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WIPO 1996

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BILATERAL TREATIES

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Notifications Concerning Treaties Administered by WIPO

Paris Convention

Accession to Articles 1 to 12 of the Stockholm Act (1967)

CANADA

The Government of Canada, which had deposited, on March 26, 1970, its instrument of accession to the Paris Convention for the Protection of Industrial Property of March 20, 1883, as revised at Stockholm on July 14, 1967 ("Stockholm Act (1967)"), and amended on September 28, 1979, which deposit was accompanied by a declaration that its accession did not apply to Articles 1 to 12 of the Stockholm Act (1967) (see Paris Notification No. 18¹), deposited, on February 23, 1996, its instrument of accession to Articles 1 to 12 of the Stockholm Act (1967).

These articles will enter into force, with respect to Canada, on May 26, 1996.

Paris Notification No. 170, of February 26, 1996.

The Nice Agreement as revised and amended will enter into force, with respect to Estonia, on May 27, 1996.

Nice Notification No. 87, of February 27, 1996.

Patent Cooperation Treaty (PCT)

Ratification

ISRAEL

The Government of Israel deposited, on March 1, 1996, its instrument of ratification of the Patent Cooperation Treaty (PCT), done at Washington on June 19, 1970.

The said Treaty will enter into force, with respect to Israel, on June 1, 1996.

PCT Notification No. 110, of March 1, 1996.

Nice Agreement

Accession

ESTONIA

The Government of Estonia deposited, on February 24, 1996, its instrument of accession to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of June 15, 1957, as revised at Stockholm on July 14, 1967, and at Geneva on May 13, 1977, and as amended on September 28, 1979.

Strasbourg Agreement

Accession

ESTONIA

The Government of Estonia deposited, on February 24, 1996, its instrument of accession to the Strasbourg Agreement Concerning the International Patent Classification of March 24, 1971, as amended on September 28, 1979.

The said Agreement will enter into force, with respect to Estonia, on February 27, 1997.

Strasbourg Notification No. 45, of February 27, 1996.

¹ See *Industrial Property*, 1970, p. 140.

Budapest Treaty**Change in Fees Under Rule 12.2
of the Regulations Under the
Budapest Treaty****NATIONAL COLLECTION OF
TYPE CULTURES (NCTC)**

(United Kingdom)

The Director General of WIPO was informed by a notification received on February 8, 1996, and dated February 1, 1996, from the Government of the United Kingdom of a change in the fees charged by the National Collection of Type Cultures (NCTC), an international depositary authority under the Budapest Treaty, as follows:

	GBP
(a) Storage of microorganisms	450 per strain
(b) Issuance of a viability statement	60 per statement

(c) Furnishing a sample under Rule 11.2 and 11.3	45 per ampoule (plus carriage)
(d) 30 year declaration for already deposited collection strains	50 per declaration

Item (a) refers to Hazard Group 2 (fees for Hazard Group 3 increase by 50%). For items (c) and (d) the fees are subject to Value Added Tax at the current rate where appropriate.

[End of text of the notification of the Government of the United Kingdom]

The fees set forth in the said notification of the Government of the United Kingdom will apply as from the thirtieth day following the date (March 31, 1996) of the publication of the said fees in the present issue of *Industrial Property and Copyright*, that is, as from April 30, 1996 (see Rule 12.2(c) of the Regulations under the Budapest Treaty), and will replace the fees published in the July/August 1982 issue of *Industrial Property*.

Budapest Notification No. 102 (this notification is the subject of Budapest Notification No. 145, of February 28, 1996).

Normative Activities of WIPO

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

(Geneva, February 1 to 9, 1996)

The above-mentioned two Committees (herein jointly referred to as "the Committees") met in joint sessions at WIPO's headquarters in Geneva from February 1 to 9, 1996. Experts from the following 71 States and one intergovernmental organization, members of the Committees, attended the meeting: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Cuba, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Finland, France, Germany, Ghana, Greece, Guinea, Honduras, Hungary, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Luxembourg, Madagascar, Malta, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, United Arab Emirates, United Kingdom, United States of America, Uruguay, Venezuela, Viet Nam, European Commission (EC).

Representatives of the following five inter-governmental organizations attended the meeting in an observer capacity: Arab States Broadcasting Union (ASBU), International Labour Organization (ILO), Organization of African Unity (OAU), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Trade Organization (WTO).

Representatives of 63 non-governmental organizations also attended the meeting in an observer capacity.

Pursuant to the recommendation of the Committees adopted at their prior session (September 4 to 8 and 12, 1995), the Director General had invited the Government members of the Committees and the European Commission to submit proposals, in treaty language, on the various issues under consideration by the Committees. In response to that invitation, the European Community and its Member States, Argentina, China, Uruguay, Australia, Brazil, the United States of America, Japan, Canada and the Republic of Korea submitted proposals regarding a possible Protocol to the Berne Convention for the Protection of Literary and Artistic Works ("the Berne Protocol"); and the European Community and its Members States, Argentina, the Sudan, China, Uruguay, Brazil, the United States of America, Japan and Canada submitted proposals regarding a possible instrument for the protection of the rights of performers and producers of phonograms ("the New Instrument") (these countries are listed in the order in which their proposals were received by the International Bureau). The proposals and comments received were compiled by the International Bureau into comparative tables, which served as the basis of the discussions at the meeting.

The following issues were discussed by the Committees:

(i) *in respect of the Berne Protocol*: preamble; definitions; computer programs; databases; non-voluntary licenses for the sound recording of musical works; non-voluntary licenses for primary broadcasting and satellite communication; distribution, including importation; rental; transmission, communication to the public and public perfor-

mance; digital transmission; private copying; and duration of the protection of photographic works;

(ii) *in respect of the New Instrument*: preamble; definitions; moral rights of performers; economic rights of performers in respect of their live performances; economic rights of performers in respect to their fixed performances (reproduction, private copying, distribution including importation, rental, adaptation/alteration, broadcasting, communication to the public, digital transmission, exceptions and limitations); rights of producers of phonograms (reproduction, private copying, distribution including importation, rental, adaptation/alteration, broadcasting, communication to the public, digital transmission, exceptions and limitations); term of protection; formalities/automatic protection and independence of protection; reservations; and retroactive effect;

(iii) *in respect of issues common to (i) and (ii)*: enforcement of rights; technological measures; rights management information; and national treatment.

Preliminary discussions were also held on *sui generis* protection of databases.

Considering that the work at the end of the session of the Committees was sufficiently advanced, and that the matters concerning the possible new treaties were ready to be prepared for and negotiated on the level of a diplomatic conference, the Committees unanimously recommended that:

(i) a meeting of a Preparatory Committee and of the competent Governing Bodies of WIPO should be

convened from May 20 to 22, 1996, to deal with the relevant tasks to prepare the Diplomatic Conference and to decide on the convocation and the date of the Diplomatic Conference for the conclusion of the appropriate treaties;

(ii) one further session of the Committees of Experts should be convened for the days of May 22 to 24, 1996, to deal with such aspects of the treaties which had not so far been discussed in the Committees, and other issues which the Chairman of the Committees would submit for their consideration;

(iii) the draft texts ("the basic proposals") for the Diplomatic Conference should be established by the Chairman of the Committees with the assistance of the International Bureau of WIPO;

(iv) the draft texts should be published and circulated by the International Bureau of WIPO to the States, intergovernmental and non-governmental organizations to be invited to the Diplomatic Conference by September 1, 1996;

(v) the Diplomatic Conference should be held from December 2 to 20, 1996.

The Committees also briefly considered possibilities to deal with matters concerning the protection of expressions of folklore, and recommended to the Governing Bodies of WIPO that provision should be made for the organization of an international forum in order to explore issues concerning the preservation and protection of expressions of folklore, intellectual property aspects of folklore, and the harmonization of the different regional interests.

Registration Systems Administered by WIPO

Patent Cooperation Treaty (PCT)

250,000 International Patent Applications Filed Under the PCT

In early February 1996, the International Bureau of WIPO received the 250,000th international application filed under the Patent Cooperation Treaty (PCT).

The applicant is from the United States of America and the international application concerns an invention in the field of environmental technology.

The 100,000th international application under the PCT was received in February 1991, 13 years after the starting of PCT operations in 1978. Due to the

accelerated growth of the PCT system, the milestone of 250,000 international applications has been achieved only five years since the filing of the 100,000th international application.

The 250,000 international applications received so far are equivalent to approximately 6.5 million national or regional applications in PCT Contracting States.

Training and Promotion Meetings With PCT Users

Chile. In December 1995, a government official had discussions with WIPO officials in Geneva about Chile's possible accession to the PCT.

Croatia. In December 1995, two government officials discussed with WIPO officials in Geneva certain procedural details in connection with the expected accession of Croatia to the PCT and training in PCT matters for government officials.

Israel. In December 1995, Mr. Michael Ophir, Commissioner, Patents, Designs and Trademarks Office, had discussions with WIPO officials in Geneva on general issues concerning the expected accession of Israel to the PCT, as well as training of staff of the said Office in receiving Office procedures under that treaty.

Japan. In December 1995, a government official discussed with WIPO officials in Geneva WIPO's activities in further promoting the use of the PCT by Japanese industry, in cooperation with the Japanese Patent Office (JPO).

Morocco. In December 1995, a government official was briefed by WIPO officials in Geneva on the PCT system, and on the advantages for the country of acceding to that treaty.

Portugal. In December 1995, Mr. José Mota Maia, President, National Institute of Industrial Property (INPI), and another government official, had discussions, on two separate visits to WIPO in Geneva, with WIPO officials on various PCT matters.

Singapore. In December 1995, a government official had discussions with WIPO officials in Geneva on some on-going issues, in particular in relation to the work of the Registry of Trade Marks and Patents of Singapore as a designated Office under the PCT.

Slovakia. In December 1995, two government officials had discussions with WIPO officials in Geneva on certain PCT questions.

Spain. In December 1995, two government officials had discussions with WIPO officials in Geneva on PCT matters.

United Kingdom. In December 1995, two WIPO officials conducted an advanced PCT seminar and a workshop on the PCT, both organized in London by a private enterprise. The seminar and the workshop were respectively attended by 25 and 22 participants, who were mainly officials from the United Kingdom Patent Office and patent attorneys or trainees from law firms and industry.

Viet Nam. In December 1995, a government official had discussions with WIPO officials in Geneva on various PCT matters, including possible further training of officials from the National Office of Industrial Property (NOIP).

European Patent Office (EPO). In December 1995, five EPO officials visited WIPO's headquarters in Geneva to discuss with WIPO officials a number of questions concerning the PCT.

Computerization Activities

United States of America. In December 1995, two WIPO officials and a WIPO consultant from the United States of America participated in several meetings, held at the United States Patent and Trademark Office (USPTO), in Washington, D.C., which discussed, *inter alia*, the progress of the EASY (Electronic Application SYstem) project and technical issues for the exchange of data between the USPTO and WIPO, as well as guidelines for the international patent publication and organizational arrangements for seminars on the PCT.

Madrid Union

Assembly

Twenty-Seventh Session (16th Extraordinary)
(Geneva, January 15 to 18, 1996)

The Assembly of the Madrid Union met in extraordinary session from January 15 to 18, 1996.

The following 42 States, members of the Madrid Union, were represented at the session: Albania, Algeria, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, Germany,

Hungary, Italy, Kazakstan, Kyrgyzstan, Latvia, Liberia, Monaco, Mongolia, Morocco, Netherlands, Norway, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom, Uzbekistan.

The following 14 States, members of the Paris Union but not of the Madrid Union, were represented by observers: Argentina, Brazil, Burundi, Canada, Greece, Indonesia, Ireland, Japan, Mexico, Republic of Korea, Senegal, South Africa, Turkey, United States of America.

Representatives of the Benelux Trademark Office (BBM) and the Commission of the European Communities (CEC), as well as representatives of 10 international non-governmental organizations participated in the session in an observer capacity.

The Assembly adopted implementing Regulations, including a new Schedule of Fees, which will be common to the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement.¹

The Assembly further decided that April 1, 1996, would be the date of entry into force of those Common Regulations, that date being also the date on which the Protocol Relating to the Madrid Agreement, which was concluded in Madrid on June 27, 1989, and entered into force on December 1, 1995, will become operational.

¹ The full text of the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement (document WO/MM/INF/2) was published as a flier in the January 1996 issue of this review, and will also be published in the coming months as an insert in the legislative part of the review.

Like the Madrid Agreement, the Madrid Protocol enables trademark owners of Contracting Parties thereto to secure protection for their marks in all other Contracting Parties to the Madrid Protocol by means of a single application filed with the International Bureau of WIPO through their Office of origin.

By the time it will be operational, nine States will be bound by the Madrid Protocol, namely, China, Cuba, Denmark, Finland, Germany, Norway, Spain, Sweden and the United Kingdom.

Training and Promotion Meetings With Users of the Madrid System

Albania. In December 1995, two government officials visited WIPO in Geneva to receive training in the administrative procedures under the Madrid Agreement.

Denmark. In December 1995, a WIPO official visited the Danish Patent Office in Copenhagen to discuss with officials of that Office legal matters arising from Denmark's ratification of the Madrid Protocol on November 10, 1995.

Sweden. In December 1995, three government officials visited WIPO's headquarters in Geneva to discuss issues relating to the implementation of the Madrid Protocol in Sweden, including the automation of certain operations, as well as possible training of officials from the Patent and Registration Office.

WIPO Arbitration Center

Belgium. In December 1995, a WIPO official made a presentation on the WIPO Arbitration Center and the special features of the Center's procedures at the second ESC Intellectual Property Disputes Symposium, organized in Brussels by a private enterprise.

United Kingdom. In December 1995, a WIPO official made a presentation on the WIPO Arbitration Center at the Eighth Annual International Telecommunications Contracts and Dispute Resolution Conference, organized in London by two private enterprises.

Activities of WIPO Specially Designed for Developing Countries

Africa

Assistance With Training, Legislation and Modernization of Administration

Central African Republic. In December 1995, a WIPO official undertook a mission to Bangui to install a CD-ROM workstation offered by WIPO to the National Industrial Property and Standardization Service, and to train the government officials concerned in its use.

Chad. In December 1995, a WIPO official visited N'Djamena to discuss with government officials preparations of a draft law on copyright and neighboring rights. On that occasion, he also made a presentation on copyright and neighboring rights and on the collective administration of copyright to a group of 50 Chadian authors and artists.

Also in December 1995, a WIPO official undertook a mission to N'Djamena to install a CD-ROM workstation offered by WIPO to the Ministry of Commerce and Industrial Promotion, and to train the government officials concerned in its use.

Gambia. In December 1995, a WIPO official and a WIPO consultant from the Netherlands undertook a mission to Banjul to hold discussions with United Nations Development Programme (UNDP) and government officials on the strengthening of the industrial property system in the country, and assess more specifically the needs of modernization of its trademark registration system.

Guinea. In December 1995, a WIPO official held discussions with government officials in Conakry on the situation of copyright protection in the country and cooperation in this respect between Guinea and WIPO.

Kenya. In December 1995, a government official held discussions with WIPO officials in Geneva on cooperation between Kenya and WIPO.

Malawi. In December 1995, Mr. Mzondi H. Chirambo, Registrar General, held discussions with WIPO officials in Geneva on further cooperation between his country and WIPO.

Mali. In December 1995, a WIPO official held discussions with government officials in Bamako on the preparation of a national seminar on the legal and institutional framework of industrial property in Mali, industrial property teaching in institutions of higher learning in the country, and the promotion of industrial property rights protection as well as inventive and innovative activities in Mali.

Mauritania. In December 1995, a WIPO official undertook a mission to Nouakchott to install a CD-ROM workstation offered by WIPO to the Directorate of Industry, and to train the government officials concerned in its use.

Nigeria. In December 1995, Mr. Moses F. Ekpo, Director, Nigerian Copyright Council, held discussions with WIPO officials in Geneva on the planned African Regional Consultation Meeting on a Possible Protocol to the Berne Convention and on a Possible Instrument for the Protection of the Rights of Performers and Producers of Phonograms and on the Legal Protection of Folklore, to be held in Nigeria in January 1996.

International Confederation of Societies of Authors and Composers (CISAC). In December 1995, a WIPO official attended the fifth session of the African Committee of CISAC, held in Conakry.

Arab Countries

Training Courses, Seminars and Meetings

WIPO Arab Regional Symposium on the Implications of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (Egypt). On December 17 and 18, 1995, WIPO organized that

Symposium in Cairo, in cooperation with the Government of Egypt. The objective of the Symposium was to provide actual and potential Arab member States of the World Trade Organization (WTO) an opportunity to discuss the provisions of the TRIPS Agreement and thereby better prepare for its imple-

mentation in due course. The Symposium was attended by 10 government officials from Algeria, Egypt, Jordan, Kuwait, Lebanon, Morocco, Saudi Arabia, Sudan, Syria and Tunisia, and 110 participants from government circles and the private sector in Egypt. The Symposium was opened by Mr. Mahmoud Mohamad Mahmoud, Minister for Economy and External Trade, Mrs. Venice Kamel Gouda, Minister of State for Scientific Research, Mr. Ahmed Al-Goweli, Minister for Supply and Internal Trade, and the Director General of WIPO. Five WIPO consultants from Egypt, Germany, the United States of America, the Commission of the European Communities (CEC) and WTO acted as panelists at the Symposium, which was chaired throughout by the Director General and three other WIPO officials.

Assistance With Training, Legislation and Modernization of Administration

Egypt. In December 1995, the Director General and three other WIPO officials held discussions in Cairo with government leaders and officials on the possible accession of Egypt to certain WIPO-administered treaties and on the modernization of the industrial property and copyright legislation of the country.

Also in December 1995, Mr. Mahmoud Mohamad Mahmoud, Minister for Economy and External Trade, held discussions with the Director General in Geneva on matters of cooperation and in particular on Egypt's obligations under the TRIPS Agreement and the assistance that WIPO could provide to the country in its preparation for compliance with them.

Also in December 1995, Dr. Ezz El-Din Al-Toukhy, President, Agency for the Development of

Innovations and Inventions, Academy of Scientific Research and Technology (ASRT), and another government official discussed with WIPO officials in Geneva the revision of Egypt's patent and utility model legislation and possible further assistance from WIPO in this respect.

Saudi Arabia. In December 1995, a WIPO official held discussions with government officials in Riyadh on intellectual property matters of interest to the country.

Also in December 1995, the same WIPO official made presentations on WIPO's Arbitration Center at a meeting on intellectual property issues, organized in Riyadh by the Riyadh Chamber of Commerce and attended by some 90 participants from government and private sector circles, and at another meeting on the same issues, organized in Jeddah by the Jeddah Chamber of Commerce and attended by some 45 participants from the private sector.

Sudan. In December 1995, Mr. Shawqi Hussein, Under Secretary, Ministry of Justice, and Mr. Abdel Rahman Ibrahim, Registrar General, Attorney General's Chambers, undertook a visit to Geneva to discuss with WIPO officials the revision of the Sudanese intellectual property laws, including their conformity with the requirements of the TRIPS Agreement, and possible areas of future cooperation between Sudan and WIPO.

Cooperation Council for the Arab States of the Gulf (GCC). In December 1995, WIPO prepared and sent to the General Secretariat of GCC, at their request, comments on the revised draft Implementing Regulations of the Patent Law for the Countries of the GCC.

Asia and the Pacific

Training Courses, Seminars and Meetings

WIPO Asia/Pacific Symposium on New Technology and Enforcement of Copyright (Indonesia). From December 11 to 13, 1995, WIPO organized that Symposium in Denpasar, in cooperation with the Government of Indonesia and with the assistance of the Government of Japan. The Symposium was attended by 25 government officials from Bangladesh, China, Fiji, India, Malaysia, Mongolia, Pakistan, the Philippines, the Republic of Korea, Singapore, Sri Lanka, Thailand and Viet Nam, as well as 40 local participants from government circles, private industry and the legal profession. Presentations were made by seven WIPO consultants from Indonesia, Japan, the United States of

America, the International Confederation of Societies of Authors and Composers (CISAC) and the International Federation of the Phonographic Industry (IFPI), three government officials from Indonesia and Japan and three WIPO officials.

WIPO Regional Consultation Meeting for the Asian and Pacific Region on a Possible Protocol to the Berne Convention and on a Possible New Instrument for the Protection of the Rights of Performers and Producers of Phonograms and on the Legal Protection of Folklore (Indonesia). On December 14, 1995, WIPO organized that Meeting in Denpasar, immediately following the above-mentioned Symposium. It was attended by 35 government officials from Bangladesh, China, Fiji, India,

Indonesia, Malaysia, Mongolia, Pakistan, the Philippines, the Republic of Korea, Singapore, Sri Lanka, Thailand and Viet Nam, and three WIPO officials. Three government officials from Australia, Japan and the United States of America and a representative of the European Communities (EC) presented the proposals that their respective authorities had prepared for the February 1996 joint meetings of the WIPO Committee of Experts on a Possible Protocol to the Berne Convention and the WIPO Committee of Experts on a Possible Instrument for the Protection of the Rights of Performers and Producers of Phonograms; their presentation was followed by discussions with the participants.

WIPO National Forum on Intellectual Property for the Judiciary (Malaysia). On December 4 and 5, 1995, WIPO organized that Forum in Kuala Lumpur, in cooperation with the Government of Malaysia and with the financial assistance of the UNDP. It was attended by 39 judges from Malaysia. Papers were presented by two WIPO consultants from Australia and the United Kingdom, two experts from Malaysia and a WIPO official.

WIPO National Seminar on Copyright and Neighboring Rights (Philippines). On December 7 and 8, 1995, WIPO organized that Seminar in Manila, in cooperation with the Government of the Philippines. The Seminar was attended by 150 government officials, writers, composers, artists, librarians, university professors and lawyers. Presentations were made by four WIPO consultants from Sweden, CISAC, IFPI and the International Federation of Reproduction Rights Organizations (IFRRO), three government officials from the Philippines and two WIPO officials.

Assistance With Training, Legislation and Modernization of Administration

Bhutan. In December 1995, the International Bureau prepared and sent to the government authorities, at their request, comments on the draft legislation for the protection of textile designs.

China. In December 1995, Mr. Gao Lulin, Commissioner, Chinese Patent Office (CPO), accompanied by another government official, held discussions in Geneva with the Director General and other WIPO officials on matters of patent cooperation.

Also in December 1995, a 10-member delegation from the All-China Patent Agents Association visited WIPO in Geneva, where they were received by the Director General and had an exchange of views with WIPO officials on issues related to patents.

Also in December 1995, a three-member delegation from the Shanghai Patent and Trademarks

Agency visited WIPO in Geneva and had discussions with WIPO officials on matters of common interest.

India. In December 1995, a WIPO official undertook a mission to New Delhi to participate in the Government/WIPO/UNDP tripartite review meetings of two UNDP-financed country projects aimed at modernization of, respectively, the administration and more effective use of trademarks, and the patent information system.

Indonesia. In December 1995, Mr. Oetoyo Oesman, Minister of Justice, met with the Director General and other WIPO officials in Geneva and discussed matters of cooperation and issues concerning the national industrial property system.

Also in December 1995, two WIPO consultants from the Japanese Patent Office (JPO) undertook a mission to Jakarta to train staff members of the Directorate General of Copyrights, Patents and Trademarks (DGCPT) in processing patent applications in the areas of organic chemistry and electronics.

Also in December 1995, WIPO organized, under the UNDP-financed country project, a mission by a United Kingdom expert to Jakarta to provide training to patent examiners of DGCPT and other government officials on the use of computerized patent documentation.

Malaysia. In December 1995, two WIPO consultants from the JPO undertook a mission to Kuala Lumpur to provide advice to the Intellectual Property Division in the areas of industrial designs and the PCT.

Mongolia. In December 1995, Mr. Damdinsuren-giin Demberel, Director General, Mongolian Patent Office, and another government official undertook a WIPO-organized visit to Tokyo, to get acquainted with the facilities and general administration of the JPO.

Philippines. In December 1995, Mr. Ignacio Sapalo, Director, Bureau of Patents, Trademarks and Technology Transfer (BPTTT), and an intellectual property lawyer from the Philippines visited WIPO in Geneva to hold consultations with WIPO officials on a number of national legislative questions, including the conformity of proposed Philippine intellectual property legislation with the requirements of the TRIPS Agreement. The visit was financed under the EC-ASEAN Patents and Trademarks Program.

Hong Kong. In December 1995, a government official held discussions with WIPO officials in Geneva on the current status and plans of Hong Kong's intellectual property legislation.

Latin America and the Caribbean

Training Courses, Seminars and Meetings

WIPO Seminar for Southern Common Market (MERCOSUR) Countries on Regional Industrial Property Agreements (Brazil). On December 7 and 8, 1995, WIPO organized that Seminar in Florianopolis, in cooperation with the National Institute of Industrial Property (INPI) of Brazil. The Seminar was attended by nine government officials from Argentina, Paraguay and Uruguay, and some 70 participants from government circles and the private sector in Brazil. Presentations were made by five WIPO consultants from Mexico, the United States of America, the European Commission, the European Patent Office (EPO) and the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM).

WIPO National Seminar on Copyright and Neighboring Rights for Judges of MERCOSUR Countries (Argentina). From December 11 to 13, 1995, WIPO organized that Seminar in Rio Cuarto, in cooperation with the Latin American Institute for Advanced Technology, Computer Science and Law (ILATID) and the National University of Rio Cuarto. The Seminar was attended by 30 judges from Argentina. Presentations were made by seven WIPO consultants from Argentina, Uruguay, ILATID and the Inter-American Copyright Institute (IIDA), and a WIPO official.

WIPO National Seminar on Industrial Property for Judges (Venezuela). On December 7 and 8, 1995, WIPO organized that Seminar in Caracas, in cooperation with the Judiciary Council of Venezuela. It was attended by some 80 judges and government officials. Presentations were made by three WIPO consultants from Germany, Mexico and the United States of America, four experts from Venezuela and a WIPO official.

Assistance with Training, Legislation and Modernization of Administration

Brazil. In December 1995, Mrs. Vanda Scartezini, President, National Institute of Industrial Property (INPI), discussed with the Director General and other WIPO officials in Geneva cooperation between INPI and WIPO in the field of industrial property.

Cuba. In December 1995, a government official held discussions with WIPO officials in Geneva on cooperation between Cuba and WIPO in the field of industrial property.

In late November and early December 1995, two government officials undertook a WIPO-organized study visit to the Swiss Federal Intellectual Property Office in Berne, the Benelux Designs Office (BBDM) in The Hague and WIPO in Geneva, to get acquainted with the functioning of the Hague Agreement.

Ecuador. In December 1995, Mr. Alvaro Ojeda Hidalgo, Director, National Directorate of Industrial Property, undertook a WIPO-organized visit to the Spanish Patent and Trademark Office in Madrid and to WIPO in Geneva. At WIPO, he held discussions with the Director General and other WIPO officials on cooperation between Ecuador and WIPO in the field of industrial property, and was briefed on the functioning of WIPO-administered international registration systems.

Also in December 1995, the International Bureau prepared and sent to the government authorities, at their request, a preliminary study on the compatibility of the industrial property legislation of Ecuador with obligations under the TRIPS Agreement.

Mexico. In December 1995, a WIPO official undertook a mission to Mexico City to discuss with officials of the Mexican Institute of Industrial Property (IMPI) the 1996 program of activities, under the technical cooperation project for the modernization of IMPI executed by WIPO.

Also in December 1995, two government officials undertook a WIPO-organized study visit to the Spanish Patent and Trademark Office in Madrid to observe the functioning of the Office's trademark-granting operations.

Uruguay. In December 1995, the International Bureau prepared and sent to the government authorities, at their request, a preliminary study on the compatibility of the industrial property legislation of Uruguay with obligations under the TRIPS Agreement.

Also in December 1995, a WIPO consultant from Colombia undertook a mission to Montevideo, under the technical cooperation project in the field of copyright executed by WIPO, to advise and give assistance to government authorities on the modernization of the legal framework of copyright and neighboring rights in the country.

General. In December 1995, an official representing *Artistas Como Interpretes y Ejecutantes de España (ARTIS)* held discussions with the Director General and WIPO officials in Geneva on cooperation in the organization of intellectual property meetings for Spanish-speaking developing countries.

WIPO Medals

In December 1995, a special WIPO gold medal was awarded by the Director General to Mr. Paul Braendli, the outgoing President of the European Patent Office (EPO), in Munich, in recognition of his leadership in the patent world and outstanding

contribution to the cooperation between the EPO and WIPO.

Also in December 1995, two WIPO gold medals were awarded in Warsaw to two outstanding Polish inventors.

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

National Activities

Albania. In December 1995, Mr. Albert Kushti, Director, Patents and Trademarks Office, had discussions with WIPO officials in Geneva on cooperation between that Office and WIPO in preparation of a national seminar in the field of industrial property, to be held in Tirana in March 1996.

Also in December 1995, Mr. Kushti and another government official undertook a WIPO-organized study visit to the Spanish Patent and Trademark Office in Madrid, to observe the general organization of that Office.

Azerbaijan. In December 1995, Mr. Faig Mamedov, Deputy Chairman, State Committee of Science and Technology, and Mr. Nureddin M.A. Babirly, Director, Department of Patent and Licensing, visited WIPO in Geneva and met with the Director General and other WIPO officials. During the visit, questions relating to further cooperation between Azerbaijan and WIPO, including the organizing, in Baku in September 1996, of a symposium on patent law and the training of government officials under the PCT and the Madrid Agreement were discussed.

Republic of Moldova. In December 1995, Mr. Eugen M. Stashkov, Director General, State Agency on Industrial Property Protection (AGEPI), on the occasion of the deposit by the Republic of Moldova of its instrument of ratification of the Trademark Law Treaty, had discussions with the Director General and other WIPO officials in Geneva on possible cooperation between his country and WIPO in the establishment of a plan for automating the Agency's operations, as well as on intellectual property arbitration matters.

Russian Federation. In December 1995, Mr. Mikhail Mitukov, First Deputy Chairman, State Duma, and another government official had discussions with the Director General and other WIPO officials in Geneva on the elaboration of new provisions for the protection of intellectual property in the Russian legislation.

Turkmenistan. In December 1995, Mr. Rashid A. Agabaev, Chairman, Patent Office of Turkmenistan, and another government official had discussions with WIPO officials in Geneva on the modernization of the operations of the said Office, as well as on the possibility of organizing a regional seminar on licensing in the country in May 1996.

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

National Contacts

Turkey. In December 1995, Mr. Ugur G. Yalçiner, President, Turkish Patent Institute, and three other government officials undertook a WIPO-organized study visit to the Austrian Patent Office in Vienna, to observe the administrative operations of that Office.

Also in December 1995, a WIPO official undertook a mission to the Turkish Patent Institute in Ankara to give advice and have discussions with officials of that Institute concerning the registration of service marks and the application of the international classifications under the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks and the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks, as a follow-up to Turkey's recent accession to those Agreements.

Also in December 1995, two government officials had discussions with WIPO officials in Geneva in relation to the translation work of the sixth edition of the IPC (International Patent Classification) into Turkish, currently being prepared by the Turkish Patent Institute.

United Nations

United Nations Consultative Committee on Programme and Operational Questions (CCPOQ). In December 1995, two WIPO officials attended the Intersessional Consultations Meeting of the CCPOQ, held in Geneva.

Information System Co-ordination Committee (UN): Task Force on Inter-Library Cooperation, Standards and Management (ISCCTF/LIB). In December 1995, a WIPO official attended that meeting, held in Geneva.

United Nations Institute for Training and Research (UNITAR). In December 1995, a WIPO official made a presentation on intellectual property, WIPO and its activities at a Seminar on Practices and Procedures of Selected Geneva-based United Nations Bodies and Agencies, held in Geneva, and attended by 10 government officials from Australia, Ghana, Israel, Lebanon, Mexico and Nigeria.

Intergovernmental Organizations

European Patent Office (EPO). In December 1995, the Director General made a speech at a farewell ceremony held in Munich for the outgoing President of the EPO, Mr. Paul Braendli. Another WIPO official also attended that ceremony. (See also under "WIPO Medals," on p. 127.)

Also in December 1995, a WIPO official attended a meeting of the Administrative Council of the EPO, held in Munich.

*World Trade Organization (WTO).*¹ On December 8, 1995, a second Informal Meeting of WIPO member States (the first one was held on November 22, 1995) was convened at WIPO's headquarters to continue discussions on the draft cooperation agreement between the two Organizations under the TRIPS Agreement. That agreement was subsequently approved on December 22, 1995, by the WIPO Governing Bodies concerned and entered into force on January 1, 1996.

Also in December 1995, Mr. Stuart Harbinson, Chairman of the Council for TRIPS of the WTO, and WTO officials had several meetings in Geneva with Mr. Eladio Loizaga, Chairman of the WIPO Coordination Committee, and WIPO officials to discuss the said draft agreement.

Still in December 1995, a WIPO official attended a meeting of the Council for TRIPS of the WTO, held in Geneva, during which the above-mentioned draft agreement was approved by the said Council.

Later in the same month, a WIPO official attended a meeting of the General Council of the WTO in Geneva, where, among others, the draft agreement was approved.

General Agreement on Tariffs and Trade (GATT). In December 1995, a WIPO official attended the fifty-first (and last) session of the GATT Contracting Parties, held in Geneva.

World Bank. In December 1995, an official from the World Bank held discussions with WIPO officials in Geneva on intellectual property matters.*

¹ A note on the Governing Bodies of WIPO, which met in Geneva in December 1995 to approve the draft Agreement Between WIPO and the WTO, as well as the text of that Agreement, were published in the February 1996 issue of this review, on pp. 76 *et seq.*

Other Organizations

WIPO Informal Meeting With International Non-Governmental Organizations Interested in Matters of Industrial Property and/or Copyright (Geneva). On December 15, 1995, WIPO held this annual meeting in Geneva. During the meeting, which was chaired by the Director General, there was an extensive exchange of views on the activities and programs of WIPO of particular interest to those organizations. The following 36 organizations were represented: Centre for International Industrial Property Studies (CEIPI), Committee of National Institutes of Patent Agents (CNIPA), Committee of Nordic Industrial Property Agents (CONOPA), European Association of Industries of Branded Products (AIM), European Broadcasting Union (EBU), European Chemical Industry Council (CEFIC), European Communities Trade Mark Association (ECTA), European Federation of Agents of Industry in Industrial Property (FEMIP), European Federation of Audiovisual Filmmakers (FERA), European Federation of Pharmaceutical Industries' Associations (EFPIA), Institute of Professional Representatives Before the European Patent Office (EPI), International Alliance of Orchestra Associations (IAOA), International Association of Audio-Visual Writers and Directors (AIDAA), International Association of Entertainment Lawyers (IAEL), International Association for the Protection of Industrial Property (AIPPI), International Bureau of Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM), International Chamber of Commerce (ICC), International Confederation of Free Trade Unions (ICFTU), International Confederation of Societies of Authors and Composers (CISAC), International Council on Archives (ICA), International Federation of Inventors' Associations (IFIA), International Federation of Musicians (FIM), International Group of National Associations of Manufacturers of Agrochemical Products (GIFAP), International Group of Scientific, Technical and Medical Publishers (STM), International League for Competition Law (LIDC),

International Organization for Standardization (ISO), International P.E.N., International Publishers Association (IPA), International Union of Architects (IUA), International Video Federation (IVF), Max Planck Institute for Foreign and International Patent, Copyright and Competition Law (MPI), PEARLE* Performing Arts Employers Associations League Europe, Union of European Practitioners in Industrial Property (UEPIP), Union of Industrial and Employers' Confederations of Europe (UNICE), World Federation of Engineering Organizations (WFEO), World Federation of Music Schools (WFMS).

Association of International Librarians and Information Specialists (AILIS). On December 1, 1995, AILIS organized at WIPO's headquarters in Geneva, in cooperation with WIPO, a copyright seminar for AILIS members. Some 40 participants attended. Presentations were made by three WIPO officials.

Also in December 1995, a WIPO official attended the AILIS annual meeting, also held in WIPO.

German Association for Industrial Property and Copyright (DVGR). In December 1995, a WIPO official made a presentation on the ongoing revision work of the Hague Agreement Concerning the International Deposit of Industrial Designs in a meeting of the Committee on Industrial Designs of DVGR, held in Munich.

International Federation of Industrial Property Attorneys (FICPI). In December 1995, the Director General held discussions at WIPO in Geneva with the President and four other officers of FICPI on the Federation's current activities and on issues concerning various WIPO-administered industrial property treaties, in particular the PCT, and on the draft Patent Law Treaty.

Online Information '95. In December 1995, a WIPO official attended several meetings of that annual exhibition which took place in London.

Miscellaneous News

National Laws

China. Regulations of the People's Republic of China Regarding Customs Protection of Intellectual Property Rights, promulgated by Decree No. 179 of July 5, 1995, entered into force on October 1, 1995.

Czech Republic. Decree No. 213 of September 7, 1995, to Implement the Law on Trademarks No. 137/1995, entered into force on October 1, 1995.

Denmark. Act No. 900 of November 29, 1995, Concerning the Amendment of the Patent Act No. 587 of July 2, 1993 (Implementing the TRIPS Agreement), entered into force on January 1, 1996.

Order No. 752 of September 15, 1995, Concerning the Fees of the Danish Patent Office, entered into force on January 1, 1996.

Order No. 977 of December 14, 1995, Concerning Application for Trademarks and Collective Marks for Residents of Certain Foreign States, entered into force on January 1, 1996.

Singapore. The Patents (Amendment) Act 1995 (No. 40 of November 18, 1995) entered into force on January 1, 1996.

The Patents (Amendment) Rules 1995 (No. S583 of December 26, 1995) entered into force on January 1, 1996.

United Kingdom. The Patents (Convention Countries) (Amendment) Order 1995 (No. 2989 of November 23, 1995) entered into force on December 15, 1995 (Articles 1, 2(a) and 3(a)), on December 25, 1995 (Articles 2(b) and 3(b)), and

on January 1, 1996 (Articles 2(c) and 3(c)), respectively.

The Designs (Convention Countries) (Amendment) Order 1995 (No. 2988 of November 23, 1995) entered into force on December 15, 1995 (Articles 1, 2(a) and 3(a)(i) and (b)), on December 25, 1995 (Articles 2(b) and 3(a)(ii)), and on January 1, 1996 (Articles 2(c) and 3(a)(iii)), respectively.

The Trade Marks (Claims to Priority from Relevant Countries) (Amendment) Order 1995 (No. 2997 of November 23, 1995) entered into force on January 1, 1996.

United States of America. The Federal Trademark Dilution Act of 1995 (No. 104-98) of January 16, 1996, entered into force on the same day.

Regional Laws

European Communities. Council Regulation (EC) No. 2868/95 of December 13, 1995, Implementing Council Regulation (EC) No. 40/94 on the Community Trade Mark was published in the *Official Journal of the European Communities* No. L 303 of December 15, 1995, and entered into force on December 22, 1995.

Council Regulation (EC) No. 2869/95 of December 13, 1995, on the Fees Payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs) was published in the *Official Journal of the European Communities* No. L 303 of December 15, 1995, and entered into force on December 22, 1995.

Activities of UPOV

Annual Report of the Secretary-General for 1995

(Twenty-Seventh Year)

Composition of the Union

1. In 1995, three States deposited with the Secretary-General their instruments of accession to the 1978 Act of the International Convention for the Protection of New Varieties of Plants:

- (a) Portugal, on September 14;
- (b) Ukraine, on October 3;
- (c) Chile, on December 5.

2. The aforementioned Act entered into force with respect to those States one month after deposit of their instruments of accession, that is, on October 14 for Portugal, November 3 for Ukraine and January 5, 1996, for Chile.

3. As of the latter date, the Union comprises 30 member States: Argentina, Australia, Austria, Belgium, Canada, Chile, Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, South Africa, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States of America, Uruguay. All are party to the 1978 Act, with the exception of Belgium and Spain, which are party to the 1961 Act as amended by the additional Act of 1972.

4. At the close of the year, Mexico, a signatory State to the 1978 Act, took steps with a view to ratification of that Act.

5. Under Article 32(3) of the 1978 Act, "any State which is not a member of the Union and which has not signed this Act shall, before depositing its instrument of accession, ask the Council to advise it in respect of the conformity of its laws with the provisions of this Act." A similar provision is contained in Article 34(3) of the 1991 Act.

6. In 1995, five requests were made on the basis of the 1978 Act:

- (a) by Chile, by letter dated January 27;
- (b) by Paraguay, by letter dated April 19;
- (c) by Bolivia, by letter dated September 15;
- (d) by Belarus, by letter dated October 17;
- (e) by Ecuador, by letter dated October 19.

7. At its twelfth extraordinary session, held on April 28, the Council took positive decisions in respect of the first two of the above-mentioned requests. The following two were examined at its twenty-ninth ordinary session on October 17; the Council took a qualified decision in respect of the request by Bolivia and a positive decision with regard to the request by Belarus. The latter decision will be examined in 1996 at an extraordinary session.

8. According to its Article 37(1), the 1991 Act "shall enter into force one month after five States have deposited their instruments of ratification, acceptance, approval or accession, as the case may be, provided that at least three of the said instruments have been deposited by States party to the Act of 1961/1972 or the Act of 1978." Under Article 30(2), each State or intergovernmental organization must be in a position, under its laws, to give effect to the provisions of the 1991 Act at the time of depositing its instrument. In 1995, several States drew up amending laws and Denmark and Slovakia adopted such laws.

9. The table given in the annex to this report summarizes the situation in the various States in relation to the various Acts of the Convention as at December 31, 1995.¹

Sessions of the Council and its Subsidiary Bodies

Council

10. The Council held its twelfth extraordinary session on April 28 under the chairmanship of Mr. Bill Whitmore (New Zealand) as a result of the requests for advices submitted by Chile and Paraguay under Article 32(3) of the 1978 Act.

11. The Council held its twenty-ninth ordinary session on October 17, also under the chairmanship of Mr. Bill Whitmore. The session was attended by ob-

¹ Annex not reproduced here.

servers from 14 non-member States² and nine international organizations.³

12. At that session, it took the following main decisions:

(a) it pronounced on the conformity of the laws of Belarus and Bolivia with the UPOV Convention;

(b) it approved the report of the Secretary-General on the activities of the Union in 1994 and the first nine months of 1995;

(c) it approved the program and budget of the Union for the 1996-97 biennium;

(d) it approved the progress reports on the work of its various subsidiary bodies and either drew up or approved their work plans for the coming year;

(e) it unanimously elected Mr. H. Dieter Hoinkes (United States of America) and Mr. John Carvill (Ireland) as Chairman and Deputy Chairman, respectively, of the Administrative and Legal Committee for a term of three years ending with the completion of the thirty-second ordinary session of the Council, in 1998;

(f) it unanimously elected Mr. Joël Guiard (France) and Mrs. Elise Buitendag (South Africa) as Chairman and Deputy Chairman, respectively, of the Technical Committee for the same term.

Consultative Committee

13. The Consultative Committee held its forty-ninth session on April 28 and its fiftieth session on October 16, under the chairmanship of Mr. Bill Whitmore.

14. The Committee examined the following matters at its two sessions: the proposed UPOV central CD-ROM database on plant variety protection and related matters (to be produced in 1996); the impact of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement, constituting annex 1C to the Agreement Establishing the World Trade Organization (WTO)) on plant variety protection; the relationship between biodiversity, phylogenetic resources and plant variety protection.

15. At its forty-ninth session, the Committee also decided to extend the appointment of the Vice Secre-

² Belarus, Bolivia, Colombia, Mexico, Panama, Philippines, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Slovenia, Syria, Tunisia, Venezuela.

³ United Nations Food and Agriculture Organization (FAO), World Trade Organization (WTO), European Community (EC), Organisation for Economic Co-operation and Development (OECD), International Association for the Protection of Industrial Property (AIPPI), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), International Community of Breeders of Asexually Reproduced Ornamental and Fruit Tree Varieties (CIOPORA), International Federation of the Seed Trade (FIS), International Chamber of Commerce (ICC).

tary-General to November 30, 2001, and heard reports from the representatives of the member States on progress in implementing the 1991 Act. The fiftieth session also prepared the ordinary session of the Council.

Administrative and Legal Committee

16. The Administrative and Legal Committee held its thirty-fifth session on April 26 and 27 under the chairmanship of Mr. Henning Kunhardt (Germany). The session was attended by observers from nine non-member States.⁴

17. At that session, the Committee examined a draft model law on the protection of new varieties of plants based on the 1991 Act of the Convention. The session had been prepared by a Working Group comprised of Mrs. Carmen Gianni (Argentina), Mr. José María Elena Rosselló (Spain), Mr. Bart Kiewiet (Netherlands) and Mr. Henning Kunhardt, each acting in an individual capacity; the Working Group had met on February 21 and 22.

Technical Committee

18. The Technical Committee held its thirty-second session from October 18 to 20 under the chairmanship of Mrs. Jutta Rasmussen (Denmark). The session was attended by observers from five non-member States⁵ and five international organizations.⁶

19. The Committee adopted test guidelines for the following 11 taxa on the basis of the preparatory work done by the Technical Working Parties: anthurium, apple, broccoli, camomile, cauliflower, cherry, flax, Norway spruce, peach, rhododendron, strawberry.

20. The Committee considered the progress reports on the work of the Technical Working Parties and broadly defined the future work of those working parties. It also considered questions raised by the working parties in the light of experience gained by member States in the conduct of distinctness, uniformity and stability testing of new plant varieties. It looked more closely at the impact of new methods of biochemical and molecular analysis on the examination of varieties and on the concept of variety itself.

⁴ Belarus, Chile, Colombia, India, Mexico, Peru, Republic of Korea, Romania, Russian Federation.

⁵ Colombia, Greece, Republic of Korea, Romania, Venezuela.

⁶ FAO, EC, OECD, ASSINSEL, FIS.

Technical Working Parties

21. The Technical Working Parties held sessions outside Geneva as follows:

(a) the *Technical Working Party for Agricultural Crops (TWA)* held its twenty-fourth session from June 20 to 22 in Hanover, Germany, under the chairmanship of Mr. Huib Ghijsen (Netherlands);

(b) the *Technical Working Party on Automation and Computer Programs (TWC)* held its thirteenth session from June 7 to 9 at Slupia Wielka, Poland, under the chairmanship of Mr. Sylvain Grégoire (France);

(c) the *Technical Working Party for Fruit Crops (TWF)* held its twenty-sixth session from September 11 to 15 at Canterbury, United Kingdom, under the chairmanship of Mrs. E. Buitendag (South Africa);

(d) the *Technical Working Party for Ornamental Plants and Forest Trees (TWO)* held its twenty-eighth session from September 4 to 9 at Ede-Wageningen, Netherlands, under the chairmanship of Mrs. U. Löscher (Germany);

(e) the *Technical Working Party for Vegetables (T WV)* held its twenty-ninth session from June 26 to July 1 at Roelofarendsveen, Netherlands, under the chairmanship of Mrs. E. Kristof (Hungary).

22. The basic task of four of these Working Parties is to draw up test guidelines. In addition to the drafts submitted to the Technical Committee for adoption, they drew up further drafts for the following taxa, to be submitted to the professional organizations for comments: rape seed (revision) (TWA); *Cyrtanthus*, *Serruria* (TWO); beetroot (revision), ginger, leaf chicory, pumpkin, spinach (revision) (T WV).

23. A sub-group of the Technical Working Party for Vegetables met on October 11 at Brion, France, to examine the test guidelines for onion and shallot.

24. The Technical Working Party on Automation and Computer Programs proceeded with its finalization of various documents relating to the statistical processing of data collected in the course of examination of varieties for distinctness and homogeneity. It recommended that the mahalanobis' generalized distance D^2 be used for determining the closest variety to be shown in the variety description.

Working Group on Biochemical and Molecular Techniques, and DNA Profiling in Particular

25. The Working Group on Biochemical and Molecular Techniques, and DNA Profiling in Particular, held its third session from September 19 to 21 at Wageningen, Netherlands, under the chairmanship of Mr. J. Guiard (France). Observers from Greece and Portugal and from the EC, together with representatives from ASSINSEL, attended the session.

26. The Working Group is active in a new field and, consequently, is still at the stocktaking stage. Methods for determining DNA profiles were presented for 11 species (barley, hydrangea, lucerne, oilseed rape, peach, pinaster, potato, ryegrass, strawberry, sunflower, tomato).

Ad Hoc Group on the UPOV Central CD-ROM Database on Plant Variety Protection and Related Matters

27. The Group met on November 23 and 24 to examine questions raised by tests with the first demonstration disk and to finalize procedures for production of the disk.

Seminars

28. In 1995, UPOV organized two regional seminars and two national seminars on the nature of and rationale for the protection of plant varieties under the UPOV Convention.

(a) On March 13, a national seminar was organized in San Jose (Costa Rica) jointly with the Ministry of Justice of Costa Rica and the assistance of the Ministry of Agriculture of the Netherlands. Lectures were delivered on the general and technical aspects of plant variety protection, the 1991 Act, plant variety protection in the Netherlands and the implications of the TRIPS Agreement for Costa Rica.

(b) On March 15, a national seminar was held in Guatemala, jointly with the Industrial Property Registry of the Ministry of Economy of Guatemala and the Chamber of Commerce of Guatemala, with the assistance of the Ministry of Agriculture of the Netherlands. The seminar was opened by Mrs. Irma Luz Toledo Peñate, Vice-Minister for the Economy, and Mr. Fernando Vargas, Vice-Minister for Agriculture. Lectures were given on seed production in Guatemala, general aspects of the Industrial Property Registry, general and technical aspects of plant variety protection, the 1991 Act and the protection of plant varieties in the Netherlands.

(c) From May 3 to 5, a Regional Seminar on the Protection of Plant Varieties under the UPOV Convention was held in Pretoria (South Africa) in cooperation with the Department of Agriculture of South Africa and the financial assistance of the Overseas Development Administration of the United Kingdom. The Seminar was organized for the member States of the Southern African Development Community (SADC). Lectures were given on general and technical aspects of plant variety protection, on the 1991 Act, on plant breeders' rights in South Africa, Sweden, the United Kingdom and Zimbabwe, on intellectual property rights and the seed industry and on plant variety protection and vegetatively propagated crops in South Africa. The representatives of

participating States gave reports on the current situation of plant breeding and the seed industry in their countries.

(d) From December 5 to 7, a Technical Seminar on the Examination of Varieties of Tropical and Subtropical Plants under the UPOV Convention was held in Medan (Indonesia), in cooperation with the Ministry of Agriculture of Indonesia and with the financial assistance of the Ministry of Agriculture, Forests and Fisheries of Japan. The Seminar was organized for the countries of South East Asia. Lectures were given on general aspects of plant variety protection, technical criteria for protection, examination guidelines, organization of examination in general and for specific species, the use of molecular techniques in examination, improvement of plants and production and distribution of seedlings in the case of certain tropical and subtropical species.

29. Each of the seminars provided an occasion for high-level discussions with the authorities responsible for plant variety protection in the host countries.

Relations With Member States⁷

30. During the year, the Office of the Union provided information to various member States with regard to the adaptation of their legislation to the 1991 Act and also submitted observations on draft laws. On December 6 and 7, it received the visit of Mr. Roman Suchý, Senior Administrator, Ministry of Agriculture of Slovakia, Mr. Eduard Smelko, private sector lawyer involved in the revision work on the legislation, and Mr. Vladimír Dovica, Third Secretary in the Permanent Mission in Geneva.

31. The Office of the Union was also consulted by officials of various member States with regard to the obligations resulting from the TRIPS Agreement, particularly with regard to notification of laws and bilateral and multilateral agreements.

32. On February 1, the Secretary-General received a note from the Permanent Mission of Chile requesting the advice of the UPOV Council on the conformity of the Chilean Law with the 1978 Act of the UPOV Convention.

33. On May 10, the Vice Secretary-General received the visit of Mr. Howard Mann, a consultant on international and environmental law and policy, who was working for the Canadian Department of the Environment and sought information concerning the implementation of the Convention for the Conservation of Biological Diversity.

34. On October 30 and 31, two officials of the Office of the Union traveled to Madrid (Spain), to agree on the Spanish-language terminology to be used in the technical documents of UPOV.

35. On November 7, the Vice Secretary-General visited Miss Nicole Bustin, Secretary-General of the Plant Variety Protection Committee of France in Paris. The same day, he attended a reception at which Mr. Philippe Vasseur, Minister for Agriculture, decorated Mr. Victor Desprez with the insignia of Commander of the Légion d'honneur.

Relations With Non-Member States

*States of Africa*⁸

36. In the course of the seminar held on March 7 and 8 in Santa Fé de Bogotá,⁹ the Vice Secretary-General met Professor Nora Olemba, Head of the Industrial Property Office of Kenya, who passed to him a copy of the Regulations that had been made to implement the Seeds and Plant Varieties Act 1971 of Kenya, so far as plant breeders' rights were concerned.

37. On August 17, the Office of the Union wrote to Dr. Grant A. Mwakatundu, Commissioner for Agriculture and Livestock, Ministry of Agriculture of Tanzania, with comments on a draft Law for the Protection of New Plant Varieties in Tanzania.

38. On December 11, the Vice Secretary-General attended in Cairo (Egypt) the second National Seed Conference, at which he gave a lecture. Outside the Conference, he had discussions with Mr. Salah Abdel el Wanis, Under-Secretary for Agriculture and Director of the Central Seed Administration. He also met Mr. Mohamed I. El Hawary, Director General, Directorate of Standards and Seed Industry Promotion, and Mr. Gamal Eissa Attya, an official of that Division responsible for matters of plant variety protection.

*States of Latin America and the Caribbean*¹⁰

39. On January 31, the Vice Secretary-General wrote to Mr. Luiz Antonio Barreto de Castro, Secretary for the Coordination of Programs, Ministry of Science and Technology of Brazil, concerning aspects of the 1978 and 1991 Acts.

40. Following the meeting of the Subregional Committee for the Protection of Plant Varieties of the

⁸ See also paragraph 119 (North Africa, particularly Egypt, Morocco, Tunisia).

⁹ See paragraph 137.

¹⁰ See also paragraph 117 (Colombia, Ecuador, Peru).

⁷ See also paragraph 70 (Switzerland).

Andean Group held in Lima on January 30 and 31, an official of the Union visited the Institute for the Defense of Competition and Intellectual Property of Peru (INDECOPI), where he met Mrs. Begoña Venero Aguirre, Head of the Office for Inventions and New Technologies, whose responsibilities include the implementation in Peru of Decision No. 345, which concerns the protection of plant varieties, of the Commission of the Cartagena Agreement.

41. He subsequently visited Quito (Ecuador). On February 2, he gave a lecture on the protection of plant varieties at the offices of the Inter-American Institute for Agricultural Cooperation (IICA) to an audience of officials from the ministries concerned and members of the relevant private sector. He subsequently met, at the Ministry of Agriculture, Mr. Ignacio Pérez Arteta, Under Secretary, and Mr. Eduardo Mayacela, Head of the Division responsible for inputs, and Mr. Nelson Peñafiel, Director of the National Directorate for Agriculture and Livestock. At the Ministry of Industry, Commerce, Integration and Fisheries, he met Mr. Diego Montalvo Escobar, Director, National Directorate of Industrial Property, and Mr. Manuel Santillan Vinuesa. All those he spoke to expressed Ecuador's wish to accede to the UPOV Convention.

42. On February 3, he visited the Institute for Agriculture and Livestock of Colombia (ICA) at Santa Fé de Bogotá, where he met Mrs. Luz Alba Cruz de Urbina, Deputy General Manager of ICA, and Mr. Jorge Enrique Suárez Corredor, Director of the Seed Division, and other officials. Various measures to be taken to implement the plant variety protection system were examined in those talks.

43. On February 21, the Office of the Union wrote to Mr. Dacio Castello, Director General, Directorate General for Intellectual Property of Honduras, providing information on plant variety protection.

44. On March 2 and 3, the Vice Secretary-General met in Port of Spain with the members of a Committee established to review intellectual property laws in Trinidad and Tobago and discussed the Committee's proposals for the protection of plant varieties.

45. On March 6, the Vice Secretary-General visited the Colombian Institute for Agriculture and Livestock (ICA) at Santa Fé de Bogotá (Colombia) where he met Mr. Juan Manuel Ramírez Pérez, General Manager, Mr. Jorge E. Suárez Corredor, Mrs. Ana Luisa Diaz Jiménez, Head of the Seed Certification and Registration Unit, and Mr. Alejandro Mendoza Osorio, Head of the Seed Quality Unit, in order to discuss the steps being taken to implement the Colombian Law on Plant Vari-

ety Protection. Mrs. Begoña Venero Aguirre (Peru) was also present at the discussions as an observer.

46. On March 9 and 10, the Vice Secretary-General and Mr. Huib Ghijsen, Head of the Registration and Plant Breeders' Rights Department at Wageningen (Netherlands) visited Panama. On the first day, they met the General Secretary of the Ministry of Commerce and Industry, Mr. José Donoso, the National Director of Commerce, Mr. Rodolfo Espino, and the General Director of the Industrial Property Register, Mrs. Luz Celese Ríos de Davis, together with senior staff of the registry. They discussed matters of plant variety protection under the UPOV Convention and the possibility of holding a national seminar on that topic. On the second day, they met officials of the Research Institute for Agriculture and Livestock of Panama.

47. On March 13, on the occasion of the national seminar held in San José (Costa Rica), the Vice Secretary-General and Mr. Huib Ghijsen met the Vice-Minister for Justice, Mrs. Mónica Blanco Valverde, and the Director of the Intellectual Property Office, Mrs. Liliana Alfaro.

48. On March 14, they visited the Ministry for Foreign Trade, where they met Mr. Fernando Ocampo, Adviser to the Minister. They then visited Mr. Ricardo Garrón, Vice-President of the National Assembly, and paid a brief visit to the Intellectual Property Registry situated within the National Registry of the Ministry of Justice.

49. Later, they visited the Ministry of Agriculture and Livestock, where they were received by Mr. Oscar Campos Chavarria, Vice-Minister. Also present were Dr. Bernardo Mora Brenes, Director of Agriculture and Livestock Research in the Ministry, Ing. José Manuel Rodríguez, President of the Board of Directors of the National Seed Office, and Ing. Ana Corina Guevara Fernandez, Executive Director of the National Seed Office, and other officials. They discussed the plant variety protection situation in Costa Rica and the draft Regulations made under the existing National Seed Law and intended to create a system of plant variety protection in Costa Rica.

50. On March 16, the day after the National Seminar held in Guatemala, the Vice Secretary-General and Mr. Huib Ghijsen visited agricultural research centers in Guatemala.

51. On April 3, the Office of the Union received a letter from Ing. Agr. Carlos Alberto Pffingst, Acting Director of the Seed Directorate of Paraguay, requesting that conformity of the Law of Paraguay with the UPOV Convention be considered by the Council of UPOV at its extraordinary session on

April 28, 1995. On April 6, the Vice Secretary-General received the visit of Mr. Rigoberto Ganto, *Chargé d'affaires*, Permanent Mission of Paraguay in Geneva, to discuss that request with him.

52. On May 10, the Vice Secretary-General received the visit of Mr. Carlos Eduardo Illescas Rivera, Director, Industrial Property Registry of Guatemala, who enquired concerning the possibility of UPOV cooperating in holding a second national seminar in his country.

53. On May 10, the Office of the Union received the visit of Mrs. Begoña Venero Aguirre (Peru) and discussed with her a draft decree for the application of Decision No. 345 of the Commission of the Cartagena Agreement.

54. On May 11, the Vice Secretary-General received the visit of Mr. Rolando Miguel Hernández Vigaud, Head of the Legal Department of the National Office of Inventions, Technical Information and Trademarks of Cuba, who stated that his country was preparing a plant variety protection law in conformity with the 1978 Act.

55. On May 12, the Vice Secretary-General received the visit of Mr. Rolando J. Vega Méndez, Director and Registrar of Industrial Property in Venezuela, who expressed the wish of his country to accede to the UPOV Convention.

56. On May 22 and 23, the Vice Secretary-General took part in Brasilia (Brazil) in a seminar on the "Draft Law for the Protection of Plant Varieties in the Light of the 1978 Version of UPOV," organized jointly by the Brazilian Agriculture and Livestock Research Organization (EMBRAPA) and by the Brazilian Seed Trade Association (ABRASAM), where he gave two lectures.

57. On May 24, he visited the headquarters of EMBRAPA, where he met its President, Dr. Alberto Duque Portugal. He also visited the Chamber of Deputies of the Brazilian Congress, where he met the President of the Agricultural Committee, Deputy Alcides Modesto.

58. On May 30, the Office of the Union received the visit of Mrs. Emilia Lara Diaz, Head of Patents in the National Office of Inventions, Technical Information and Marks of Cuba, who sought information on plant variety protection.

59. On June 8, the Vice Secretary-General visited the offices of the National Seed Council of Bolivia in La Paz, and subsequently called on the National Secretary for Agriculture and Livestock, Ing. Edgar Talavera Soliz.

60. On June 9, he visited the Regional Seed Office of Santa Cruz, Bolivia, where he met Mr. Jorge Suárez, National Director of the National Seed Council, and Mr. Jorge Rosales King, President of Prosemillas, with whom he discussed the draft national implementing regulations for Decision No. 345 of the Commission of the Cartagena Agreement.

61. On June 11, the Vice Secretary-General participated in a meeting organized by Ing. Alejandro Trueba Carranza, Director General of Agricultural Policy in the Secretariat for Agriculture, Livestock and Rural Development of Mexico, and the Mexican Seed Trade Association. A broad cross-section of persons interested in the intellectual property protection of plant varieties was present at the meeting, which the Vice Secretary-General addressed on the subject of protection under the UPOV Convention.

62. On July 28, the Vice Secretary-General received the visit of Mr. Gustavo Anda Sevilla, Second Secretary at the Permanent Mission of Ecuador in Geneva, who sought information on the procedure for accession to the 1978 Act of the Convention.

63. On August 29, Mr. Manuel Santillan Vinueza, of the National Directorate of Industrial Property of Ecuador, visited the Office of the Union and reported that the Directorate had received 250 applications for protection of plant varieties.

64. On September 28, the Vice Secretary-General received the visit of Mrs. Connie Matos de Guerrero, Foreign Trade Adviser of the Central Bank of the Dominican Republic, who enquired concerning the compatibility of protection under the UPOV Convention with her country's obligations under the TRIPS Agreement.

65. On October 2, the Vice Secretary-General received the visit of Mrs. América Santos Rivera, Director of the National Office of Inventions, Technical Information and Marks of Cuba, and discussed with her the possibility of holding a national seminar in Cuba.

66. On October 3, the Secretary-General received a letter from Mr. Carlos Agreda Lema, National Secretary for Agriculture and Livestock of Bolivia, in which he requested that the UPOV Council examine conformity of Bolivian legislation with the UPOV Convention.

67. On October 24, the Office of the Union received from the Permanent Mission of Ecuador a request for examination by the UPOV Council of the conformity of Ecuador's legislation with the UPOV Convention.

68. On October 24, the Office of the Union received a final text of the draft implementing regulations for Decision No. 345 of the Commission of the Cartagena Agreement drawn up by the authorities of Peru.

69. On November 1, the Vice Secretary-General received the visit of Mr. Germán Ortega Almeida, First Secretary at the Permanent Mission of Ecuador in Geneva, and of Mr. Alfredo Peñaherrera Wright, a lawyer from Quito, and discussed with them the procedure for acceding to the UPOV Convention.

70. On November 27, the Office of the Union received the visit of Mrs. Begoña Venero Aguirre (Peru) and organized for her a visit to the Plant Varieties Office of Switzerland in Berne.

71. At the beginning of December, the Office of the Union was informed that the Parliament of Colombia had adopted a law enabling that country to accede to the 1978 Act of the Convention.

72. On December 7, the Office of the Union wrote to Mr. Eduardo Benítez Paulín, Director of the National Seed Inspection and Certification Service of Mexico, with regard to ratification of the 1978 Act by that country.

73. On December 21, the Secretary-General wrote to the Permanent Mission of Brazil with regard to the conditions for accession to the 1978 Act. On the same day, the Vice Secretary-General discussed with Mrs. Vanda Scartezini, President of the National Industrial Property Institute of Brazil, the progress of work on the Brazilian Plant Variety Protection Law.

States of Asia and the Pacific

74. On April 26, the Vice Secretary-General received a visit from the observer delegation of the Republic of Korea which was participating in the thirty-fifth session of the Administrative and Legal Committee. They explained the situation concerning the introduction of plant variety protection in their country and asked various questions.

75. On April 27, the Vice Secretary-General received a visit from Mr. Ramarao Nuthakki, Joint Secretary, Department of Agriculture and Cooperation, Ministry of Agriculture of India, and Mr. Mangala Rai, Assistant Director General, Indian Council for Agricultural Research, who described the preparation of legislation on plant variety protection in their country.

76. On May 10, the Vice Secretary-General received the visit of Mr. Taufik M.E. Maroef, of the

Bureau of Laws and Legislation in the Cabinet Secretariat of Indonesia, who described the role of his office in legislation for the protection of plant varieties.

77. On June 6, the Secretary-General received the visit of Mr. Yuan Ke Xing, Director General, Department of Rural Science and Technology, China, and of Mrs. Li Xiaolin, Deputy Director General of that Department, together with other officials of the Department, who asked for information concerning the UPOV system of plant variety protection.

78. On August 28, the Vice Secretary-General received an invitation from the Ministry of Agriculture to visit China in the context of a seed industry project of the World Bank to discuss proposals for the introduction of a law for the protection of new plant varieties with Chinese officials.

79. He visited China from October 4 to 10. From October 4 to 7, he participated in a seminar organized by the World Bank. On October 9 and 10, he met senior members of various institutions involved in the setting-up of legislation on plant variety protection and, in particular, the members of the Inter-Ministerial Committee responsible for producing the preliminary draft of the law.

80. On October 17, a group of eight experts in the field of varieties and seed in India, who were in Europe on a study visit under the aegis of the World Bank and of FAO, attended a session of the Council. The next day, they had talks with the Vice Secretary-General.

81. On November 10 and December 4, an official of the Union received the visit of Mr. Luis M. Bombin, Head of the General Legal Affairs Service of the Legal Office of FAO, who had been called upon to visit Malaysia to advise the Government of that country on legislation in the field of varieties and seed.

82. On November 15, the Vice Secretary-General wrote to Mrs. Hang Sanba, Director of Division, Department of Rural Science and Technology of China, with regard to the conditions for accession to the 1978 Act of the Convention.

83. On November 20, the Vice Secretary-General received the visit of Mr. Hemant Krishan Singh, Deputy Permanent Representative of India in Geneva, and Mr. Dilip Sinha, Counsellor, Permanent Mission, who handed to him an *aide-mémoire* setting out India's intention to accede to the 1978 Act of the Convention and requesting information on the deadline for depositing instruments of accession. The conditions for accession to the 1978 Act were subsequently set out in a letter dated November 23.

84. On December 14, the Vice Secretary-General received the visit of Mr. Ignacio S. Sapalo, Director of the Bureau of Patents, Trademarks and Technology Transfer of the Philippines, and Mr. Ferdinand M. Negre, a private lawyer working on behalf of that Office.

States of Europe and Central Asia

Countries in Transition to Market Economy

85. On January 3, the Vice Secretary-General sent to Mr. Eugen M. Stashkov, Director General of the State Agency for Industrial Property Protection of the Republic of Moldova, his comments on a draft law for the protection of plant varieties in the Republic of Moldova.

86. On January 31, the Office of the Union wrote to Mr. Akil A. Azimov, Director of the State Patent Office of Uzbekistan, concerning the provisional statement on selection achievements adopted by the Cabinet of Ministers of Uzbekistan.

87. On February 28, the Secretary-General wrote to Mr. Alexander Chikvaidze, Minister for Foreign Affairs of Georgia, in response to a request for assistance in relation to plant variety protection matters.

88. On March 27, the Office of the Union received the visit of Mr. Saparbay A. Eminov, Head of the Intersectorial Committee for Techniques and Information Processing of the Cabinet of Ministers of Turkmenistan, and Mr. Bayram O. Kazakov, Head of the Department of New Technology and Education in the same Office, to whom information concerning plant variety protection was passed.

89. On April 6, the Vice Secretary-General discussed in a telephone conversation with Mr. Roman O. Omorov, Head of the Patent Department of Kirghizistan, the possibility of organizing a UPOV regional seminar for the countries of Central Asia in Bishkek.

90. On April 26, the Vice Secretary-General met with Dr. Kristo Iliev, President of the Patent Office of Bulgaria, who told him of plans to legislate on plant variety protection in his country.

91. On April 27, the Vice Secretary-General received the visit of Mr. Yuriy Rogovsky, Deputy Chairman, State Commission for Selection Achievements, Tests and Protection, Russian Federation, and Mrs. Tatjana Gorpichenko, Director, Center for Quality Control of Plant Varieties, who discussed with him arrangements concerning possible accession by their country to the UPOV Convention.

92. On May 11, the Vice Secretary-General received the visit of Mr. Valery I. Kudashov, Head of the Belarus Patent Office, who handed to him the Russian text of the Plant Variety Protection Law of Belarus, which entered into force on July 7.

93. Also on May 11, the Vice Secretary-General received the visit of Mrs. Mioara Radulescu, Director General, State Office for Inventions and Trademarks, Romania, who discussed the status of the proposed plant variety protection law of Romania.

94. On June 27, the Vice Secretary-General visited Chisinau, Republic of Moldova. He met Mr. Eugeniu I. Revenco, Director of Research in the Ministry of Agriculture and Food, and Mr. Dimitri Brynzila, President of the State Commission for Variety Testing and Registration. He subsequently visited the State Agency for Industrial Property Protection of the Republic of Moldova, where he met the Director General, Mr. Eugen Stashkov, and the Research Institute for Selection and Technology in Horticulture, where he met the Director, Mr. Feodor C. Popovich.

95. In the afternoon of the same day, the Vice Secretary-General visited the Parliament of the Republic of Moldova, where he met the Chairman and members of the Committee for Agriculture and the Processing Industry of the Parliament and discussed the passage of plant variety protection legislation. He then visited the National Institute for Vines and Wine of the Republic of Moldova.

96. On June 28, he participated in a meeting of plant breeders from the Agricultural Research Institutes of the Republic of Moldova, held in the Ministry of Agriculture and Food, and spoke on the UPOV Convention and answered questions. He subsequently visited the Offices of the President of the Republic of Moldova, where he met the Agricultural Adviser to the President, who told him of the intention of the Government to enact legislation on the protection of plant varieties and to accede to UPOV. He later visited the Maize and Sorghum Research Institute of Moldova and met its Director, Mr. Vasile E. Micu.

97. On June 29, the Vice Secretary-General visited the State Office for Inventions and Trademarks of Romania in Bucharest and met its Director General, Mrs. Mioara Radulescu, and Mr. Nicolae Pirvu, President of the State Committee for the Testing of Plant Varieties, and other officials.

98. On June 30, the Vice Secretary-General met with Mr. Julian Pusca, Secretary of State in the Ministry of Agriculture, and Mr. Nikolae Pogorevici, Director of the Horticulture Department of the Ministry of Agriculture, and discussed the timetable for legislating on the protection of plant varieties.

99. On July 24, the Vice Secretary-General met in Sofia the Minister of Agriculture and Food Industry of Bulgaria, Mr. V. Chichibaba, together with Mr. Maria Lazarova, Deputy Minister for Agriculture, Professor Hristo Karjin, President of the Agricultural Academy of Bulgaria, and Mr. Cheleev Dimiter, Director of the State Variety Testing Commission, and other officials. He discussed the proposed legislation of Bulgaria for the protection of new plant varieties and animal breeds and, in particular, the desire of the Bulgarian Government that the new Bulgarian law should conform with the 1991 Act.
100. On July 25, the Vice Secretary-General met in the Ministry of Agriculture with the Group of Experts responsible for drafting the new Plant Variety Protection Law of Bulgaria.
101. On July 27, the Vice Secretary-General met with Dr. Kristo Iliev, President of the Bulgarian Patent Office, and Professor Stefan Stefanov of the Technical University of Sofia, who expressed interest in including plant variety protection material in the courses studied by students at the Technical University.
102. On September 27, the Vice Secretary-General received the visit of Mr. Akil A. Azimov (Uzbekistan), who discussed legal developments concerning plant variety protection in his country and invited a representative of the Office of the Union to visit his country.
103. Also on September 27, the Vice Secretary-General received the visit of Mr. David Gabunia, Chairman of the Patent Office of Georgia, and of Mr. Nureddin M.A. Babirly, Director of the Department of Patents and Licenses of the State Committee for Science and Technology of Azerbaijan, and discussed with them the interest of their countries in plant variety protection.
104. On September 28, the Vice-Secretary General received the visit of Mr. Valery I. Kudashov, Head of the Patent Office of Belarus, and of Mr. Alexander Chenado, Deputy Head, Patent Examination Division of that Office, and discussed with them the Law for Plant Variety Protection Law of Belarus and the wish of that country to receive the advice of the Council of UPOV on the conformity of that Law with the UPOV Convention.
105. Also on September 28, the Vice Secretary-General received the visit of Mr. Eugen Stashkov (Republic of Moldova), who told him that a Bill introducing a law for the protection of plant varieties was currently before the Parliament of the Republic
106. On September 29, the Vice Secretary-General received the visit of Mr. Khabiboulo F. Fazazov, Director of the National Center for Patents and Information of Tajikistan, and discussed the interest of his country in introducing a law for the protection of plant varieties.
107. Also on September 29, the Vice Secretary-General received the visit of Mr. Roman O. Omorov, Head of the Patent Department of Kyrgyzstan, and Mr. Abdikalil T. Tokoev, Deputy Head of the Department, and discussed the regulation for the protection of plant varieties which was already in force. They invited the Office of the Union to cooperate with their country in organizing an international seminar on plant variety protection in Kyrgyzstan in 1996. That invitation was accepted on October 3.
108. On October 3, the Office of the Union received the visit of Mr. Sarkis L. Khantardjian, President of the Patent Office of Armenia, and provided him with documentation on plant variety protection and on UPOV.
109. On October 16, Mr. Eugeniu I. Revenco (Republic of Moldova) handed to the Office of the Union the text of a draft law on plant variety protection that had been submitted to Parliament.
110. On October 17, the Secretary-General received a letter from Mr. I.P. Shakalo, Vice-Minister for Agriculture of Belarus, requesting the advice of the UPOV Council on conformity of the Law of Belarus with the 1978 Act of the UPOV Convention.
111. On October 17, the Vice Secretary-General received from Mrs. Adriana Paraschiv, Head of the Examination Department of the State Office for Inventions and Trademarks of Romania, an English translation of the latest version of the draft Law on the Protection of Plant Varieties.
112. On November 30, the Vice Secretary-General received the visit of Mr. Atanas Atanassov, Director of the Genetic Engineering Institute of Bulgaria, and discussed with him the effects of the Law on Plant Variety Protection submitted to Parliament.

*Other States*¹¹

113. On January 26, the Office of the Union corresponded with Mrs. Margellou, Director, International Relations and Legal Affairs, Industrial Property Organization of Greece, concerning protection of plant varieties under the UPOV Convention.

¹¹ See also paragraph 119 (Cyprus, Turkey).

114. On August 2, the Office of the Union wrote to Mrs. Liljana Varga, Assistant Director, Industrial Property Protection Office of the former Yugoslav Republic of Macedonia, to provide information which she had requested on plant variety protection.

115. On October 19, the Vice Secretary-General received the visit of Mr. Michael Gavras, Assistant Director, Plant Production Supply Division, Ministry of Agriculture, Greece, in order to examine with him the possibilities provided by the plant varieties and seeds legislation to introduce a plant variety protection system.

116. On November 28, the Vice Secretary-General received the visit of Mr. Dimitar Belcev, Counselor, Permanent Mission of the former Yugoslav Republic of Macedonia in Geneva, who handed to him a letter from the Minister for Agriculture of his Government concerning possible assistance by UPOV in the setting up of a plant variety protection system. A positive reply was given by the Secretary-General on November 30.

Relations With International Organizations¹²

117. On January 30 and 31, an official of the Union participated in the second meeting of the Subregional Committee for the Protection of Plant Varieties of the Andean Group in Lima, Peru. This occasion was used to pay a visit to the authorities of Colombia, Ecuador and Peru.

118. On February 2, he visited the Offices of the Inter-American Institute for Agricultural Cooperation (IICA) in Quito, Ecuador, where he met Mr. Patricio Martínez Jaime, foreign trade and integration expert.

119. From March 19 to 23, an official of the Union participated in a meeting of the Council of the WANA (West Asia and North African) Seed Network in Antalya (Turkey). This network is organized by the International Center for Agricultural Research in the Dry Areas (ICARDA). The Council meeting was convened by ICARDA with the support of the Ministry of Agriculture of Turkey. The meeting was opened by Mr. Refaeddin Sahin, Minister for Agriculture of Turkey, who mentioned the promulgation of a plant variety protection law in Turkey in 1994. Further information concerning developments and the preparation of laws for the protection of plant varieties was obtained from participants from Cyprus, Egypt, Morocco, Tunisia and Turkey.

120. From May 29 to June 2, the Vice Secretary-General participated in the World Congresses of FIS and ASSINSEL in Buenos Aires (Argentina).

121. On June 12 and 13, an official of the Office of the Union participated in the twenty-fourth Congress of the International Seed Testing Association (ISTA) in Copenhagen (Denmark), and gave information concerning developments in UPOV.

122. On June 19, an official of the Office of the Union participated in the Annual Meeting of Representatives of Designated National Authorities of OECD, Paris (France), and gave information on recent developments in UPOV.

123. From June 19 to July 2, an official of the Office of the Union participated in the sixth session of the Commission on Plant Genetic Resources of FAO in Rome (Italy).

124. On August 8, the Secretary-General wrote to Mr. Stuart Harbinson, Chairman of the Council for TRIPS of WTO in response to a request from the TRIPS Council for information concerning UPOV technical and financial cooperation with developing countries.

125. On August 23, the Vice Secretary-General received the visit of Mr. Piers Trehane, editor of the International Code for the Nomenclature of Cultivated Plants, with whom he and other officials of the Union discussed the relationship between that code and the UPOV Rules for Denominations.

126. In September and October, the Office of the Union had contacts with the Secretariat of the Convention on Biodiversity and provided information for the drafting of documents for the second meeting of the Conference of Parties, held in Djakarta from November 6 to 17.

127. On September 1, the Secretary-General sent an invitation to Mr. Renato Ruggiero, Director General of WTO, inviting him to designate a representative of WTO to participate in an observer capacity at the twenty-ninth ordinary session of the UPOV Council.

128. On September 21, the Council for TRIPS of WTO invited the Office of the Union to be represented in an observer capacity at its meeting held on that day and at its subsequent meeting. The Vice Secretary-General attended the meeting of the Council for TRIPS held on September 21.

129. On September 22, the Vice Secretary-General received the visit of Mr. José Esquinas-Alcazar, Secretary of the Commission for Plant Genetic Resources of FAO, and Mr. Arturo Purcell, Senior Liaison Officer of FAO in Geneva.

¹² See also paragraphs 78, 79 and 80 (World Bank), 80 and 81 (FAO).

130. On October 10, an official of the Office of the Union participated in a meeting held by the European Commission on comparative trials of onion and shallot varieties at Brion (France).

131. On October 18, the Secretary-General and an official of the Office of the Union met Mr. Graham Jenkins and Mr. Wolfgang Siebeck, two consultants from the International Phytogenetic Resources Institute (IPGRI), who were carrying out a study on the way in which IPGRI should act to ensure the operation and free circulation of phytogenetic resources for food and agriculture within the framework of the Biodiversity Convention.

132. On October 22 and 23, the Vice Secretary-General participated in a meeting of the Genetic Resources Policy Committee of the Consultative Group on International Agricultural Research (CGIAR) at the Headquarters of the World Bank in Washington, DC (United States of America).

133. On November 16 and 17, the Vice Secretary-General participated in a workshop on seed industry privatization in the WANA region, organized by ICARDA, the *Deutsche Gesellschaft für Technische Zusammenarbeit* (GTZ) and the Ministry of Agriculture of Tunisia, in Tunis, where he gave a lecture.

134. On November 21, the Vice Secretary-General participated in a meeting of the Council for TRIPS of WTO.

135. On December 11, an official of the Office of the Union attended in an observer capacity a session of the Council for TRIPS that adopted a draft agreement between WIPO and WTO concerning the conditions for cooperation between the two organizations in the fields of notification of intellectual property laws and regulations, of communication of State and other emblems and of technical and legal assistance and technical cooperation for the developing countries.

136. On December 14, the Secretary-General and an official of the Office of the Union met Mr. Michael Flitner and Mr. Dan Leskien, two consultants from IPGRI who were carrying out a study on *sui generis* systems of protection.

(Netherlands) on the topic "The Effects of Intellectual Property Rights on Agriculture in Developing Countries." During the seminar, a report was presented on the study of the impact of plant breeders' rights in developing countries based on the experience of Argentina, Chile, Colombia, Mexico and Uruguay.

138. On May 22, the Office of the Union received the visit of Mrs. Jayashree Watal, Senior Consultant, and of Mr. C. Niranjana Rao, Associate Fellow, of the International Council for Research on International Economic Relations, who asked questions concerning the UPOV Convention and the provisions of the TRIPS Agreement concerning plant varieties.

139. On May 29, the Office of the Union received the visit of Mr. Edwin H. Baker, Associate Resident Counsel to the Office of Technology Transfer, University of California (United States of America), who was interested in the plant variety protection system.

140. From June 14 to 16, the Vice Secretary-General participated in an international symposium on the protection of industrial property in the field of biotechnology, organized by the Mexican Institute for Industrial Property, the World Intellectual Property Organization (WIPO) and the European Patent Office (EPO). He gave a paper on the protection of plant varieties under the UPOV Convention and was a member of a discussion panel.

141. On September 19, an official of the Office of the Union participated in the General Assembly in Grenoble (France) of the Union of French Maize Producers (SEPROMA), and spoke on developments in UPOV.

142. On October 17, an official of the Office of the Union gave a lecture on the protection of plant varieties and UPOV as part of a training course organized by WIPO and EPO on search and examination in the field of biotechnology.

143. On October 19, the Vice Secretary-General received the visit of a group of members of the Japanese Society of Independent Breeders.

Other External Relations

137. On March 7 and 8, the Vice Secretary-General participated in an international seminar in Santa Fé de Bogotá (Colombia), organized by the Inter-American Institute for Agricultural Cooperation (IICA) and the University of Amsterdam

Publications

144. The Office of the Union published:

(a) a new edition (1995) of the UPOV General Information Brochure in English, French, German and Spanish;

(b) updated editions of the information leaflet on UPOV and plant variety protection in English, French, German and Spanish;

(c) three issues of the periodical *Plant Variety Protection*;

(d) one supplement to Part I of the *Collection of Important Texts and Documents* in English, French,

German and Spanish and one trilingual supplement to Part II (test guidelines);

(e) two supplements and an index to the *Collection of Laws and Treaties*;

(f) the records of the national seminars held in Malaysia and in Pakistan in November and December 1994.

Selected WIPO Publications

The following new publications¹ were issued by WIPO in December 1995:

¹ 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, P for Portuguese, R for Russian), the number of copies; (b) the full address for mailing; (c) the mail mode (surface or air). The prices quoted cover surface mailing.

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

Intellectual Property Reading Material, No. 476(E), 659 pages, 50 Swiss francs.

International Classification for Industrial Designs (in Portuguese and French), No. 501(PF), 369 pages, 100 Swiss francs.

Madrid Agreement Concerning the International Registration of Marks (in Russian), No. 204(R), 68 pages, 15 Swiss francs.

Calendar of Meetings

WIPO Meetings

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

1996

April 29 to May 3 (Geneva)

PCT Committee for Administrative and Legal Matters

The Committee will consider a proposal for the introduction of an optional supplementary international search for international applications, in addition to the present international search. In this connection, the Committee will examine a proposed modification of the time limit fixed in Chapter I of the Patent Cooperation Treaty (PCT) for entering the national phase of processing of international applications. The Committee will also consider proposed amendments of the Regulations under the PCT, in particular, to implement the supplementary international search system and to provide for a broader range of admitted languages for filing international applications.

Invitations: Members of the Committee (States party to the PCT and the European Patent Office) and, as observers, States members of the Paris Union not members of the PCT Union and certain organizations.

May 13 to 15 (Geneva)

WIPO Budget Committee (Fourteenth Session) and WIPO Premises Committee (Fifth Session)

The two Committees will consider, in a joint session, matters concerning WIPO's needs for new premises.

Invitations: States members of the Committees and, as observers, other States members of WIPO.

May 20 and 21 (Geneva)

Preparatory Committee of the WIPO Diplomatic Conference on Certain Copyright and Neighboring Rights Questions

The Committee will deal with the final clauses of the proposed treaty or treaties and with the procedural preparation of the Diplomatic Conference mentioned under December 2 to 20, below.

Invitations: As members: States members of WIPO, the European Communities; as observers: certain organizations.

May 21 and 22 (Geneva)

General Assembly of WIPO and the Assembly of the Berne Union

These two Bodies will, in extraordinary sessions, make decisions concerning the organization of the Diplomatic Conference mentioned under December 2 to 20, below.

Invitations: As delegations: States members of the said General Assembly and States members of the said Assembly, respectively; as observers: other States members of the United Nations, certain organizations.

May 22 to 24 (Geneva)

Committee of Experts on a Possible Protocol to the Berne Convention (Seventh Session) and Committee of Experts on a Possible Instrument for the Protection of the Rights of Performers and Producers of Phonograms (Sixth Session)

The Committees will discuss various substantive law questions, particularly questions not so far discussed by them and which may be of relevance for the Diplomatic Conference mentioned under December 2 to 20, below.

Invitations: As members: States members of WIPO, the European Communities; as observers: certain organizations.

June 17 to 21 (Geneva)

Committee of Experts on the Patent Law Treaty (Second Session)

The Committee of Experts will examine a draft Patent Law Treaty with draft Regulations and draft Model International Forms. These texts deal with the following aspects of patent procedure: application; representation; signature; filing date; unity of invention; request for recordal of change in name or address; request for recordal of change in ownership; request for correction of a mistake; opportunity to make observations, amendments and corrections

in case of intended refusal. The aim of the draft Treaty is to achieve a simplification of formalities which may be required in patent procedures.

Invitations: States members of the Paris Union and/or WIPO 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.

September 23 to October 2 (Geneva)

Governing Bodies of WIPO and the Unions Administered by WIPO (Twenty-Ninth Series of Meetings)

Some of the Governing Bodies will meet in ordinary session, others in extraordinary session.

Invitations: As members or observers (depending on the body), States members of WIPO or the Unions and, as observers, other States and certain organizations.

October 28 to 31 (Geneva)

Committee of Experts on Well-Known Marks (Second Session)

The Committee will study questions concerning the application of Article 6*bis* of the Paris Convention (e.g., the criteria for determining whether a mark is well known) as well as the conditions and scope of protection of famous or well-known marks against dilution and/or undue exploitation of the goodwill acquired by such marks. Moreover, it will study the feasibility of setting up, under the aegis of WIPO, a voluntary international information network for the exchange of information among countries concerning marks that may be considered to be well known or famous.

Invitations: States members of the Paris Union, the European Communities and, as observers, States members of WIPO not members of the Paris Union and certain organizations.

November 4 to 8 (Geneva)

Committee of Experts on the Development of the Hague Agreement (Sixth Session)

The Committee will consider a revised draft new Act of the Hague Agreement Concerning the International Deposit of Industrial Designs intended to introduce into the Hague system provisions designed to encourage States not yet party to the Agreement to participate in the system and to facilitate greater use of the system by applicants.

Invitations: States members of the Hague Union and, as observers, States members of the Paris Union or of WIPO not members of the Hague Union and certain organizations.

December 2 to 20 (venue?)

WIPO Diplomatic Conference on Certain Copyright and Neighboring Rights Questions

The Diplomatic Conference will be convened to adopt one or more multilateral treaties on the basis of the work of the two Committees of Experts mentioned under the dates of May 22 to 24, above.

Invitations: As delegations: States members of WIPO, the European Communities; as observers: States not members of WIPO but members of the United Nations, certain organizations.

UPOV Meetings

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

1996

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| April 18 (a.m.) (Rome) | Consultative Committee (Fifty-First Session)
<i>Invitations:</i> Member States of UPOV. |
| April 18 (p.m.) (Rome) | Council (Thirteenth Extraordinary Session)
<i>Invitations:</i> Member States of UPOV. |
| April 19 (Rome) | Information Meeting
<i>Invitations:</i> Member States of the United Nations, intergovernmental and non-governmental organizations. |
| October 16 to 18 (Geneva) | Technical Committee
<i>Invitations:</i> 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
<i>Invitations:</i> Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations. |
| October 23 (Geneva) | Consultative Committee (Fifty-Second Session)
<i>Invitations:</i> Member States of UPOV. |
| October 24 (Geneva) | Council (Thirtieth Ordinary Session)
<i>Invitations:</i> Member States of UPOV and, as observers, certain non-member States and intergovernmental and non-governmental organizations. |