

# Notifications Concerning Treaties Administered by WIPO

## Madrid Agreement (Marks)

### I. Withdrawal of Declaration Concerning Article 14(2)

#### MONGOLIA

The Government of Mongolia notified, on November 13, 1995, the withdrawal of the declaration that it made under Article 14(2) of the Madrid Agreement Concerning the International Registration of Marks of April 14, 1891, as revised at Stockholm on July 14, 1967, and amended on September 28, 1979, according to which declaration the application of that Agreement was limited to marks registered from the date on which the accession of Mongolia entered into force (see Madrid Notification No. 35, of January 21, 1985).<sup>1</sup>

*Madrid (Marks) Notification No. 75, of November 16, 1995.*

### II. Madrid Protocol (1989)

#### Ratification

#### DENMARK

The Government of Denmark deposited, on November 10, 1995, its instrument of ratification of the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on June 27, 1989 ("Madrid Protocol (1989)"). The said instrument contains the declaration that "until later decision, the Protocol will not be applied to the Faroe Islands or to Greenland."

The Madrid Protocol (1989) will enter into force, with respect to Denmark, on February 13, 1996.

The date on which the said Protocol will become operational will be notified in due course.

*Madrid (Marks) Notification No. 74, of November 13, 1995.*

<sup>1</sup> See *Industrial Property*, 1985, p. 46.

## Strasbourg Agreement

### Accession

#### CUBA

The Government of Cuba deposited, on November 9, 1995, its instrument of accession to the Strasbourg Agreement Concerning the International Patent Classification of March 24, 1971, as amended on September 28, 1979.

The instrument of accession contains the following declaration:

"The Government of the Republic of Cuba deplores that, even after the adoption by the General Assembly of the United Nations of Resolution 1514 (XV) setting forth the Declaration on the granting of independence to colonial countries and peoples, a text of the nature such as that referred to in Article 12(3) of the said Strasbourg Agreement, namely Article 24 of the Stockholm Act (1967) of the Paris Convention for the Protection of Industrial Property, had been adopted." *(Translation)*

The said Agreement will enter into force, with respect to Cuba, on November 9, 1996.

*Strasbourg Notification No. 43, of November 9, 1995.*

## Trademark Law Treaty

### Signatories

During the period during which it was open for signature (that is, until October 27, 1995), the following States and intergovernmental organization had signed the Trademark Law Treaty, done at Geneva on October 27, 1994:

- Austria, Belarus, Belgium, Bosnia and Herzegovina, China, Côte d'Ivoire, Cuba, Czech Republic, Denmark, Dominican Republic, Hungary, Indonesia, Israel, Italy,

Kenya, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Portugal, Republic of Moldova, Russian Federation, Slovakia, Slovenia, South Africa, Swaziland, Switzerland, Togo, Trinidad and Tobago, Turkey, Ukraine, United Kingdom, United States of America, Uruguay, on October 28, 1994;

- Germany, on November 7, 1994; Greece, on November 14, 1994; Senegal, on November 18, 1994; Liechtenstein, on March 8, 1995; Spain, on March 29, 1995; France, on April 12, 1995; Poland, on May 10, 1995; European Communities, on June 30, 1995; Finland, on July 27, 1995; Sweden, on September 26, 1995; Morocco, on October 5, 1995; Gabon, on October 17, 1995; Costa Rica, on October 18, 1995; Netherlands, on October 23, 1995; Cyprus, on October 27, 1995.

Total: 51 signatories (50 States and one intergovernmental organization).

Any of the above listed signatories may become party to the Trademark Law Treaty if it deposits an instrument of ratification.

As concerns nonsignatories, any State member of WIPO that fulfills the conditions stated in either Article 19(1)(i), or (iii), or (iv) or (v) of the Trademark Law Treaty may become party to it by depositing its instrument of accession. Any intergovernmental organization that has not signed the said Treaty and that fulfills the conditions stated in Article 19(1)(ii) may also become party to it by depositing its instrument of accession.

Instruments of ratification or accession are to be deposited with the Director General of WIPO.

The date of entry into force of the Trademark Law Treaty will be notified when the required number of ratifications or accessions is reached in accordance with Article 20(2) of the said Treaty.

The texts of Articles 19 and 20 of the Trademark Law Treaty, referred to above, are reproduced in the attachment to the present Notification.

*TLT Notification No. 1, of November 8, 1995.*

#### ATTACHMENT TO TLT NOTIFICATION NO. 1

##### *Article 19 Becoming Party to the Treaty*

(1) *[Eligibility]* The following entities may sign and, subject to paragraphs (2) and (3) and Article 20(1) and (3), become party to this Treaty:

(i) any State member of the Organization in respect of which marks may be registered with its own Office;

(ii) any intergovernmental organization which maintains an Office in which marks may be registered with effect in the territory in which the constituting treaty of the intergovernmental organization applies, in all its member States or in those of its member States which are designated for such purpose in the relevant application, provided that all the member States of the intergovernmental organization are members of the Organization;

(iii) any State member of the Organization in respect of which marks may be registered only through the Office of another specified State that is a member of the Organization;

(iv) any State member of the Organization in respect of which marks may be registered only through the Office maintained by an intergovernmental organization of which that State is a member;

(v) any State member of the Organization in respect of which marks may be registered only through an Office common to a group of States members of the Organization.

(2) *[Ratification or Accession]* Any entity referred to in paragraph (1) may deposit

(i) an instrument of ratification, if it has signed this Treaty,

(ii) an instrument of accession, if it has not signed this Treaty.

(3) *[Effective Date of Deposit]* (a) Subject to subparagraph (b), the effective date of the deposit of an instrument of ratification or accession shall be,

(i) in the case of a State referred to in paragraph (1)(i), the date on which the instrument of that State is deposited;

(ii) in the case of an intergovernmental organization, the date on which the instrument of that intergovernmental organization is deposited;

(iii) in the case of a State referred to in paragraph (1)(iii), the date on which the following condition is fulfilled: the instrument of that State has been deposited and the instrument of the other, specified State has been deposited;

(iv) in the case of a State referred to in paragraph (1)(iv), the date applicable under (ii), above;

(v) in the case of a State member of a group of States referred to in paragraph (1)(v), the date on which the instruments of all the States members of the group have been deposited.

(b) Any instrument of ratification or accession (referred to in this subparagraph as "instrument") of a State may be accompanied by a declaration making it a condition to its being considered as deposited that the instrument of one other State or one intergovernmental organization, or the instruments of two other States, or the instruments of one other State and one intergovernmental organization, specified by name and eligible to become party to this Treaty, is or are also deposited. The instrument con-

taining such a declaration shall be considered to have been deposited on the day on which the condition indicated in the declaration is fulfilled. However, when the deposit of any instrument specified in the declaration is, itself, accompanied by a declaration of the said kind, that instrument shall be considered as deposited on the day on which the condition specified in the latter declaration is fulfilled.

(c) Any declaration made under paragraph (b) may be withdrawn, in its entirety or in part, at any time. Any such withdrawal shall become effective on the date on which the notification of withdrawal is received by the Director General.

#### Article 20

##### *Effective Date of Ratifications and Accessions*

(1) [*Instruments to Be Taken Into Consideration*] For the purposes of this Article, only instruments of ratification or accession that are deposited by entities referred to in Article 19(1) and that have an effective date according to Article 19(3) shall be taken into consideration.

(2) [*Entry Into Force of the Treaty*] This Treaty shall enter into force three months after five States have deposited their instruments of ratification or accession.

(3) [*Entry Into Force of Ratifications and Accessions Subsequent to the Entry Into Force of the Treaty*] Any entity not covered by paragraph (2) shall become bound by this Treaty three months after the date on which it has deposited its instrument of ratification or accession.

## Eurasian Patent Convention

### Ratification

#### REPUBLIC OF MOLDOVA

The Government of the Republic of Moldova deposited, on November 16, 1995, its instrument of ratification of the Eurasian Patent Convention.

The said Convention will enter into force, with respect to the Republic of Moldova, on February 16, 1996.

As indicated in EAPC Notification No. 5,<sup>2</sup> the starting date of operations under the said Convention will be notified in due course.

*EAPC Notification No. 10, of November 16, 1995.*

<sup>2</sup> See *Industrial Property and Copyright*, 1995, p. 238.

## Normative Activities of WIPO

### Permanent Committee on Industrial Property Information (PCIPI)

Fifth Session<sup>1</sup>  
(Geneva, September 26, 1995)

The following 40 members of the Permanent Committee were represented at the session: Austria, Belarus, Brazil, Canada, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Japan, Kenya, Latvia, Lithuania, Malawi, Mexico, Mongolia, Morocco, Netherlands, Portugal, Republic of Moldova, Romania, Russian Federation, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, United Kingdom, United States of America, African Intellectual Property Organization (OAPI). The Commission of the European Communities (CEC) and the Patent Documentation Group (PDG) were represented by observers.

The Permanent Committee approved the draft report of the Director General on the activities of the

<sup>1</sup> For a note on the previous session, see *Industrial Property*, 1993, p. 393.

Permanent Committee between July 1, 1993, and June 30, 1995, and unanimously endorsed his proposal for the PCIPI policy in the 1996-97 biennium which had been suggested by the PCIPI Executive Coordination Committee (PCIPI/EXEC), i.e., that the PCIPI should focus on ways and means to facilitate the international exchange of industrial property information, and to harmonize practices by industrial property offices in respect of procedures on electronic data carriers.

The Permanent Committee finally discussed the question, raised by Greece, of the use of the two-letter code "MK" to denote The former Yugoslav Republic of Macedonia and decided that the code "MK" should be kept in WIPO Standard ST.3 unless and until the ISO 3166 Maintenance Agency decides to provide another code and that, should another code be approved by that Agency, WIPO Standard ST.3 should be revised accordingly.

### WIPO Symposium on CD-ROMs for Patent Information

(Geneva, September 21 and 22, 1995)

The Symposium was attended by some 90 participants from Belgium, Brunei Darussalam, Bulgaria, Cameroon, Canada, Chile, Croatia, Cuba, the Czech Republic, Egypt, Finland, France, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Japan, Kenya, Kyrgyzstan, Laos, Lithuania, Malawi, Malaysia, Norway, the Philippines, Poland, the Republic of Moldova, Romania, the Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sweden, Thailand, The former Yugoslav Republic of Macedonia, the United Arab Emirates, the United Kingdom, Venezuela, Viet Nam, the European Patent Office (EPO), PDG and the journal *World Patent Information (WPI)*.

The purpose of the Symposium was to discuss the experience of industrial property offices in the production, dissemination and use of patent information on CD-ROM, which has recently emerged as a major data carrier.

Presentations were made by eight invited speakers who came from the EPO, the United States Patent and Trademark Office (USPTO), the Japanese Patent Office (JPO), the Swedish Patent and Registration Office, the Swiss Federal Intellectual Property Office (FIPO), the Mexican Institute of Industrial Property (IMPI), the Chinese Patent Office (CPO) and the British Library.

The Symposium ended with a panel discussion during which the invited speakers were of the general agreement that CD-ROMs as a cost-effective and space-saving data medium were not only currently the best carrier for archive and dissemination, but were also useful as a search tool for patent information in certain circumstances, especially when associated with network and jukebox use. It was also observed that CD-ROMs would continue to remain an effective data carrier for patent information in the foreseeable future.

## WIPO World Forum on the Protection of Intellectual Creations in the Information Society

(Naples, October 18 to 20, 1995)

The Forum was organized by WIPO, in cooperation with the Presidency of the Council of Ministers and the Ministry of Foreign Affairs of Italy, with the assistance of the Italian Society of Authors and Publishers (SIAE).

The purpose of the Forum was to: (i) discuss the need for new international norms in response to the challenges of digital technology; (ii) deal with the practical aspects of the protection and management of copyright and neighboring rights in a digital environment; (iii) review issues of private international law emerging as a result of the growing contradictions between the traditional principle of territoriality of copyright and neighboring rights and the transborder and global nature of international digital networks.

Three hundred participants from government and private sectors, non-governmental organizations and academic circles of 40 countries attended the Forum, as well as a large number of local participants. There were five working sessions during which the members of the various panels were invited by the respective moderators to give their views on selected topical questions and to participate in the ensuing debate with the audience. The Forum was held in English, French and Italian, with simultaneous interpretation.

The Forum was officially opened by Mr. Antonio Bassolino, Mayor of Naples, Mrs. Matelda Grassi, Deputy Minister of Labor, and Dr. Arpad Bogsch, Director General of WIPO, who also acted as moderator in the second working session of this Forum.

Keynote speeches were delivered in the first working session by Mr. Carlo De Benedetti, Chairman and Chief Executive Officer of Olivetti (Ivrea), Mr. Giuseppe Tornatore, Film Director (Rome), and Mr. Vittorio Sgarbi, President, Commission for Culture of the Italian Chamber of Deputies.

The panelists came from China, Egypt, France, Israel, Italy, Japan, the Netherlands, Sweden, the

United States of America and the European Commission, and from nine non-governmental organizations.

The following four working sessions dealt with these themes: (i) norm-setting at the national and international levels (to respond to questions concerning what new norms, and/or what kind of clarification of existing norms, if any, are needed in respect of multimedia productions, digital transmission/delivery systems, the notions of "public" and "private," the exception to, and limitations on, rights, and digital systems for the protection and management of rights, what level of international harmonization would be desirable in these respects, and what may be left to the application of the principle of national treatment); (ii) the exercise and enforcement of rights (to respond to questions concerning how the rights and interests of the various categories of rights owners will be influenced by the application of digital systems, what modifications, if any, are necessary in the relevant norms, how they intend to exercise their rights in respect of multimedia productions and digital transmission/delivery systems, and what assistance they require in that field from national legislators and governments and from international organizations); (iii) private international law aspects of the global information infrastructure (to respond to questions concerning what should be solved through international harmonization of copyright and neighboring rights, and what may be left to the application of private international law, what kind of revision, if any, of the points of attachment of the application of international treaties is needed, how the principle of territoriality of copyright and neighboring rights may be reconciled with the transborder nature of digital transmission/delivery systems, and how the applicable law may be determined in the case of such systems); (iv) a review of WIPO's activities in the field of international harmonization of the protection and management of copyright.

## Registration Systems Administered by WIPO

### Patent Cooperation Treaty (PCT)

#### Training and Promotion Meetings With PCT Users

*Colombia.* In September 1995, Dr. Marco Aurelio Zuluaga Giraldo, Director General, Directorate General of Industry and Commerce, was briefed on the most important features of the PCT by WIPO officials in Geneva and expressed his Government's interest in adhering to WIPO-administered treaties.

*Cuba.* In September 1995, Mrs. América Santos Rivera, Director, National Office of Inventions, Technical Information and Marks, had discussions with WIPO officials in Geneva on various aspects of the PCT and Cuba's possible accession to the Treaty.

*France.* In September 1995, a representative of the National Institute of Industrial Property Agents (CNCPI) had discussions with WIPO officials in Geneva concerning possible future cooperation between WIPO and CNCPI in organizing a PCT seminar for French patent attorneys as well as a round table open to PCT users in France.

*Madagascar.* In September 1995, Mr. Maurice Ratovonjanahary, Director General, Malagasy Industrial Property Office, had discussions with WIPO officials in Geneva on issues concerning the application of the PCT in his country.

*Malawi.* In September 1995, Mr. Mzondi Haviland Chirambo, Registrar General, Department of the Registrar General, had discussions with WIPO officials in Geneva on cooperation between Malawi and WIPO, particularly in organizing a regional PCT seminar for English-speaking African countries in Malawi in 1996.

*Malaysia.* In September 1995, Datuk Samsudin bin Osman, Secretary General, Ministry of Domestic Trade and Consumer Affairs, and Mrs. Hafisah Mustaffa, Director, Intellectual Property Division, had discussions with WIPO officials in Geneva on Malaysia's possible accession to the PCT and the main advantages of such accession for the country.

*Switzerland.* In September 1995, three WIPO officials conducted a PCT seminar organized by a

private company in Basel. There were about 120 participants, mainly patent attorneys and patent administrators from the chemical industry.

*Turkey.* In September 1995, Mr. Uğur G. Yalçiner, President, Turkish Patent Institute, had discussions with WIPO officials in Geneva on PCT-related matters, including the possible training of government officials in receiving Office procedures under the PCT and the holding of a PCT seminar in the country.

*United States of America.* In September 1995, a WIPO official attended a public hearing held by the United States Patent and Trademark Office (USPTO) in Washington, D.C., on the proposed rules for the USPTO's implementation of the 18-month publication system under the PCT.

Also in September 1995, three USPTO officials visited WIPO in Geneva as part of a series of exchange visits to synchronize the PCT operational activities undertaken by the International Bureau and the USPTO. They were given a tour of the PCT operations and had discussions with WIPO officials on current issues, including cooperation in organizing PCT seminars and other training activities.

*Uruguay.* In September 1995, Mrs. Rosario Lagarmilla, Technical Director, National Directorate of Industrial Property, was briefed on the most important features of the PCT by WIPO officials in Geneva and discussed with them Uruguay's possible accession to the Treaty.

*European Patent Office (EPO).* In September 1995, three EPO officials visited WIPO in Geneva and were given a presentation of the automated systems used for the PCT operations of the International Bureau. They also had discussions with WIPO officials on a number of PCT matters.

#### Computerization Activities

*EASY (Electronic Application SYstem) Project.* In September 1995, two WIPO officials undertook two separate missions to the USPTO in Washington, D.C. One WIPO official had a series of meetings with USPTO officials to discuss the finalization of a user-testable version of the PCT EASY software. The oth-

er WIPO official participated in a Working Group Meeting organized with the USPTO, the EPO and Japanese Patent Office (JPO) officials to discuss current technical and legal issues, and to present a pro-

posed plan and schedule for the future of the EASY project which would be submitted to the said three Offices at their forthcoming meeting in October 1995.

## Madrid Union

### Entry Into Force on December 1, 1995, of the Madrid Protocol

The Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on June 27, 1989, entered into force on December 1, 1995. For the Protocol to become operational, however, it will be necessary for the Assembly of the Madrid Union to adopt implementing Regulations, common to the Madrid Agreement and the Protocol, and to fix the date of their entry into force, which date will be also the date of entry into operation of the Protocol. The Assembly of the Madrid Union has been convened in an extraordinary session, to take place from January 15 to 18, 1996, for that purpose. The target date for the entry into force of the new Regulations and the entry into operation of the Protocol, as endorsed by the Assembly of the Madrid Union at its September-October 1995 session, is April 1, 1996.

Like the Madrid Agreement, the Protocol will afford nationals of its Contracting Parties the possibility of seeking protection for their marks (trademarks or service marks) in the other Contracting Parties by means of a single international application filed through their Office of origin, in one language, with a minimum of formalities, with one set of international fees paid in one single currency, and resulting in only one registration and one renewal date to monitor.

While retaining the basic features of the Madrid Agreement, the Protocol introduces in the system of international registration of marks a number of innovations, the purposes of which are twofold: first, to expand the geographical coverage of the Madrid system by making it easier for countries which, for various reasons, have not found it possible to join the Madrid Agreement to become part of the Madrid system;<sup>1</sup> second, to establish links between the Madrid system and the emerging Community Trade Mark system.

The main innovations introduced by the Protocol are the following:

- (a) the possibility to base an international application not only on a registration made by the Office of origin but also on a mere application filed with the Office of origin;
- (b) the possibility, where an international registration is canceled as a result of failure of the basic application to mature into a registration or as a result of the invalidation of the basic registration or of the registration resulting from the basic application, to transform that international registration into national (or regional) applications in the designated Contracting Parties, the said applications being treated as if they had been filed on the date of the international registration and enjoying the same priority as the international registration enjoyed, as the case may be, under the Paris Convention;
- (c) the possibility, for Contracting Parties, to elect a time limit of 18 months for notifying a refusal of protection (instead of the standard 12 months) or even longer, under certain conditions, when the refusal may result from an opposition;
- (d) the possibility for a Contracting Party to elect to receive, for each designation made of it, and instead of its share in the proceeds of the standard designation (complementary and supplementary) fees, an individual fee whose amount it shall fix itself within the limits of the fee which would be payable for a 10-year registration or a 10-year renewal in the register of that Contracting Party;
- (d) the possibility—and here comes the link with the Community Trade Mark—for an international organization having a regional Office for the purposes of registering marks with effect in the territory of that organization to become party to the Protocol, meaning that that organization could be designated in an international application and that an international application could be based on a registration made by, or an application filed with, that organization.

The Protocol is an international agreement of its own, binding only on the States or organizations that have acceded to it. Contracting Parties of the Protocol, however, will be members of the same Union (the Madrid Union) as the States party to the Madrid Agreement. While it is expected that, rapidly, most countries party to the Madrid Agreement will become party also to the Protocol, in order to enable their nationals to secure protection for their marks,

<sup>1</sup> The 46 countries currently party to the Madrid Agreement are the following: Albania, Algeria, Armenia, Austria, Azerbaijan (with effect from December 25, 1995), Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Egypt, France, Germany, Hungary, Italy, Kazakstan, Kyrgyzstan, Latvia, Liberia (with effect from December 25, 1995), Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sudan, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Ukraine, Uzbekistan, Viet Nam, Yugoslavia.

through the Madrid system, in Contracting Parties bound only by the Protocol, there will be, for a number of years, three groups of members of the Madrid Union: States party only to the Madrid Agreement, States and organizations party only to the Protocol, and States party to both the Madrid Agreement and the Protocol.

The question then arises of which instrument will be binding between States party to both the Agreement and the Protocol. This is regulated by the Protocol which contains a provision, known as the "safeguard clause," to the effect that where, with regard to a given international application or registration, the Office of origin is the Office of a State party to both the Agreement and the Protocol, that international application or registration will, with respect to any other State also party to both the Agreement and the Protocol, be governed exclusively by the Agreement. In other words, designations made, in the international application or subsequent to the international registration, by an applicant or holder from a country party to both instruments will be governed by the Protocol as regards Contracting Parties bound only by the Protocol, and by the Agreement as regards countries bound by the Agreement, whether or not the latter countries are bound also by the Protocol.

However distinct the two instruments are, their combination will be largely facilitated by a common set of implementing Regulations, a common schedule of fees (except for the individual designation fees applicable only under the Protocol) and common official forms (except for the international application form of which, for the convenience of users, there will be three versions: one for applications governed exclusively by the Agreement, one for applications governed exclusively by the Protocol and one for applications governed by both).

On December 1, 1995, six countries had ratified or acceded to the Protocol, three of which are also

party to the Madrid Agreement (China, Cuba, Spain) and three of which are not (Denmark, Sweden, United Kingdom). Prospects are good that, by the time the Protocol becomes operational, several more countries will deposit their instrument of ratification or accession, including from among the countries from which an important share of international applications under the Madrid Agreement currently originate.

### **Training and Promotion Meetings With Users of the Madrid System**

*Brazil.* In September 1995, Mrs. Vanda Scartezini, President, National Institute of Industrial Property, and Secretary of Industrial Technology, and another government official were briefed by WIPO officials in Geneva on the procedures under the Madrid Agreement Concerning the International Registration of Marks and the Protocol thereunder (Madrid Protocol), and visited the International Trademark Registry.

*China.* In September 1995, two government officials from the State Administration for Industry and Commerce (SAIC) discussed with WIPO officials in Geneva certain issues relating to the Madrid Protocol, in particular future cooperation between the Chinese Trademark Office and WIPO in organizing, in the coming months, a meeting on the Madrid Protocol for its users in China and a practical training seminar on procedures under the new Regulations for the staff of that Office.

*Portugal.* In September 1995, a government official had discussions with WIPO officials in Geneva on the linkages between the provisions of the new Intellectual Property Code of Portugal (which entered into force in June 1995) and the provisions of the Madrid Agreement.



## WIPO Arbitration Center

*Institut für gewerblichen Rechtsschutz (INGRES).* In September 1995, a WIPO official made a presentation on the WIPO Arbitration Center at a Seminar on Intellectual Property Disputes which was organized in conjunction with the annual meeting of INGRES in Zurich.

*International Association of Young Lawyers (AIJA).* In September 1995, a representative of AIJA had discussions with WIPO officials in Geneva on WIPO's possible participation in a seminar on the arbitration of intellectual property disputes which AIJA will organize in Belgium in 1996.

## Activities of WIPO Specially Designed for Developing Countries

### Africa

#### Training Courses, Seminars and Meetings

*African Introductory Course on Industrial Property (Ethiopia).* From September 13 to 22, 1995, WIPO organized that Course in Addis Ababa, in cooperation with the Government of Ethiopia. The Course was attended by 14 government officials from Eritrea, the Gambia, Ghana, Kenya, Lesotho, Malawi, Namibia, Nigeria, Seychelles, Sierra Leone, South Africa, Uganda, the United Republic of Tanzania and Zimbabwe, as well as 40 local participants from government, university and research circles and the business community. Presentations were made by seven WIPO consultants from Ethiopia, India, the Netherlands, Slovenia, South Africa, Sweden, the European Patent Office (EPO) and two WIPO officials.

*WIPO National Seminar on Publishing and Copyright (Zambia).* On September 1, 1995, WIPO organized that Seminar in Lusaka, in cooperation with the Government of Zambia. The Seminar was

attended by 60 participants who were writers, publishers and librarians. Papers were presented by a WIPO consultant from Switzerland, a government official from Malawi and a WIPO official.

*WIPO National Seminar on Copyright (Malawi).* On September 4 and 5, 1995, WIPO organized that Seminar in Lilongwe, in cooperation with the Government of Malawi. The Seminar was attended by 30 participants from the police and customs authorities. Papers were presented by a WIPO consultant from Switzerland, government officials from Malawi and a WIPO official.

*WIPO National Seminar on Copyright and Neighboring Rights (Lesotho).* On September 11 and 12, 1995, WIPO organized that Seminar in Maseru, in cooperation with the Government of Lesotho. The Seminar was attended by 50 participants who were writers, composers, publishers, producers of sound recordings and librarians. Papers were presented by a WIPO consultant from Switzer-

land, a university professor and a government official from Lesotho, and a WIPO official.

#### **Assistance With Training, Legislation and Modernization of Administration**

*Angola.* In September 1995, a WIPO official undertook a preparatory mission to Luanda to discuss with government officials the organization of a WIPO Regional Seminar on Copyright and Neighboring Rights for Portuguese-Speaking African Countries, to take place in Luanda in November 1995.

*Ethiopia.* In September 1995, two WIPO officials held discussions with government officials in Addis Ababa concerning Ethiopia's expected accession to the WIPO Convention and WIPO's possible assistance in strengthening the country's industrial property administration.

*Guinea.* In September 1995, Mr. Sekou Konaté, Minister for Industry, Commerce and Handicraft, held discussions with WIPO officials in Geneva on the strengthening of mutual cooperation.

*Lesotho.* In September 1995, Mrs. 'Nyalleng 'Mabakuena Pii, Registrar-General, held discus-

sions with WIPO officials in Geneva on Lesotho's draft Industrial Property (Amendment) Bill 1995, in particular on its provisions dealing with Patent Cooperation Treaty (PCT) applications and with marks.

Also in September 1995, the United Nations Development Programme (UNDP) Resident Representative in Lesotho discussed with WIPO officials in Geneva a possible UNDP-funded country project for Lesotho to be executed by WIPO.

*South Africa.* In September 1995, Justice Harms, Chairman, Advisory Committee on Patents, Trade Marks, Designs and Copyright, and Ms. Louise Marie van Greunen, Registrar of Patents, Trade Marks, Designs and Copyright, held discussions with the Director General and other WIPO officials in Geneva on subregional cooperation issues, as well as training events in the field of intellectual property that could be organized in the future in South Africa.

*African Intellectual Property Organization (OAPI).* In September 1995, Mr. Albert Makita-Mbamba, *Administrateur délégué*, and two OAPI officials had discussions with WIPO officials in Geneva on cooperation between WIPO and OAPI in 1996.

## **Arab Countries**

#### **Training Courses, Seminars and Meetings**

*Qatar.* In September 1995, a government official attended a WIPO-organized practical training program in the field of industrial property at the Academy of Scientific Research and Technology in Cairo.

*Tunisia.* In September 1995, a government official attended a WIPO-organized practical training program in the field of industrial property at the National Institute of Industrial Property in Paris.

#### **Assistance With Training, Legislation and Modernization of Administration**

*Algeria.* In September 1995, Mr. Azzedine Moncef Kateb, Director General, National Copyright Office, discussed with WIPO officials in Geneva WIPO's assistance to Algeria and the country's needs in the field of training. He requested WIPO to provide assistance to the Maghreb Commission for Standardization and Industrial Property, particularly with a view to fostering cooperation in the field of industrial property among the Commission's member States.

*Bahrain.* In September 1995, the Assistant Under-Secretary for Culture and National Heritage, Ministry of Cabinet Affairs and Information, and Mr. Mohammed Dharar Al-Shaer, Registrar, Registry of Patents, Designs and Trade Marks, discussed with WIPO officials in Geneva the advantages of Bahrain's accession to the Paris Convention for the Protection of Industrial Property and the Berne Convention for the Protection of Literary and Artistic Works, and the Government's recent initiatives to amend its trademark and copyright laws and to computerize the operations of its Registry of Patents, Designs and Trade Marks.

*Egypt.* In September 1995, a government official visited WIPO in Geneva to discuss cooperation between Egypt and WIPO in the field of copyright.

Also in September 1995, Mr. Mahmoud Youssef Saada, Vice President, Academy of Scientific Research and Technology, and Mr. Badr El Sayed Badr Nassar, Chairman, Administration of Commercial Registration, reviewed with WIPO officials in Geneva possibilities for cooperation in on-the-job training in the field of examination of trademarks and industrial designs, the organization of a national seminar on trademarks in 1996, and the installation,

at the Administration of Commercial Registration, of electronic data processing systems and other modern office equipment.

*Jordan.* In September 1995, Mr. Ousama Mahmoud Mikdadi, Director General, Department of the National Library, and another government official discussed with WIPO officials in Geneva matters of mutual interest and requested WIPO's assistance in preparing a draft industrial property law and comments on the copyright law. They indicated that Jordan was considering acceding to the Berne Convention.

*Morocco.* In September 1995, Mr. Aziz Bouazzaoui, Director, Moroccan Industrial Property Office, discussed with WIPO officials in Geneva the preparation of a draft country project document and possibilities of funding an extension of the UNDP-financed country project.

*Qatar.* In September 1995, Mr. Najib Bin Mohamed Bin Ahmed Al Mahanna Al Nauimi, Minister of Justice, discussed with WIPO officials in Geneva matters of mutual cooperation.

Also in September 1995, Mr. Abdulla Qayed, Head, Copyright Office, discussed with WIPO offi-

cials in Geneva possible follow-up action to the WIPO mission that visited Qatar earlier in 1995, and requested WIPO's assistance in providing training for the staff of his Office and in organizing, in 1996, a national seminar on intellectual property.

*Saudi Arabia.* In September 1995, a government official discussed with WIPO officials in Geneva Saudi Arabia's needs in the field of training and legislative advice, and WIPO's possible assistance to the proposed Gulf Cooperation Council (GCC)'s unified patent office.

*Sudan.* In September 1995, Mr. Abd Elrahman A. Ibrahim, Commercial Registrar General, Attorney General's Chambers, discussed with WIPO officials in Geneva WIPO's assistance in the revision of Sudan's industrial property and copyright laws, and the possible dates of the visit to WIPO of two government officials for this purpose.

*Tunisia.* In September 1995, Mr. Ali Bengaïd, President Director General, National Institute for Standardization and Industrial Property (INNORPI), visited WIPO in Geneva and discussed with WIPO officials cooperation between his country and WIPO.

## Asia and the Pacific

### Training Courses, Seminars and Meetings

*Third WIPO/ASEAN (Association of South East Asian Nations) Consultation Meeting on their Cooperation in the Field of Intellectual Property (Geneva).* In September 1995, WIPO organized that meeting at its headquarters in Geneva. The seven ASEAN member countries (Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore, Thailand, Viet Nam) were represented at the level of the Permanent Representatives of their Missions in Geneva. The ASEAN Secretariat was represented by a senior official. WIPO was represented by the Director General and other WIPO officials. The activities carried out jointly with ASEAN member countries or the ASEAN Secretariat from June 1994 to August 1995 were reviewed and follow-up action and suggestions for future activities were considered and agreed upon.

*WIPO National Seminar on the Role of the Industrial Property System in Economic Development (Islamic Republic of Iran).* From September 11 to 13, 1995, WIPO organized that Seminar in Tehran, in cooperation with the Government of the Islamic Republic of Iran and UNDP. Three WIPO consultants from Hungary, Sweden and the United Kingdom,

two WIPO officials and five local speakers made presentations. There were some 200 participants from various government ministries, the judiciary, industry, the legal profession and academia.

*WIPO Roving Seminars on the Role of Trademarks in the Marketing of Goods and Services (India).* From September 15 to 25, 1995, WIPO organized those Roving Seminars, in cooperation with the Federation of Indian Chambers of Commerce and Industry (FICCI), in New Delhi, Calcutta, Madras, Bombay and Ahmedabad. Two WIPO consultants from Switzerland and the United Kingdom and local speakers presented papers at these seminars. One WIPO official also participated. There were some 75 participants in Delhi, 35 in Calcutta, 80 in Madras, 60 in Bombay and 65 in Ahmedabad. The participants were trademark agents, solicitors and industrialists. The seminars were financed under the country trademark project.

### Assistance With Training, Legislation and Modernization of Administration

*Brunei Darussalam.* In September 1995, a WIPO consultant from Australia undertook a mission to

Brunei Darussalam to provide information and training to government officials on the application of the International (Vienna) Classification of the Figurative Elements of Marks. The mission was financed under the European Communities (EC)-ASEAN Patents and Trademarks Program.

Also in September 1995, a government official discussed with WIPO officials in Geneva matters pertaining to the proposed UNDP-funded country project for the strengthening of intellectual property in Brunei Darussalam.

*China.* In September 1995, Mr. Gao Lulin, Director General of the Chinese Patent Office (CPO), held discussions in Geneva with the Director General and other WIPO officials on cooperation in the fields of patent protection and promotion of inventions.

Also in September 1995, a government official from the National Copyright Administration of China (NCAC) had discussions with the Director General and other WIPO officials in Geneva on the possible organization in 1996, in China, of seminars on various aspects of copyright. They also had discussions on the possible revision of the Chinese Copyright Law.

Also in September 1995, two WIPO officials visited Beijing and held discussions with government officials from the State Administration for Industry and Commerce (SAIC) on mutual cooperation in the trademark field, with the Deputy Secretary General of the State Council on cooperation on intellectual property legislation, and with government officials from the CPO on cooperation in the patent field.

*Democratic People's Republic of Korea.* In September 1995, Mr. Jang Rak Chon, Director General of the Invention Office, had discussions in Geneva with the Director General and other WIPO officials on cooperation in the industrial property field.

Also in September 1995 and in early October 1995, a WIPO consultant from Australia undertook a mission, under the UNDP-financed country project for the modernization of the industrial property system, to the Invention Office in Pyongyang on the computerization of the Office's activities.

*India.* In September 1995, Mr. K. Karunakaran, Minister of Industry, accompanied by government officials, visited WIPO and held discussions with the Director General on matters of mutual cooperation. The two country projects, in the fields of patent information and trademarks, respectively, were reviewed by WIPO officials with two government officials from that Ministry.

Also in September 1995, a WIPO consultant from the United Kingdom, accompanied by another expert from the United Kingdom, undertook a mission, under the UNDP-funded country project in the field of trademarks, to the Trade Marks Registry in Bom-

bay to assist in the preparation of a manual on trademark procedures.

*Iran (Islamic Republic of).* In September 1995, two WIPO officials held discussions with government and UNDP officials in Tehran on the reinforcement of the country's cooperation with WIPO and the possibility of further development of the national intellectual property system.

Also in September 1995, a WIPO consultant from Hungary undertook a mission, under the UNDP-financed country project, to the Registration Organization of Deeds, Intellectual and Industrial Property in Tehran, to assist in the computerization of its activities.

Also in September 1995, Mr. Syed Reza Zavareie, Head of the Registration Organization of Deeds, Intellectual and Industrial Property, and another government official held discussions with the Director General and other WIPO officials in Geneva on existing and future cooperation between the Islamic Republic of Iran and WIPO.

*Malaysia.* In September 1995, Datuk Samsudin bin Osman, Secretary General of the Ministry of Domestic Trade and Consumer Affairs, and Mrs. Hafisah Mustaffa, Director of the Intellectual Property Division, held discussions with WIPO officials in Geneva on mutual cooperation, and in particular on the provisions of the Malaysian draft industrial design law and regulations.

*Mongolia.* In September 1995, Mr. Chultemiin Ulaan, State Minister and Chairman of the National Development Board, and Mr. Damdinsurengiin Demberel, Director of the Patent Office, held discussions with the Director General in Geneva on matters of mutual cooperation.

*Singapore.* In September 1995, a WIPO official had discussions in Singapore with officials in various government departments on continuing cooperation between the country and WIPO.

*Thailand.* In September 1995, the International Bureau prepared and sent to the government authorities, at their request, a draft law on geographical indications, with a commentary.

*Tonga.* In September 1995, the International Bureau prepared and sent to the government authorities, at their request, comments on the draft law on copyright and neighboring rights.

*Viet Nam.* In September 1995, Mr. Doan Phuong, Director General, National Office of Industrial Property, and another government official had discussions with WIPO officials in Geneva on the strengthening of mutual cooperation.

*Association of South East Asian Nations (ASEAN).* In September 1995, an official from the EPO held discussions with WIPO officials in Geneva on planned activities under the EC-ASEAN Patents and Trademarks Program.

*United Nations Development Programme (UNDP).* In September 1995, three WIPO officials attended the Information and Consultation Meeting organized in Geneva by the UNDP Regional Bureau

for Asia and the Pacific, to discuss priorities and modalities for the implementation of the Sixth UNDP Programming Cycle, commencing in 1997.

*Australia.* In September 1995, Mr. Andrew Bain, Director General, Australian Industrial Property Organisation, and another government official discussed with WIPO officials in Geneva development cooperation activities in favor of developing countries in the Asia-Pacific region.

## Latin America and the Caribbean

### Training Courses, Seminars and Meetings

*WIPO Regional Seminar on Copyright and Neighboring Rights for Latin American Countries (Washington, D.C.).* From September 18 to 22, 1995, WIPO organized that Seminar in Washington, D.C., in cooperation with the International Copyright Institute (ICI) of the Copyright Office of the United States of America. The Seminar was attended by 33 participants from the 16 following countries: Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru, Uruguay, Venezuela. Presentations were made by four WIPO consultants from Argentina, Colombia, Venezuela and the Society for the Administration of the Rights of Performing Artists and Musicians (ADAMI), a number of experts from the United States of America and two WIPO officials.

### Assistance With Training, Legislation and Modernization of Administration

*Brazil.* In September 1995, Mrs. Vanda Scartezini, President, National Institute of Intellectual Property (INPI), and Secretary of Industrial Technology, had discussions with the Director General and other WIPO officials in Geneva on future cooperation between Brazil and WIPO and regional and subregional issues in the field of industrial property.

*Chile.* In September 1995, Mr. Rafael Lorenzini Paci, Head of the Industrial Property Department, met with WIPO officials in Geneva to discuss cooperation between Chile and WIPO, including joint training meetings to be organized in the country.

*Colombia.* In September 1995, Dr. Marco Aurelio Zuluaga Giraldo, Director General of Industry and Commerce, met with WIPO officials in Geneva to discuss cooperation with Colombia in the field of industrial property and, in particular, the strengthening of industrial property information in the country.

*Cuba.* In September 1995, Mrs. América Santos Rivera, Director of the National Office of Inventions, Technical Information and Marks, on the occasion of the deposit with the Director General of the instruments of accession of Cuba to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks and the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, held discussions with the Director General and other WIPO officials in Geneva on further cooperation between Cuba and WIPO.

*Ecuador.* In September 1995, a government official visited WIPO and met with the Director General and other WIPO officials in Geneva to discuss cooperation with Ecuador in the industrial property and copyright fields.

*Mexico.* In September 1995, Mr. Jorge Amigo Castañeda, Director General of the Mexican Institute of Industrial Property (IMPI), discussed with the Director General and other WIPO officials in Geneva cooperation with Mexico in the field of industrial property, and in particular the computerization of IMPI.

Also in September 1995, a WIPO consultant from Spain undertook a mission to Mexico City, under the project for the modernization of IMPI, to assist IMPI in the preparation of guidelines for the examination of applications for trademark registration and the preparation of forms for the processing of those applications.

Also in September 1995, WIPO organized a study visit on patent examination procedures for five government officials at the EPO in Munich and The Hague.

*Peru.* In September 1995, a government official discussed with WIPO officials in Geneva matters of mutual cooperation.

*Saint Lucia.* In September 1995, the International Bureau prepared and sent to the government author-

ities, at their request, provisions for updating the draft Industrial Property Act, with a commentary.

*Trinidad and Tobago.* In September 1995, a WIPO consultant from Chile undertook a mission to Port of Spain, under the project for the modernization of the Industrial Property Registry and to assist it in the computerization of its patent and trademark operations.

Also in September 1995, a government official held discussions with WIPO officials in Geneva on the implementation of the said project.

*Uruguay.* In September 1995, Mrs. Rosario Lagarmilla, Technical Director, National Directorate of Industrial Property, met with WIPO officials in Geneva to review the implementation of the project in the field of industrial property.

## Development Cooperation (in General)

### Training Courses, Seminars and Meetings

#### Working Group of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property

Second Session<sup>1</sup>  
(Geneva, September 11 and 13, 1995)

Fifteen of the 21 States members of the Working Group were represented, namely: Austria, Brazil, Canada, Chile, China, France, Germany, Japan, Philippines, Romania, Spain, Switzerland, United States of America, Uruguay, Zimbabwe.

Discussions were based on the reports on WIPO's activities in 1994 and the first six months of 1995. The Working Group reviewed and evaluated the progress of the Permanent Program for Development Cooperation Related to Industrial Property since the last session of the Permanent Committee held in June 1994,<sup>2</sup> focusing on the main orientations of the Permanent Program as endorsed by the Permanent Committee at its 1994 session.

All delegations that made statements expressed their appreciation for the development cooperation activities carried out during the period under review and underscored the importance they attached to those activities. The Working Group referred to the continuing importance of human resource development as one of the cornerstones of the Permanent Program and stressed the constant need for widening the scope of the training programs implemented by the International Bureau. Most of the delegations encouraged WIPO to pursue its efforts to open its training program to a wide range of officials from various government departments and ministries and from the private sector, as well as to keep those officials and participants informed of the new trends in the field of intellectual property protection and the trade-related issues involved.

The Working Group expressed its appreciation of WIPO's activities in providing legal advice to developing countries on issues relating to industrial property, especially in view of the need to adapt national or regional legislation to conform to the provisions of the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), and encouraged the International Bureau to extend this assistance. The report of the Working Group was noted by the Governing Bodies of WIPO during their sessions later in September/October 1995.

#### Working Group of the WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights

Second Session<sup>3</sup>  
(Geneva, September 12 and 14, 1995)

Sixteen of the 21 States members of the Working Group were represented, namely: Argentina, Canada, China, Finland, France, Ghana, Hungary, Indonesia, Japan, Mexico, Pakistan, Republic of Korea, Spain, Switzerland, United Kingdom, United States of America.

The Working Group reviewed and evaluated the activities of WIPO under the Permanent Program for Development Cooperation Related to Copyright and Neighboring Rights since the last session of the Permanent Committee in May 1994.<sup>4</sup> All the delegations that took the floor expressed their appreciation of, and indicated their full support for, WIPO's cooperation activities in the field of copyright and neighboring rights in developing countries, including the development of human resources, of national and regional legislation and its enforcement as well as institution building. They noted the increased activities undertaken by WIPO since the last meeting of the Permanent Committee. The Working Group

<sup>1</sup> For a note on the previous session, see *Industrial Property*, 1993, p. 418.

<sup>2</sup> See *Industrial Property*, 1994, p. 327.

<sup>3</sup> For a note on the previous session, see *Copyright*, 1993, p. 278.

<sup>4</sup> See *Copyright*, 1994, p. 166.

emphasized the need for WIPO to continue and strengthen its cooperation with developing countries in the development of human resources and in implementing national copyright and neighboring rights laws.

The report of the Working Group was noted by the Governing Bodies of WIPO during their sessions later in September/October 1995.

*WIPO Specialized Training Course on the Legal and Administrative Aspects of Trademarks (The Hague).* In September 1995, 15 government officials attended that Course organized by WIPO and the Benelux Trademark Office (BBM) in The Hague. The participants came from Benin, Cambodia, Cuba, Djibouti, Gabon, Laos, Madagascar, Mauritania, Morocco, Niger, Peru, Togo, Tunisia, Uruguay and Viet Nam. The subsistence costs of the participants were funded by BBM. Presentations were made by BBM officials, officials from the member States of BBM (Belgium, Luxembourg, Netherlands), representatives of private enterprises in the Netherlands and three WIPO officials. The Course included visits to private enterprises in Belgium and the Netherlands.

*WIPO Seminar on Technical Information as an Aid to Industrial Development: Patent Documents (The Hague and Vienna).* In September 1995, 18 participants attended that Seminar organized jointly by WIPO and the EPO in The Hague and Vienna. The participants came from Algeria, Brazil, Burkina Faso, Egypt, Ghana, India, Malawi, Malaysia, Mali, Mexico, Mongolia, Nigeria, the Philippines, Senegal, South Africa, Togo, Hong Kong and the Central African Customs and Economic Union (UDEAC). The travel and subsistence costs of the majority of the participants were funded by the EPO. Presentations were made by EPO officials, officials from Member States of the EPO, representatives of private enterprises and two WIPO officials.

*WIPO Training Course on the Legal, Administrative and Economic Aspects of Industrial Property (Madrid).* In September 1995, 16 government officials attended that Course organized by WIPO and the Spanish Patent and Trademark Office in Madrid. The participants came from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela. The travel and part of the subsistence costs of seven of the participants were funded by Spain. Presentations were made by officials of the Spanish Patent and Trademark Office and a WIPO official.

*WIPO Training Course on Industrial Property (Munich).* In September 1995, nine government officials attended that Course organized by WIPO and the German Patent Office in Munich. The partici-

pants came from Bangladesh, Fiji, the Gambia, Nepal, Sierra Leone, Trinidad and Tobago, Uganda, the United Republic of Tanzania and Zambia. The travel and part of the subsistence costs of five of the participants were funded by Germany. Presentations were made by German government officials and a WIPO official.

*WIPO Training Course on Practical Aspects of Patent Information (The Hague).* In September 1995, seven government officials attended that Course organized in The Hague by WIPO and the Netherlands Industrial Property Office, with the assistance of the Government of the Netherlands. The participants came from Argentina, Brazil, China, India, Libya, the Republic of Korea and Thailand. The subsistence allowances of the participants were funded by the Netherlands. Presentations were made by officials of the Netherlands Industrial Property Office and a WIPO official.

*WIPO Training Course on the Legal, Administrative and Economic Aspects of Industrial Property (Strasbourg, France).* In September 1995, 28 government officials attended that Course organized by WIPO and the Centre for International Industrial Property Studies (CEIPI) in Strasbourg, in cooperation with the National Institute of Industrial Property (INPI) of France and with the financial assistance of the Governments of France and Switzerland. The participants came from Algeria, Benin, Bhutan, Burkina Faso, Cambodia, Colombia, the Congo, Ecuador, Eritrea, Ethiopia, India, Laos, Madagascar, Mexico, Morocco, Niger, Nigeria, Pakistan, Peru, Senegal, Sudan, Thailand, Trinidad and Tobago, the United Republic of Tanzania, Uruguay, Viet Nam, Zimbabwe and ASEAN. Lectures were given by professors, lawyers and patent attorneys of, or associated with, CEIPI, INPI (France) officials, the Patent and Registration Office of Sweden, the EPO and five WIPO officials, as well as representatives of private enterprises in France, Germany and Switzerland. The Course was followed, for most of the participants, by practical training in the industrial property office of one or the other of the following countries: Bulgaria, Canada, Czech Republic, Finland, France, Hungary, Israel, Switzerland.

*WIPO Training Course on Patent Documentation and Information (Vienna).* In September 1995, six government officials attended that Course organized by WIPO and the Austrian Patent Office in Vienna. The participants came from Brazil, China, Egypt, Indonesia, Kenya and Pakistan. Half of the travel and subsistence costs of the participants were funded by Austria. Presentations were made by Austrian government officials and two WIPO officials.

*WIPO Training Course on Patent Documentation, Searching and Examination Techniques (Stockholm)*. In September and October 1995, 10 government officials attended that Course organized by WIPO and the Patent and Registration Office of Sweden in Stockholm. The participants came from Argentina, Chile, China, Egypt, India,

Indonesia, Malaysia, the Philippines, Thailand and Venezuela. The travel and subsistence costs of the majority of the participants were financed by the Government of Sweden. Presentations were made by officials of the Swedish Patent and Registration Office and a WIPO official.

## Activities of WIPO Specially Designed for Countries in Transition to Market Economy

### Regional Activities

*Interstate Council for the Protection of Industrial Property*. In September 1995, two WIPO officials participated, in the capacity of observers, in the fourth meeting of the Standing Interstate Working Group of Experts and the sixth meeting of the said Council, held in Baku. The meeting of the Group of Experts was attended by representatives of 10 CIS (Commonwealth of Independent States) countries (Azerbaijan, Belarus, Georgia, Kazakstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine). The Group of Experts finalized the draft Patent Regulations, Financial Regulations and Administrative Regulations under the Eurasian Patent Convention, as well as the draft Schedule of Fees and the draft Headquarters Agreement to be concluded with the Russian Federation, and submitted those documents to the Interstate Council. The meeting of the Interstate Council was attended by plenipotentiary representatives of eight CIS countries (Azerbaijan, Belarus, Kazakstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Ukraine) and by observers from Georgia and Turkmenistan. The Interstate Council discussed, among other matters, the status of adherence to the Convention and the setting up of the Eurasian Patent Office, and approved the above-mentioned draft documents, all those texts being subject to final consideration and adoption at a later stage by the Administrative

Council of the newly established Eurasian Patent Organization (EAPO).

### National Activities

*Albania*. In September 1995, WIPO organized, under the United Nations Development Programme (UNDP)-financed country project, a study visit in the field of trademark examination to the French National Institute of Industrial Property in Paris and the Spanish Patent and Trademark Office in Madrid for two government officials.

Also in September 1995, Mr. Maksim Konomi, Chairman, Committee of Science and Technology, and Mr. Albert Kushti, Director, Patents and Trademarks Office, had discussions with WIPO officials in Geneva on the possibility of an extension of the UNDP-financed country project.

*Armenia*. In September 1995, Prof. Sarkis L. Khantardjian, President, Armenian Patent Office, and another government official had discussions with the Director General and other WIPO officials in Geneva on matters of mutual cooperation.

*Azerbaijan*. In September 1995, Mr. Nureddin Babirly, Director, Department of Patent and Licensing of the Azerbaijan Republic State Committee of Science and Engineering, accompanied by another



government official, handed over to the Director General in Geneva Azerbaijan's instruments of accession to the Convention Establishing the World Intellectual Property Organization (WIPO Convention), the Paris Convention for the Protection of Industrial Property, the Madrid Agreement Concerning the International Registration of Marks and the Patent Cooperation Treaty (PCT), and the instrument of ratification of the Eurasian Patent Convention. They also discussed matters of mutual interest.

*Bulgaria.* In September 1995, WIPO organized, under the UNDP-financed country project, a training visit in industrial property systems management for a government official to a private computer company in Paris.

Also in September 1995, Dr. Kristo Iliev, President, Patent Office of the Republic of Bulgaria, and two other government officials discussed with WIPO officials in Geneva the possible extension of the UNDP-financed country project.

*Georgia.* In September 1995, Dr. David Gabunia, Chairman, Georgian Patent Office, had discussions with WIPO officials in Geneva on that Office's intention to host a WIPO regional symposium on geographical indications for CIS countries in the second half of 1996, and expressed the Government's wish to invite the Director General on that occasion.

*Kyrgyzstan.* In September 1995, Mr. Roman Omorov, Head, Patent Department of the Ministry of Science and Education, and another government official had discussions with the Director General and other WIPO officials in Geneva on the organization of a biennial WIPO regional meeting on topical industrial property issues for Central Asian countries.

*The former Yugoslav Republic of Macedonia.* In September 1995, two WIPO officials participated in a Symposium on the Protection of Industrial Property in the Countries of Central and South Eastern Europe, organized in Ohrid by the Industrial Property Protection Office. They made presentations on the PCT and the Trademark Law Treaty, respectively. They also visited the above-mentioned Office in Skopje.

*Uzbekistan.* In September 1995, Mr. Pulat K. Khabibullaev, Chairman, State Committee on Science and Technology, accompanied by Mr. Akil A. Azimov, Director, State Patent Office, and two other government officials, called on the Director General in Geneva and extended the Government's invitation to him to visit Uzbekistan in 1996. They also discussed with WIPO officials the planned organization of a seminar on industrial property for CIS countries.

## Contacts of the International Bureau of WIPO With Other Governments and With International Organizations

### National Contacts

*France.* In September 1995, on the occasion of his presence in Paris to attend the Congress of the International Literary and Artistic Association (ALAI), the Director General paid a call on the Minister of Culture, Mr. Philippe Douste-Blazy, and held talks with government officials on matters of mutual interest.

*Italy.* In September 1995, a government official was briefed by WIPO officials in Geneva on the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and its implementing Regulations.

*Turkey.* In September 1995, Mr Uğur G. Yalçiner, President, Turkish Patent Institute, had discussions with WIPO officials in Geneva on Turkey's im-

pending accession to certain WIPO-administered treaties and on activities to be carried out under the United Nations Development Programme (UNDP)-financed country project aimed at strengthening the industrial property system of Turkey.

### United Nations

*United Nations Fourth World Conference on Women.* In September 1995, two WIPO officials attended, in Beijing, the Fourth World Conference on Women.

*United Nations Consultative Committee on Programme and Operational Questions (CCPOQ).* In September 1995, a WIPO official attended the seventh session of the CCPOQ, held in New York.

*Fiftieth Anniversary of the United Nations.* In September 1995, a WIPO official attended a meeting of the Geneva-based Working Group on Preparations for the United Nations Open Day which would take place on October 15, 1995, in Geneva.

*Joint Inter-Agency Meeting on Computer-Assisted Translation and Technology (JIAMCATT).* In September 1995, a WIPO official presented a paper on the copyright protection of databases at that meeting, held in Geneva.

*Inter-Agency Meeting on Language Arrangements, Documentation and Publications (IAMLADP).* In September 1995, a WIPO official attended that meeting, held in Geneva.

*International Computing Centre (ICC).* In September 1995, a WIPO official attended the 56th session of the ICC Management Committee which was held at Washington, D.C.

### Intergovernmental Organizations

*European Patent Office (EPO).* In September 1995, two WIPO officials participated in the 38th extraordinary session of the Working Party on Technical Information of the EPO, held in Munich. The meeting was convened to discuss issues regarding the use of the *First-Page DataBase (FPDB)* CD-ROM and of the *Mixed MOde Software Application (MIMOSA)* developed under the trilateral cooperation between the EPO, the Japanese Patent Office (JPO) and the United States Patent and Trademark Office (USPTO).

Also in September 1995, two WIPO officials visited the EPO in The Hague to see a demonstration of the prototype of the *EASY (Electronic Application SYstem)* software which is being developed by the EPO and to discuss with EPO officials various as-

pects of its development and possible future cooperation in that respect.

Also in September 1995, a WIPO official attended "HEARING 95," a meeting on the EPO's strategies, organized by that Office in Munich to ascertain the views of users of the patent system in Europe.

Still in September 1995, a WIPO official spoke on WIPO and its cooperation with the EPO at a seminar, which was organized by the EPO in The Hague, for its senior staff, on the subject of cooperation with specialized agencies of the United Nations.

*World Trade Organization (WTO).* In September 1995, two WIPO officials represented the Organization, in an observer capacity, in the third meeting of the WTO Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS), held in Geneva.

### Other Organizations

*Association of European Trademark Owners.* In September 1995, a WIPO official attended the annual meeting of that Association, held in Paris.

*Association of International Librarians and Information Specialists (AILIS).* In September 1995, a WIPO official attended a meeting of the Executive Committee of AILIS which was held at Geneva.

*German Association for Industrial Property and Copyright (DVGR).* In September 1995, a WIPO official attended the annual meeting of DGVR, held in Bamberg (Germany).

*International Association for the Protection of Industrial Property (AIPPI).* In September 1995, a WIPO official attended a meeting of the German Group of AIPPI, held in Bamberg.

*International Literary and Artistic Association (ALAI).* In September 1995, the Director General made a speech at the opening session of the ALAI Congress devoted to "The First Century of Cinema," held in Paris. Two other WIPO officials also participated in the Congress and one of them made presentations.

Also in September 1995, two WIPO officials attended a meeting of the Executive Committee of ALAI in Geneva.

*Japan Intellectual Property Association (JIPA).* In September 1995, 27 members of the Seventh Overseas' Patent Study Group of JIPA visited WIPO and were briefed by WIPO officials on WIPO's activities in general and on current industrial property issues.

*Max Planck Institute for Foreign and International Patent, Copyright and Competition Law (MPI)*. In September 1995, an official of the Max Planck Institute visited WIPO in Geneva and received information from WIPO officials on WIPO's activities, in particular in favor of developing countries in the Asia-Pacific region.

*Patent Documentation Group (PDG)*. In September 1995, a WIPO official attended the 30th meeting of the PDG's Working Group on the Impact of Patent Laws on Documentation, held in Düsseldorf (Germany).

## Miscellaneous News

### National Laws

*Cuba*. Law Decree No. 160 of June 9, 1995, to Facilitate the Filing and Modification of Patent Applications for Pharmaceutical Products and Chemical Products in Agriculture entered into force on June 10, 1995.

*Monaco*. Ordinance No. 11.695 of August 9, 1995, Establishing Fees Applicable in Connection with Formalities Provided for in Texts Relating to the Protection of Industrial Property entered into force on September 1, 1995.

*Switzerland*. The Ordinance of October 19, 1977, Relating to Patents was amended by the Ordinance of May 17, 1995, which entered into force on September 1, 1995.

### Multilateral Treaties

*European Free Trade Association (EFTA) States (Iceland, Liechtenstein, Norway, Switzerland)/Slovenia*. The Agreement between the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Swiss Confederation (the EFTA

States) and the Republic of Slovenia, done at Bergen (Norway) on June 13, 1995, entered into force on July 1, 1995.

### Regional Treaties

*Southern Common Market (MERCOSUR)*. The Protocol on the Harmonization of Intellectual Property Provisions Within MERCOSUR Concerning Trademarks, Indications of Source and Appellations of Origin (CMC/DEC No. 8/95), adopted in Asunción on August 5, 1995, will enter into force, once it has been ratified by two States, 30 days after the date of the second ratification.

### Bilateral Treaties

*Liechtenstein/Switzerland*. The Supplementary Agreement to the Treaty of December 22, 1978, between the Swiss Confederation and the Principality of Liechtenstein on the Protection Conferred by Patents (Patents Treaty), done in Berne on November 2, 1994, entered into force on May 1, 1995 (with the exception of its Chapter II).

## Selected WIPO Publications

### The First Twenty-Five Years of the Patent Cooperation Treaty (PCT) 1970 - 1995

In November 1995, the World Intellectual Property Organization (WIPO) published a new book entitled *The First Twenty-Five Years of the Patent Cooperation Treaty (PCT) 1970 - 1995*. This book has been written to commemorate the 25th anniversary of the signature of the PCT, in Washington, in 1970.

The book is introduced with an article by the Director General of WIPO, Dr. Arpad Bogoch (Chapter I). The article, which is entitled "Summary History of the Patent Cooperation Treaty," analyzes the origins of the idea which transformed itself into the PCT (1966 - 1970), the preparations for the PCT becoming operational (1970 - 1978), and the 17 years during which the PCT system has been operational (1978 - 1995).

The text of the Patent Cooperation Treaty (PCT) is reproduced in Chapter II.

The administrative development, the legal development and the documentary and technical aspects of the PCT are outlined in three original articles by the former Director of the PCT Administration Department, Mr. Daniel Bouchez, the Director of the PCT Department, Mr. Busso Bartels, and Mr. Paul Claus, Director-Advisor (Chapters IV, V and VI, respectively).

One of the objectives of the book was to record how the idea of what became the PCT system developed, and to pay tribute to all those individuals who contributed to make the system such a success. To do so, the book reviews all the meetings—altogether 120—that were held in the period from 1966 to 1994, under, or in relation to, the PCT (Chapter IX). For each meeting, a "profile" is given, containing detailed information on its mandate and membership, its participants, and a summary of the main topics discussed and/or the main decisions adopted.

An alphabetical index of 1,710 names permits the individuals who participated in the development of the PCT to be linked to the specific meeting(s) which each of them attended (Chapter XI). These individuals (government officials, representatives of governmental and non-governmental organizations, industrial property agents and lawyers, judges, inventors and entrepreneurs, and BIRPI and/or WIPO staff), all contributed to what—in the last 25 years—has developed into the most important system for acquiring patents for inventions that need protection in several countries.

Another particularly interesting feature of the book is the reproduction, in Chapter III, of the text of the Regulations under the PCT, as in force in 1995 and, where the text then in force was the result of one or several amendments of the original text (as adopted in 1970), also of the original text and any intermediate amendments.

Chapter VII presents a compilation of all the official statements concerning Articles of, and Rules of the Regulations under, the PCT, which were made during the first and only session of the PCT Preparatory Committee (February 1978), the 22 sessions of the Assembly of the PCT Union held between 1978 and 1994, and the five sessions of the PCT Committee for Administrative and Legal Matters held between 1982 and 1994.

Chapter VIII provides a "model" of the various agreements concluded between the International Bureau and the PCT International Searching and International Preliminary Examining Authorities, with, for each article, an indication of the variants, if any, appearing in each of the said agreements.

As with Chapter IX, Chapters VII and VIII are also the result of original legal research work.

Statistical information on membership, operations, staff, finance and publications of the PCT is given in Chapter X, as well as statistics on the seminars and information meetings organized by the International Bureau of WIPO in some 50 PCT actual and/or potential member States for almost 20,000 participants during the period from 1978 to 1994.

This 399-page book<sup>1</sup> is available for 80 Swiss francs.

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The following new publications were issued by WIPO from September 1 to 30, 1995:

*Eurasian Patent Convention*, No. 222(R/E/F), 15 Swiss francs.

<sup>1</sup> WIPO publications may be obtained from the Publications Sales and Distribution Unit, WIPO, 34, chemin des Colombettes, CH-1211 Geneva 20, Switzerland (telex: 412 912 OMPI CH; fax: (41-22) 733 5428; telephone: (41-22) 730 9111).

Orders should indicate: (a) the number or letter code of the publication desired, the language (E for English, F for French, G for German, R for Russian, S for Spanish), the number of copies; (b) the full address for mailing; (c) the mail mode (surface or air). Prices cover surface mail.

Bank transfers should be made to WIPO account No. 487080-81, at the Swiss Credit Bank, 1211 Geneva 20, Switzerland.

*Guide on the Licensing of Integrated Circuits*, No. 689(E), 20 Swiss francs.

*International Patent Classification—General Information* (in German), No. 409(G), free.

*Madrid Agreement Concerning the International Registration of Marks, Regulations and Protocol* (in German), No. 204(G), 15 Swiss francs.

*WIPO Asian Regional Round Table on the Links Between the Industrial Property System and Its Users, Jakarta, January 18 to 20, 1995*, No. 740(E), 40 Swiss francs.

*WIPO Handbook on Industrial Property Information and Documentation—Volume II* (in Spanish), No. 208(S), 50 Swiss francs.

## Calendar of Meetings

### WIPO Meetings

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

#### 1996

**January 15 to 18 (Geneva)**

#### **Extraordinary Session of the Assembly of the Madrid Union**

The Assembly is convened to adopt common regulations under the Madrid Agreement and the Madrid Protocol and fix the date of entry into force of those Regulations, the latter date being also the date on which the Protocol will become operational. The Madrid Protocol enters into force on December 1, 1995, and April 1, 1996, is the tentative date for the starting of the operations of the Madrid Protocol and entry into force of the new (common) Regulations.

*Invitations:* Members of the Madrid Union and, as observers, other States members of the Paris Union and certain organizations.

**February 1 to 9 (Geneva)**

#### **Committee of Experts on a Possible Protocol to the Berne Convention (Sixth Session)**

#### **Committee of Experts on a Possible Instrument for the Protection of the Rights of Performers and Producers of Phonograms (Fifth Session)**

The first Committee will continue to examine questions concerning the preparation of a possible protocol to the Berne Convention for the Protection of Literary and Artistic Works. The second Committee will continue to examine questions concerning the preparation of a possible new instrument (treaty) on the protection of the rights of performers and producers of phonograms. The sessions of the two Committees will be held jointly.

*Invitations:* For the first Committee, States members of the Berne Union, the European Commission and, as observers, other States members of WIPO and certain organizations; and, for the second Committee, States members of WIPO, the European Commission and, as observers, certain organizations.

**March 29 (Geneva)**

#### **Conference on Mediation**

The Conference will examine mediation as a dispute-settlement procedure for intellectual property disputes, and the advantages of such a procedure. The Conference will be divided into three parts. In the first part, the procedure of mediation and its suitability for intellectual property disputes will be discussed; in the second part, the role of the mediator will be examined; in the final part, the role of counsel and client will be explained.

*Invitations:* Any interested person, against payment of a registration fee.

- May 21 to 24 (Geneva)**      **WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (Twelfth Session)**
- The Committee will review and evaluate the activities carried out under the WIPO Permanent Program for Development Cooperation Related to Copyright and Neighboring Rights since the Committee's last session (May 1994) and make recommendations on the future orientation of the said Program.  
*Invitations:* States members of the Committee and, as observers, other States members of the United Nations and certain organizations.
- June 24 to 27 (Geneva)**      **WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Seventeenth Session)**
- The Committee will review and evaluate the activities carried out under the WIPO Permanent Program for Development Cooperation Related to Industrial Property since the Committee's last session (June 1994) and make recommendations on the future orientation of the said Program.  
*Invitations:* States members of the Committee and, as observers, other States members of the United Nations and certain organizations.
- July 1 to 5 (Geneva)**      **Committee of Experts on the Settlement of Intellectual Property Disputes Between States**
- The Committee will continue the preparations for a possible treaty on the settlement of intellectual property disputes between States. In particular, the Committee will consider the question of the relationship between the dispute-settlement system to be established by the proposed Treaty and other dispute-settlement systems, including the dispute-settlement system established within the framework of the World Trade Organization (WTO). The WIPO Governing Bodies, at their 1996 sessions, will decide whether a Diplomatic Conference for the conclusion of a Treaty should be convened and, if so, when.  
*Invitations:* States members of WIPO and States party to treaties administered by WIPO not members of WIPO and, as observers, certain organizations.

## UPOV Meetings

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

### 1996

- April 15 and 16 (Geneva)**      **Administrative and Legal Committee**
- Invitations:* Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.
- April 17 (Geneva)**      **Consultative Committee (Fifty-First Session)**
- Invitations:* Member States of UPOV.
- October 16 to 18 (Geneva)**      **Technical Committee**
- Invitations:* Member States of UPOV and, as observers, certain non-member States and intergovernmental and non-governmental organizations.
- October 21 and 22 (Geneva)**      **Administrative and Legal Committee**
- Invitations:* Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.
- October 23 (Geneva)**      **Consultative Committee (Fifty-Second Session)**
- Invitations:* Member States of UPOV.
- October 24 (Geneva)**      **Council (Thirtieth Ordinary Session)**
- Invitations:* Member States of UPOV and, as observers, certain non-member States and intergovernmental and non-governmental organizations.