

# Industrial Property

Published monthly  
Annual subscription:  
155 Swiss francs  
Each monthly issue:  
16 Swiss francs

26th Year - No. 9  
September 1987

Monthly Review of the  
World Intellectual Property Organization

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ISSN 0019-8625



## Notifications Concerning Treaties

### Budapest Treaty

FERMENTATION RESEARCH INSTITUTE (FRI)

#### I. Extension of the List of Kinds of Microorganisms Accepted for Deposit and Change in Fees under Rules 3.3 and 12.2, Respectively, of the Regulations under the Budapest Treaty

The following communication addressed to the Director General of WIPO by the Government of Japan under Rules 3.3 and 12.2 of the Regulations under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure was received on July 31, 1987, and is published by the International Bureau of WIPO pursuant to Article 7(2)(a) and Rule 13.2(b) of the said Treaty and Regulations:

1. In accordance with Rule 3.3 of the Regulations under the Budapest Treaty, additions will be made to the kinds of microorganisms which the Fermentation Research Institute (FRI) accepts for deposit under the Budapest Treaty. The new list of these microorganisms will be as follows:

— fungi, yeast, bacteria, actinomycetes, animal cell cultures and plant cell cultures,

Except:

— microorganisms having properties which are or may be dangerous to human health or the environment;

— microorganisms which require the physical containment level P3 or P4 for experiments, as described in the *Prime Minister's Guidelines for Recombinant DNA Experiments of 1986*.

Effective date of addition: October 1, 1987.

2. In accordance with Rule 12.2(a) of the Regulations under the Budapest Treaty, the fee schedule of the FRI published in the March 1984 issue of *Industrial Property* will be modified as follows:

Yen

(a) Storage:

— original deposit . . . . .	190,000
— new deposit . . . . .	14,000

(b) Attestation referred to in Rule 8.2	1,700
(c) Issuance of a viability statement:	
— if the depositor, when requesting the issuance of a viability statement, also requests a viability test . . . . .	9,700
— other cases . . . . .	1,700
(d) Furnishing of a sample . . . . .	10,000*
(e) Communication of information under Rule 7.6 . . . . .	1,700

\* When furnishing a sample to a foreign institution:

— additional 37,000 yen per one package as cost of a special container, is payable for animal cell cultures;

— additional 800 yen per one package as cost of a special container, is payable for other microorganisms.

Effective date of modification of fees with respect to the added kinds of microorganisms (animal cell cultures, plant cell cultures and microorganisms which require the physical containment level P2): October 30, 1987.

[End of text of the communication of the  
Government of Japan]

Pursuant to Article 7(2)(b) of the Budapest Treaty, the extension of the list of kinds of microorganisms specified in the communication of the Government of Japan will take effect on October 1, 1987, date indicated in the said communication.

The fees set forth in the said communication will apply as from the thirtieth day following the date (September 30, 1987) of publication of the said fees in the present issue of *Industrial Property*, that is, as from October 30, 1987 (see Rule 12.2(c) of the Regulations under the Budapest Treaty), to the existing and extended list of microorganisms and will replace the fees for the storage of a microorganism, for the issuance of the attestation referred to in Rule 8.2, for the issuance of a viability statement, for the furnishing of a sample and for the communication of information under Rule 7.6, which were published in the March 1984 issue of *Industrial Property*.

*Budapest Communication No. 38 (this Communication is the subject of Budapest Notification No. 64, of September 1, 1987).*

## II. Amendment of Requirements Communicated under Rule 6.3 of the Regulations under the Budapest Treaty

In a communication dated August 28, 1987, the Fermentation Research Institute (FRI) informed WIPO that, pursuant to Rule 6.3(a) of the Regulations under the Budapest Treaty, the requirements as published in the April 1981 issue of *Industrial Property* are amended as follows:

The quantity and form in which the microorganisms should be deposited are as follows:

(a) fungi, yeast, bacteria and actinomycetes: more than five samples which, it is strongly recommended, should be lyophilized;

(b) animal cell cultures: more than 20 samples in the form of frozen ampoules;

(c) plant cell cultures: more than five samples in the form of tissue cultures on the solid medium.

The above-mentioned requirements will take effect on October 1, 1987.

*Budapest Communication No. 39.*

## Studies

### **Obligation to Work and Compulsory Licensing in the New Spanish Patent Law**

A. CASADO CERVIÑO\*































## The Action for Infringement of Intellectual Property Rights

M. FYSH\*

























## News Items

### EGYPT

*Vice President of the Academy of Scientific  
Research and Technology  
(Supervisory Authority of the Patent Office)*

We have been informed that Professor M. Saada has been appointed Vice President of the Academy of Scientific Research and Technology.

## Calendar of Meetings

### WIPO Meetings

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

#### 1987

October 5 to 9 (Geneva) — Committee of Governmental Experts on Works of Applied Art (convened jointly with Unesco)

November 2 to 6 (Geneva) — Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Fourth Session)

November 23 to December 4 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Search Information

December 2 to 4 (Geneva) — Joint Unesco-WIPO Consultative Committee on the Access by Developing Countries to Works Protected by Copyright (convened jointly with Unesco)

December 7 to 11 (Geneva) — Committee of Governmental Experts on the Printed Word (convened jointly with Unesco)

### UPOV Meetings

#### 1987

October 6 to 8 (Geneva) — Technical Committee

October 8 and 9 (Geneva) — Administrative and Legal Committee

October 12 and 13 (Geneva) — Meeting with International Organizations

October 14 (Geneva) — Consultative Committee

October 15 and 16 (Geneva) — Council

#### 1988

June 7 to 9 (Edinburgh) — Technical Working Party on Automation and Computer Programs

June 14 to 17 (Wageningen) — Technical Working Party for Vegetables

June 20 to 24 (Melle) — Technical Working Party for Ornamental Plants and Forest Trees

June 28 to July 1 (Hanover) — Technical Working Party for Fruit Crops, and Subgroups

July 5 to 8 (Surgères) — Technical Working Party for Agricultural Crops

### Other Meetings Concerned with Industrial Property

#### 1987

November 8 to 11 (Budapest) — Pharmaceutical Trade Marks Group: 35th Conference entitled "Moscow to Madrid"

November 30 to December 4 (Strasbourg) — Center for the International Study of Industrial Property: Present Status of European Patent Law and Practice — Seminar on the Drafting of Claims and Oppositions

December 7 to 11 (Munich) — European Patent Organisation: Administrative Council

#### 1988

January 25 to 30 (Strasbourg) — Center for the International Study of Industrial Property: Present Status of European Patent Law and Practice — Seminar on Legal Problems

March 24 (London) — Institute of Trade Mark Agents: International Conference on "New Vistas in Trade Marks"

June 27 to July 1 (Cannes) — International Federation of Industrial Property Attorneys: World Congress

September 15 to 18 (Angers) — International League for Competition Law: 30th Congress