent Interferences to create a Board of Patent Appeals and Interferences, and contains a number of provisions allowing the United States of America fully to conform to the most recent changes to the Patent Cooperation Treaty.

Industrial Property Organization for English-Speaking Africa (ESARIPO). The Harare Protocol on Patents and Industrial Designs Within the Framework of the Industrial Property Organization for English-Speaking Africa¹⁷ as well as the Regulations for Implementing the Protocol¹⁸ entered into force on April 25, 1984. According to the Harare Protocol, ESARIPO is empowered to grant patents and register industrial designs with effect in the following Contracting States: Botswana, Ghana, Kenya, Malawi, Sudan, Uganda, Zimbabwe.

¹⁴ *Ibid.*

¹⁵ See *Industrial Property Laws and Treaties*, UNITED STATES OF AMERICA — Text 2-001.

¹⁶ *Ibid.*

¹⁷ See *Industrial Property Laws and Treaties*, MULTILATERAL TREATIES — Text 1-008.

¹⁸ See *Industrial Property Laws and Treaties*, MULTILATERAL TREATIES — Text 1-010.

News from industrial property offices

DENMARK

*Director General,
Patent and Trademark Office*

We have been informed that Mr. Per Lund Thoft has been appointed Director General of the Patent and Trademark Office.

REPUBLIC OF KOREA

*Administrator,
Office of Patents Administration*

We have been informed that Mr. Soo Myung Cha has been appointed Administrator of the Office of Patents Administration.

MONACO

*Head, Directorate of
Commerce, Industry and Industrial Property*

We have been informed that Mr. Jean-Pierre Campana has been appointed Head of the Directorate of Commerce, Industry and Industrial Property.

UNITED STATES OF AMERICA

*Commissioner of Patents and Trademarks,
Patent and Trademark Office*

We have been informed that Mr. Donald J. Quigg has been appointed Commissioner of Patents and Trademarks of the Patent and Trademark Office.

Calendar of Meetings

WIPO Meetings

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

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) — WIPO Patent and Trademark 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 (Geneva) — Consultative Committee
- April 16 and 17 (Geneva) — Administrative and Legal 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