

# Industrial Property

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## Notifications Concerning Treaties

### Patent Cooperation Treaty (PCT)

#### Withdrawal of Declaration Made under Article 64(1)(a) Concerning Chapter II; Declaration under Article 64(2)(a)(ii)

#### NORWAY

The Government of Norway has notified, in its notification received on October 1, 1988, the withdrawal of the declaration contained in its instrument of ratification of the Patent Cooperation Treaty (PCT) done at Washington on June 19, 1970, to the effect that Norway is not bound by the provisions of Chapter II of the said Treaty (see PCT Notification No. 28, of October 4, 1979<sup>1</sup>), and also makes a declaration under Article 64(2)(a)(ii) of that Treaty.

In accordance with Article 64(6)(b) of the PCT, the withdrawal of the said declaration concerning Chapter

II of the said Treaty will take effect on January 1, 1989. Consequently, from the said date, Norway will be bound also by the provisions of Chapter II of the PCT.

The said notification dated October 1, 1988, contains, in addition, the following declaration:

“Norway also declares, pursuant to Article 64, paragraph 2), *litra* a), ii) of the said Treaty that the obligation to delay national processing as provided for under Article 40 shall not prevent publication, by or through Norway’s national office, of the international application or a translation thereof, it being understood, however, that Norway is not exempted from the limitations provided for in Articles 30 and 38.”

In accordance with Article 64(6)(a) of the PCT, the said declaration will take effect six months after the day on which the notification of the said declaration was received, that is, on April 1, 1989, and shall not affect international applications filed prior to the expiration of the said six-month period.

*PCT Notification No. 53, of October 7, 1988.*

<sup>1</sup> See *Industrial Property*, 1979, p. 242.

## WIPO Meetings

### WIPO Permanent Program for Development Cooperation Related to Industrial Property

#### Permanent Committee

Twelfth Session  
(Geneva, May 16 to 20, 1988)

#### NOTE\*

The WIPO Permanent Committee for Development Cooperation Related to Industrial Property held its twelfth session in Geneva from May 16 to 20, 1988.<sup>1</sup>

The following seventy-one member States of the Permanent Committee were represented: Angola, Argentina, Australia, Austria, Bangladesh, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Egypt, El Salvador, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, India, Indonesia, Iraq, Jamaica, Japan, Jordan, Kenya, Lesotho, Mauritania, Mexico, Mongolia, Morocco, Netherlands, Niger, Pakistan, Panama, Paraguay, Peru, Philippines, Republic of Korea, Rwanda, Soviet Union, Spain, Sweden, Switzerland, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia. Two non-member States (Ecuador, Trinidad and Tobago) were also represented. In addition, eight intergovernmental organizations (General Agreement on Tariffs and Trade (GATT), United Nations Development Programme (UNDP), African Intellectual Property Organization (OAPI), African Regional Industrial Property Organization (ARIPO), European Patent Organisation (EPO), Latin American Economic System (SELA), League of Arab States (LAS), Organization of African Unity (OAU)) and three international non-governmental organizations (Center for the International Study of Industrial Property (CEIPI), International Association for the Protection of Industrial Property (AIPPI), International Chamber of Commerce (ICC)) were also represented. The list of participants follows this Note.

The Permanent Committee reviewed the development cooperation activities undertaken as part of the WIPO Permanent Program for Development Cooperation Related to Industrial Property since its last session in May 1987 and, in re-affirming the importance of industrial property as a dynamic instrument for technological and economic development, (i) noted with satisfaction the activities carried out under the Permanent Program since its previous session; (ii) expressed its support of the orientations for the development of activities under the Permanent Program as outlined in the documentation prepared by the International Bureau for the session, and invited the International Bureau to pursue the expansion of the Permanent Program along those lines, with special emphasis on training, advice on legislation and support for the strengthening of national and regional institutions, including patent documentation services; and (iii) expressed its gratitude to the numerous governments and organizations, and, among the latter, in particular the UNDP, which made contributions to the Permanent Program, and noted with appreciation the statements made by the representatives of several of those governments and organizations that they intended to continue or, as the case might be, increase such contributions.

As regards the development of human resources in the field of industrial property, the wish was expressed that, in addition to training provided for the traditional circle of officials of industrial property administrations, increasing attention should continue to be given to such programs for the training of, in particular, the judiciary, industrial property lawyers and agents and university professors, and to the teaching of industrial property in universities. The wish was also expressed that increasing emphasis should continue to be attached to training in specialized areas such as patent information and documentation, the transfer of patented technology, patent drafting and patent agency work.

With respect to activities for the promotion of

\* Prepared by the International Bureau.

<sup>1</sup> For a Note on the preceding session, see *Industrial Property*, 1987, p. 252.

inventive and innovative activity in developing countries, particular attention was paid to the WIPO Award program, to the desirability of assisting developing countries in organizing exhibitions and competitions for inventions as a useful means of upgrading the public image of national inventors, and to the need for continued assistance on the part of the International Bureau in organizing inventors from developing countries into national or regional inventors' associations.

Attention was also drawn to the various modalities of technical cooperation between developing countries which were taking place under the Permanent Program, including the expanding utilization of experts and lecturers from developing countries.

As it had decided at its eleventh session, the Permanent Committee devoted one day of its twelfth session to the examination of patent information and documentation matters in the framework of a "Symposium on Patent Information and Documentation: Perspectives and Realities." Lectures were delivered by speakers from Brazil, China, the Netherlands, the United States of America and the African Regional Industrial Property Organization (ARIPO) and a WIPO official. On the basis of the discussions that took place in the Symposium, the Permanent Committee requested the International Bureau to undertake a study of the technically and economically most relevant solutions for patent information activities in developing countries, in the light of the present and expected evolution of electronic data processing (EDP) technology.

The Permanent Committee also agreed, as invited by the Permanent Committee on Industrial Property Information (PCIPI), to the priority of certain tasks of special relevance to developing countries on the work program of the PCIPI, subject, as regards one of those tasks, to the conduct of a survey to determine the actual use being made by developing countries of the *Journal of Patent Associated Literature* (JOPAL).

## LIST OF PARTICIPANTS\*\*

### I. States

**Angola:** A.C. Simoes da Silva Bandeira. **Argentina:** A.G. Trombetta. **Australia:** I.W. McCay. **Austria:** C. Thun-Hohenstein. **Bangladesh:** M.I. Talukdar. **Benin:** J. Ayite. **Brazil:** M.E. do Nascimento; P.R. de Almeida. **Bulgaria:** O. Delev. **Burkina Faso:** M.B. Bado. **Burundi:** S. Ndikuriyo. **Cameroon:** F.-X. Ngoubeyou; W. Eyambe. **Canada:** J. Gariépy. **Central African Republic:** M. Lamine. **China:** Ge Bo. **Colombia:** G. Valderrama de Prieto; A. Gamboa Alder. **Costa Rica:** R. Chacon-Murillo; R.A. Chacon Hernandez. **Côte d'Ivoire:** M. A. Traore; F.K. Ekra. **Cuba:** M. Jiménez Aday. **Cyprus:** T.L. Christodoulides. **Czechoslovakia:** S. Kracmar; V. Benisko. **Democratic People's Republic of Korea:** Chang Guk Kim;

**Dok Hun Pak, Ecuador<sup>2</sup>:** R. Rivadeneira. **Egypt:** M.N. El-Araby; W.Z. Kamil; W.M. Abdel Nasser. **El Salvador:** M.A. Gallegos; A. González. **France:** J.-B. Mozziconacci. **Gambia:** M.N. Bitaye. **German Democratic Republic:** K. Stoeker; K. Wendler. **Germany (Federal Republic of):** D. Schennen. **Ghana:** D.M. Mills; M. Abdullah. **Guatemala:** J.L. Chea Urruela; J.R. Recinos Acevedo; M. Juarez. **Guinea:** F. Bangoura. **Guinea-Bissau:** J.A. Nosoliny. **Haiti:** S. Theard Mevs. **Honduras:** N. Valenzuela. **India:** A. Malhotra. **Indonesia:** I. Cotan. **Iraq:** S. Wazir. **Jamaica:** G.E. Edwards; R. Smith. **Japan:** H. Aburaki; Y. Masuda. **Jordan:** M. Khreisat. **Kenya:** J.N. King'Arui. **Lesotho:** K.A. Maope; N.M. Pii; M. Khoboko. **Mauritania:** M. Diaby. **Mexico:** J. de Villafranca Andrade; A. Fuchs. **Mongolia:** L. Gunchingiin. **Morocco:** A. Bendaoud. **Netherlands:** W. Neervoort. **Niger:** I. Foukori. **Pakistan:** M.A. Khan. **Panama:** M. Saavedra. **Paraguay:** R.A. Bogado Vazquez; R. Gauto. **Peru:** O.C. Combe de Vertiz. **Philippines:** K. Usop; A.L. Catubig. **Republic of Korea:** S.-H. Lee; K.-H. Yoo; T.-C. Choi. **Rwanda:** B. Murekezi. **Soviet Union:** B. Smirnov; V. Blatov. **Spain:** A. Casado Cerviño; A. Muñoz Parra. **Sweden:** U. Jansson. **Switzerland:** E. Causignac; Tran-Thi Thu-Lang. **Trinidad and Tobago<sup>2</sup>:** L.E. Williams; J.-E. George. **Tunisia:** Y. Mokaddem; H. Boufares; N.-E. Maatoug. **Turkey:** A. Algan. **Uganda:** R.C. Masika. **United Kingdom:** P. Redding; C. Robson; S. Mann. **United Republic of Tanzania:** R.B. Mngulwi; E.E.E. Mtango; K.J. Suedi. **United States of America:** C. Meyer; W. Lawson; P. Behnke; E. Reidy. **Uruguay:** R. González Arenas. **Venezuela:** O. de Rojas; L. Niño. **Viet Nam:** Le Dinh Can; Ngo Dinh Kha. **Yemen:** M. Al-Qutaish. **Yugoslavia:** S. Biserko. **Zaire:** N.M. Mantuba. **Zambia:** A.R. Zikonda.

## II. United Nations Organizations

**General Agreement on Tariffs and Trade (GATT):** A. Otten. **United Nations Development Program (UNDP):** E. Bonev; G. Perez-Arguello.

## III. Other Intergovernmental Organizations

**African Intellectual Property Organization (OAPI):** V. Efon. **African Regional Industrial Property Organization (ARIPO):** F.M. Chimulu. **European Patent Organisation (EPO):** M. Hidalgo. **Latin American Economic System (SELA):** L. Herrera Marcano. **League of Arab States (LAS):** M. Triki; M. Oreibi; O. El Hajje. **Organization of African Unity (OAU):** M.H. Tunis.

## IV. International Non-Governmental Organizations

**Center for the International Study of Industrial Property (CEIPI):** B. de Passemar. **International Association for the Protection of Industrial Property (AIPPI):** G.E. Kirker. **International Chamber of Commerce (CCI):** J.M.W. Buraas.

## V. Officers

**Chairman:** J. de Villafranca Andrade (Mexico). **Vice-Chairmen:** I.W. McCay (Australia); V. Benisko (Czechoslovakia). **Secretary:** B. Machado (WIPO).

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

<sup>2</sup> State not member of the Permanent Committee.

## VI. International Bureau of WIPO

A. Bogsch (*Director General*); S. Alikhan (*Deputy Director General*); K. Idris (*Director, Development Cooperation and External Relations Bureau for Arab Countries*); I. Thiam (*Director, Development Cooperation and External Relations Bureau for Africa*); R. Beltran (*Director a.i., Development Cooperation and External Relations Bureau for*

*Latin America and the Caribbean*); R. Andary (*Head, Special Projects and Developing Countries Section, Classifications and Patent Information Division*); B. Machado (*Head, Development Cooperation Program Support Unit*); F. Moussa (*Head, Section for Relations with International Organizations and Promotion of Innovation in Developing Countries*); J. Quashie-Idun (*Head, Developing Countries Section, Industrial Property Division*); G. Yu (*Special Assistant, Office of the Director General*).

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**Studies**

**Recent Changes in Mexican  
Industrial Property Legislation**

J. DE VILLAFRANCA ANDRADE\*















## Calendar of Meetings

### WIPO Meetings

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

#### 1988

- November 28 to December 2 (Geneva)** **Committee of Experts for the Preparation of the Diplomatic Conference for the Conclusion of a Treaty on the International Registration of Audiovisual Works**  
The Committee will examine a revised version of the draft Treaty on the International Registration of Audiovisual Works. The Committee will decide what substantive documents should be submitted to the Diplomatic Conference and establish the draft agenda and the draft Rules of Procedure of that Conference.  
*Invitations:* States members of WIPO or the Berne Union and, as observers, States members of the United Nations and certain organizations.
- December 5 to 7 (Geneva)** **Madrid Union: Preparatory Committee for the Diplomatic Conference for the Conclusion of Two Protocols Relating to the Madrid Agreement Concerning the International Registration of Marks**  
This Committee will make preparations for the Diplomatic Conference scheduled for 1989 (establishment of the list of States and organizations to be invited, the draft agenda, the draft rules of procedure, etc.).  
*Invitations:* States members of the Madrid Union and Denmark, Greece, Ireland and the United Kingdom.
- December 9 (Geneva)** **Information Meeting for Non-Governmental Organizations on Intellectual Property**  
Participants in this informal meeting will be informed about the recent activities and future plans of WIPO in the fields of industrial property and copyright and their comments on the same will be invited and heard.  
*Invitations:* International non-governmental organizations having observer status with WIPO.
- December 12 to 16 (Geneva)** **Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Fifth Session; Second Part)**  
The Committee will continue to examine a draft treaty on the harmonization of certain provisions in laws for the protection of inventions.  
*Invitations:* States members of the Paris Union and, as observers, States members of WIPO not members of the Paris Union and certain organizations.
- December 12 to 16 (Geneva)** **Executive Coordination Committee of the PCIPI (Permanent Committee on Industrial Property Information) (Third Session)**  
The Committee will review the progress made in carrying out tasks of the Permanent Program on Industrial Property Information for the 1988-89 biennium. It will consider the recommendations of the PCIPI Working Groups and review their mandates.  
*Invitations:* States and organizations members of the Executive Coordination Committee and, as observers, certain organizations.

#### 1989

- February 20 to March 3 (Geneva)** **Committee of Experts on Model Provisions for Legislations in the Field of Copyright (First Session)**  
The Committee will work out standards in the field of literary and artistic works for the purposes of national legislation on the basis of the Berne Convention for the Protection of Literary and Artistic Works.  
*Invitations:* States members of the Berne Union or WIPO and, as observers, certain organizations.
- April 3 to 7 (Geneva)** **WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (Eighth Session)**  
The Committee will review and evaluate the activities undertaken under the WIPO Permanent Program for Development Cooperation Related to Copyright and Neighboring Rights since the Committee's last session (March 1987) and make recommendations on the future orientation of the said Program.

*Invitations:* States members of the Committee and, as observers, States members of the United Nations not members of the Committee and certain organizations.

May 8 to 26 (Washington, D.C.)

**Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits**

The Diplomatic Conference will negotiate and adopt a Treaty on the protection of layout-designs of integrated circuits. The negotiations will be based on a draft Treaty prepared by the International Bureau. The Treaty is intended to provide for national treatment and to establish certain standards in respect of the protection of layout-designs of integrated circuits.

*Invitations:* States members of WIPO or the Paris Union and certain organizations.

May 29 to June 2 (Geneva)

**WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Thirteenth Session)**

The Committee will review and evaluate the activities undertaken under the WIPO Permanent Program for Development Cooperation Related to Industrial Property since the Committee's last session (May 1988) and make recommendations on the future orientation of the said Program.

*Invitations:* States members of the Committee and, as observers, States members of the United Nations not members of the Committee and certain organizations.

June 12 to 28 (Madrid)

**Diplomatic Conference for the Conclusion of Two Protocols Relating to the Madrid Agreement Concerning the International Registration of Marks**

The Diplomatic Conference will negotiate and adopt two Protocols Relating to the Madrid Agreement Concerning the International Registration of Marks. One of the Protocols is intended to make applicable, with certain changes, the Madrid Agreement in respect of countries not yet party to that Agreement; the other Protocol concerns the complementary use of the Madrid Agreement and the (future) Regulation on the Community Trade Mark.

*Invitations:* To be announced in December 1988.

## UPOV Meetings

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

### 1989

April 14 (Geneva)

**Consultative Committee (Thirty-ninth Session)**

The Committee will mainly discuss the outcome of the twenty-fourth session (April 10 to 13) of the Administrative and Legal Committee and prepare the meeting with international organizations.

*Invitations:* Member States of UPOV.

October 16 (Geneva)

**Consultative Committee (Fortieth Session)**

The Committee will prepare the twenty-third ordinary session of the Council.

*Invitations:* Member States of UPOV.

October 17 and 18 (Geneva)

**Council (Twenty-third Ordinary Session)**

The Council will examine the program and budget for the 1990-91 biennium, the reports on the activities of UPOV in 1988 and the first part of 1989.

*Invitations:* Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.

## Other Meetings Concerned with Industrial Property

### 1988

November 28 to December 2 (Strasbourg) Center for the International Study of Industrial Property (CEIPI): The European Patent—Seminar on Practical Aspects of Drafting Claims and Oppositions

December 5 and 6 (Ithaca, New York) Cornell University, Department of Agricultural Economics: Animal Patent Conference (Consideration of Applicable United States and International Law, Technicalities of Deposit Requirements, Status of Animal Science Research into Potentially Patentable Animal Types, Anticipated Impact of Patents on Livestock Breeding Sector and Production Agriculture, and Perspectives of Farmers and Those Concerned About Ethical Issues Involved)

December 5 to 9 (Munich) European Patent Organisation (EPO): Administrative Council

## **1989**

January 23 to 27 (Strasbourg) Center for the International Study of Industrial Property (CEIPI): The European Patent—Seminar on Legal Problems