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WIPO to Probe New Issues in Domain Name Abuse

Domain name abuse came under the spotlight again as WIPO accepted a request by a number of countries to go a step further in its work to stamp out the bad faith registration of domain names on the Internet. WIPO's new objective is to create a stable environment for the further development of electronic commerce and to safeguard the interests of owners of rights that are not necessarily based on registered trademarks.

WIPO helped put in place the current Uniform Dispute Resolution Policy (UDRP), which has stood as the basis for settling conflicts relating to trademarks on the Internet since December 1999. The yearlong study that led to the implementation of the UDRP by the Internet Corporation for Assigned Names and Numbers (ICANN) targeted only the most problematic tensions between trademarks and domain names. However, the study did identify a number of outstanding issues that would require further consultation.

In two letters addressed to WIPO Director General Dr. Kamil Idris and signed by Senator Richard Alston, Australian Minister of Communications, Information Technology and the Arts, and representatives of 19 other member

States, WIPO is called upon to address these outstanding issues and to focus on finding means to improve the administration of the country code top level domain name registries (ccTLDs).

WIPO Assistant Director General Francis Gurry, who oversaw the first WIPO Internet Domain Name Process, welcomed this request and said the Organization is committed to promoting a reliable environment in cyberspace. "This request marks a new phase in our attempts to establish greater compatibility between identifiers in the real and virtual worlds," noted Mr. Gurry. "In examining personality rights, geographical indications and the other areas mentioned in the request, we will be embarking on more complex, but no less important, legal and policy terrain."

WIPO will now initiate a second round of international consultations to address the abusive registrations of trade names, geographical indications and other rights not based on trademarks. WIPO will also draw up a list of best practices to help administrators of ccTLDs prevent and resolve domain name disputes. Among the issues to be examined in these letters are bad faith, abusive, misleading or unfair use of:

- Personal names (names of individuals that are targets of abusive registration because they are distinctive or famous);
- International nonproprietary names (INNs) (unique and distinctive generic names of pharmaceutical substances that are selected by the World Health Organization (WHO), and maintained as public property to protect the safety of patients worldwide);
- Names of international inter-governmental organizations (which are protected against use and registration as trademarks by the Paris Convention and TRIPS Agreement);
- Geographical indications, geographical terms, or indications of source (those expressions of 'place-goods' connection that give producers in a certain geographical region the right to indicate that their products come from that region);
- Trade names (a name adopted by a business enterprise on the basis of its character, separate to its trademarks and service marks, that is used by the business to distinguish its commercial enterprise from others).

Domain Names & Cybersquatting

Domain names, originally intended to facilitate connectivity between computers through the Internet, have come to constitute a form of business identifier because they are easy to remember and use. The growing number of cybersquatting disputes reflects the premium businesses are placing on domain names and their potential for facilitating electronic commerce. By using trademarks as their domain names, businesses hope to attract potential customers to their web sites and increase their market visibility. Domain names are now routinely used in advertising as a means of indicating the presence of an enterprise on the Internet.

With the growth of the Internet, domain names have come into conflict with trademarks. The possibility of such conflict arises from the lack of connection between the system for registering trademarks and the system for registering domain names.

The former system (trademarks) is administered by a public (governmental) authority on a territorial (either national or regional) basis which gives rise to rights on the part of the trademark holder that may be exercised within the territory. The latter system (domain names) is usually administered by a non-governmental organization without any functional limitation and on a first-come, first-served basis. Domain names offer a global presence on the Internet.

Cybersquatters exploit the differences in the two systems by taking advantage of the global, first-come, first-served nature of the domain names system. Intellectual property rights' owners and people who register domain names in good faith have welcomed the Uniform Dispute Resolution Policy as a cost-effective and speedy alternative to litigation.



WIPO Assistant Director General Francis Gurry.

The results of this second series of consultations should be submitted to WIPO's member States and the Internet community in the first half of 2001. "Like the first WIPO process, these consultations will be conducted in a balanced and transparent manner," said Mr. Gurry. "To that end, WIPO invites all interested parties, including intellectual property owners and other members of the Internet community, to participate. The objective, as before, is to achieve consensus among all stakeholders on the issues addressed." For further information on the second consultations and how to participate, please see WIPO's electronic commerce web site (<http://ecommerce.wipo.int>).

Photo: Mercetakis/Martinez-Dobal

WIPO's Arpad Bogasch Building in Geneva, Switzerland.



Photo: Mercetakis/Martinez-Dobal

WIPO to Resolve More Cybersquatting Disputes



The WIPO Arbitration and Mediation Center has begun providing domain name dispute resolution services for country administrators in Ascension Island (.AC), Guatemala (.GT), Niue (.NU), St. Helena (.SH), Trinidad and Tobago (.TT), Tuvalu (.TV), and Western Samoa (.WS).

So far, the cases received for these ccTLDs concern the domain names: expedia.nu, christies.nu, zippo.ws, and broadcastamerica.tv.

The registration authorities for the country codes in which the cases have been filed have adopted the Uniform Domain Name Dispute Resolution Policy (UDRP) set by the Internet Corporation for Assigned Names and Numbers (ICANN). The UDRP was originally designed for settling disputes that arise in the generic top-level domains (gTLDs), such as .COM, .NET, and .ORG. As the types of dispute within ccTLDs are similar to those occurring within the gTLDs, the UDRP is also relevant to ccTLDs, particularly where such

domains are "open", meaning that the domain names can be registered by any person living in any country. Country administrators can adopt the UDRP and may appoint any organization that provides dispute resolution services to settle these cases, such as WIPO's Arbitration and Mediation Center.

"At present, countries differ in the way they administer alleged cybersquatting disputes," said WIPO Assistant Director General Francis Gurry. "Adoption by country administrators of the UDRP ensures uniformity and provides a quick and cost-effective alternative to traditional dispute resolution for trademark-related disputes."

Mr. Stephen Oronte, chief operating officer for .NU Domain Ltd., the first ccTLD to adopt ICANN's UDRP, underlined the importance of a uniform process to resolve disputes in the context of "open" domains. "Open ccTLDs need a standard method of resolving domain name disputes across the world. We strongly believe that the UDRP process is the best standard available for reducing intellectual property infringements."

"Now that the opportunity for bad faith cybersquatting has been reduced in the gTLDs due to the growing use of the UDRP, the time is ripe for ccTLD administrators to consider adopting similar measures at the country code level," said Mr. Gurry. "It is encouraging to see

that ccTLD administrators are now adopting the UDRP or considering similar approaches. The recent case filings concerning registrations in the ccTLDs at the WIPO Arbitration and Mediation Center demonstrate that there is a need for this."

The UDRP pertains only to dispute settlement in relation to abusive registration of trademarks. It does not cover dispute prevention or other best practices. A group of countries have asked WIPO to develop voluntary guidelines intended to assist the administrators of the ccTLDs to address a broader set of issues relating to intellectual property and domain names (see previous article).



Visits WIPO Director General visits Egypt

The key role of the intellectual property system in promoting development was the focus of a meeting between WIPO Director General Dr. Kamil Idris and President Hosni Mubarak of Egypt during a visit to Cairo on July 15 and 16. In the course of their talks, the Director General and the Egyptian leader agreed on the importance of strengthening the intellectual property system in Egypt and the Arab region as a whole. Dr. Idris applauded the Egyptian government for its leadership and commitment to intellectual property protection both at the national and regional levels.

Dr. Idris also met with senior Egyptian government officials to review current bilateral technical assistance programs and to discuss future activities. Their discussions emphasized the need to support efforts to automate and modernize the national intellectual property operations.

In talks with Dr. Mufeed Shehab, Minister for Higher Education and Scientific Research, the Director General pledged the Organization's continued support in the areas of human resource development and public awareness campaigns to generate a broader understanding of the intellectual property system. In this regard, he outlined specific training activities to be undertaken with the WIPO Worldwide Academy and reaffirmed WIPO's support of the Post-Graduate Specialized Diploma Degree in Intellectual Property at Cairo

University. Discussions also covered the organization of a workshop on the protection of traditional knowledge, genetic resources and expressions of folklore, issues of particular relevance to countries like Egypt that are endowed with a rich cultural heritage and biological diversity.

With the Minister of Communication and Information, Dr. Ahmed Nazif, the Director General outlined possible WIPO assistance to support efforts in further developing the software industry in Egypt. Dr. Idris also met with the Chairman of the Regional Information Technology and Software Engineering Center, Dr. Hisham El Sherif, to discuss the implementation of an on-line museum project designed to safeguard the intellectual property rights associated with the commercial exploitation of the digital assets of the Egyptian Museum.

A meeting with the Secretary General of the League of Arab States, Dr. Ahmed Esmat Abdel Meguid, was marked by the signing of a Memorandum of Understanding (MOU) to institutionalize and strengthen the existing cooperation between the Arab League and WIPO. This MOU includes the joint development and delivery of technical cooperation programs to countries in the region and a number of other information-sharing activities to promote greater awareness and use of the intellectual property system in the Arab region.



Karnak, Egypt.

Dr Idris Meets the President of Bulgaria

WIPO Director General Dr. Kamil Idris stressed the importance of involving policy-makers at all levels in efforts to promote the creation, use and protection of intellectual property rights during talks with senior Bulgarian officials on July 4 and 5 in Sofia. This, along with the Director General's commitment to assist Bulgaria in strengthening its intellectual property system to make it a tool for wealth creation, was at the center of discussions with Bulgarian President Peter Stoyanov.

Dr. Idris emphasized that efforts to raise awareness of the value of intellectual property rights and to reinforce intellectual property infrastructure at the national level requires the long-term commitment of policy-makers at all levels. He commended the Bulgarian government for having successfully met the challenges of moving towards a market economy and for having placed intellectual property protection at the heart of the country's socio-economic development strategy. Dr. Idris also commended the President for his leadership, and the Government of Bulgaria for its commitment to the intellectual property system at the national, international and regional levels.

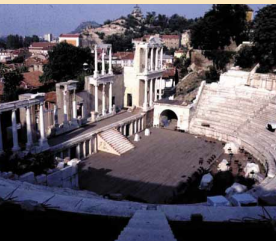
Dr. Idris and President Stoyanov discussed WIPO's cooperation with Bulgaria. They identified institution-building and human resource development as areas of particular importance to the specific

needs of the country. The two also agreed that a robust intellectual property system is an essential element in fostering innovation and creative endeavor as key elements of a knowledge-based economy, helping to stimulate employment and the use of new resources.

Dr. Idris thanked President Stoyanov for his participation in the WIPO Policy Advisory Committee (PAC), an advisory body composed of eminent policy-makers. President Stoyanov pledged his commitment to the work of the PAC, saying the members would help raise the international profile of the intellectual property system.

Talks with the Minister of Foreign Affairs, Nadezhda Mihailova, the Deputy Minister of Economy, Lyubov Panayotova, and other senior government officials on ways of strengthening the intellectual property system in Bulgaria followed the Director General's meeting with the President.

At the end of his visit, Dr. Idris received the award of Doctor Honoris Causa from the University of National and World Economy in Sofia, the sole university in the Balkan region to offer courses in intellectual property as part of its curricula at the graduate and post graduate levels.



PHOTOS COURTESY OF THE OFFICE OF THE DIRECTOR GENERAL

SCIT Meets in Geneva Standing Committee on Information Technologies Reviews Status of WIPO Projects

The Standing Committee on Information Technologies (SCIT) met from July 10 to 14 in Geneva at WIPO. These include the continuation of the WIPONET project, an initiative to automate the operations of the Patent Cooperation Treaty (IMPACT), the creation of Intellectual Property Digital Libraries (IPDLs) and the Administration Integrated Management System (AIMS). These initiatives will ensure that all members of the intellectual property community and the general public enjoy easier access to intellectual property information. Delegates from 66 WIPO member States, six intergovernmental and seven non-governmental organizations and one other country participated in the SCIT meeting.

WIPONET

WIPONET, a state of the art project that capitalizes on digital technology to provide Internet connectivity to the world's intellectual property offices, moved into a critical phase this month following entry into contract negotiations by WIPO with one of five short-listed bidders. The successful company will be responsible for the technical implementation of WIPONET. Once completed, WIPONET will create a global information network infrastructure

linking the operations of the world's intellectual property offices. This will promote international cooperation by providing easy access to low-cost communications. Over the next three-and-a-half years WIPO will provide Internet connectivity to intellectual property offices in 65 member States that do not currently enjoy access to the Internet, including a free-of-charge allocation of 360 hours of dial-up access per year. These include many developing and least developed countries. In addition, all intellectual property offices, including an estimated 164 that already have Internet connectivity, will benefit from a range of central services including e-mail, web hosting, discussion groups on intellectual property-related topics, virus scanning and user administration.

The SCIT reviewed progress in implementing the WIPONET to date, and endorsed WIPO's strategy for the future deployment of the project.

IMPACT (Information Management for the Patent Cooperation Treaty) Project

The SCIT took note of progress in implementing the IMPACT project



which has gained significant momentum since a consortium of leading companies was identified to deploy the project under the supervision of WIPO earlier this year. IMPACT will lead to the full automation of Patent Cooperation Treaty (PCT) operations. The PCT has witnessed steady growth in recent years; the treaty now counts 108 states as signatories. In the first six months of this year, the PCT Secretariat received an average of 361 international applications a day. Electronic filing of international patent applications under the PCT is a central component of this project.

SCIT and the PCT Assembly are working closely together on the development of technical and legal standards for electronic filing of patent applications. As these are inter-linked, delegates to the SCIT meeting attended parallel





WIPO Intellectual Property Digital Library (IPDL) Project

The SCIT also reviewed progress in implementing the IPDL project. WIPO designed the IPDL to promote the electronic dissemination of intellectual property information to the public and to cooperate with intellectual property offices in the development and exchange of information. In its first phase, the project will provide basic, WIPO-maintained intellectual property information within a professionally designed, highly standardized environment. Later phases will add new features, access mechanisms and services to the system and will expand the amount of electronic data available.

WIPO member States commissioned the IPDL project in July 1997. A prototype became operational in April 1998 and currently provides access to a range of database collections, including data relating to international applications filed under the PCT, the Madrid System for the Registration of Marks, and the Hague System for the Registration of Industrial Designs. Access to the database collections of the Madrid System and PCT is available to the general public free of charge. Collections are updated on a daily and weekly basis, respectively.

The SCIT endorsed the need to develop common technical standards, which it noted were

central to the success of the project and important in facilitating the integration of existing data collections of WIPO member States in a cost-effective way.

AIMS (Administration Integrated Management System) Project

The SCIT also approved in principle the scope of a project designed to upgrade the way that WIPO manages and presents its financial and management data. The AIMS project reflects the Organization's commitment to transparency and accountability through the modernization and reform of its financial and administrative operations.

The project aims to rationalize working practices to avoid unnecessary duplication of tasks, and to ensure that all the activities of the Organization are fully coordinated within a comprehensive, integrated and automated management system. Following endorsement by the SCIT, the WIPO Secretariat will develop a detailed project plan to present to member States in time for discussions on the program and budget for the 2002-2003 biennium.

The next meeting of the SCIT Plenary is planned for January 22 to 26, 2001.

consultations of the PCT Assembly on electronic filing. This was the first time that legal and technical experts combined their expertise in joint consultations on these important questions.

The informal consultations took place from July 11 to 14 and resulted in significant progress in establishing a legal framework and technical standards for electronic filing of PCT applications. Agreement was reached on the types of security safeguards to be used (e.g. public key infrastructure (PKI) and digital certificates) in order to verify the identity of PCT users as well as on many procedural and technical matters. Once the PCT Assembly has finalized its provisions on electronic filing, the SCIT will further develop generally applicable standards for electronic filing of patent applications. It is anticipated that PCT electronic filing will be operational by the end of the first quarter 2001.

WIPO Meets with Three African Organizations

The annual meeting of the consultative committee of the quadripartite agreement between WIPO, the African Regional Center for Technology (ARCT), the African Regional Industrial Property Organization (ARIPO), and the Organisation Africaine de la Propriété Intellectuelle (OAPI) took place from June 26 to 29 in the cities of Yaoundé and Kribi, Cameroon. The aim of the meeting was to review the activities undertaken under the framework of the agreement and to elaborate a one-year program of action.

The first activity reviewed was the Internet connectivity provided to ARIPO and OAPI by WIPO. The connection, part of the pilot phase of the WIPONET project, has shown positive results as both organizations now have their own websites.

Since the last meeting of the consultative committee, WIPO, ARCT, and ARIPO have organized seminars promoting intellectual property protection, scientific research, and technological innovation. OAPI, ARIPO, and ARCT reported on several new developments, including the accession of new member states to ARIPO and OAPI.

The members of the committee discussed difficulties encountered in organizing regional seminars and meetings at which participating countries have different official languages. They requested WIPO's assistance with interpretation facilities for such events.



Work session of the Quadripartite Committee.

They also reiterated the need to cooperate with non-governmental organizations in the promotion of intellectual property and its protection in Africa.

WIPO officials informed the Quadripartite Committee of its project to conclude an agreement with African economic organizations and with the Organization of African Unity (OAU) involving the need to include intellectual property matters in their economic agendas. Through these efforts WIPO intends to heighten the awareness of intellectual property and its importance in strategic plans for economic development in the region.

The committee encouraged OAPI and ARIPO in their endeavor to gain the status of observers at the OAU. OAPI officials reported that they took part in events organized by the Union économique

monétaire ouest-africaine (UEMOA) in order to highlight the importance of intellectual property in economic development.

An important discussion on geographical indications led the committee to resolve to assist their member states to promote a greater use of the system. The group recommended that OAPI and ARIPO put in place a mechanism to permit better protection of African geographical indications. OAPI and ARIPO intend to put the matter before their members.

The committee discussed the promotional activities to take place in Europe in September for users and potential users of the ARIPO and OAPI systems. They also planned several events for the up-coming African Intellectual Property and Technology Day. Next year's meeting of the committee is scheduled in Dakar, Senegal on June 25 and 26.

Seminar for Universities and Research Organizations



Meeting participants in Dar es Salaam.

In Dar es Salaam, Tanzania from June 20 to 22, WIPO, in cooperation with the Ministry of Industry and Trade, Business Registrations and Licensing Agency (BRELA), the Ministry of Science, Technology and Higher Education, and the University of Dar es Salaam, organized a seminar on the benefits of the intellectual property system for universities, university researchers and research and development (R&D) organizations.

The participants represented innovation support services and technology management units of regional governments, R&D institutions, and universities involved in innovation studies and research and development. Some 24 participants came from Botswana, Eritrea, Ethiopia, Ghana, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Nigeria, Senegal, Uganda, Zambia, and Zimbabwe. Another 35 attended from the host country.

The seminar focused on the benefits of the IP system as a key factor of economic development and as an indispensable instrument in adding value to results and inventions

developed by R&D organizations and universities. It also increased awareness and understanding of the IP system among academic staff members, researchers, managers, and students working in those fields. In his opening statement, Mr. Abdallah M. Ngororo, Permanent Secretary, Ministry of Science, Technology and Higher Education, succinctly brought the seminar's goal into focus: "Knowledge is the currency for development," he said.

The seminar covered various topics, from the links between education and IP rights, the legal aspect of the IP system, and the need for establishing innovation and invention support structures to the roles and functions of innovation centers in universities of developing countries. Six local speakers presented papers and four international speakers – from MOI University, Kenya, the University of South Africa, Utah State University, United States of America, and the African Regional Industrial Property Organization (ARIPO), Zimbabwe – gave presentations on various subjects.

The highlights of the meeting proved useful as many of the participants were revisiting their policies on the teaching and handling of intellectual property rights. Participants underlined the need for each university and R&D organization to have a clear policy statement regarding intellectual property rights and affirmed that such rights are an important source of income generation for universities as well as the basis for contractual research. The seminar also highlighted that government policies should encourage R&D organizations and universities to pay more attention to the commercialization of R&D results through the intellectual property system.

The participants requested WIPO's assistance in establishing networking links between the universities and R&D organizations present by using the Internet as well as other means of communication. The participants also stressed the need for regular meetings among intellectual property specialists, universities, and R&D organizations.

Asia-Pacific Regional PCT Training Course



Participants at the Asia-Pacific regional training course on the PCT.

Many countries in the Asia-Pacific region are renewing their efforts in relation to regional and international cooperation in the economic and technical fields. The effective use of the Patent Cooperation Treaty (PCT) system is playing an increasingly important role in promoting this development. Already, of the 1,745 PCT applications filed in 1999 by applicants from developing countries, some 71 percent were filed by nationals and residents of developing countries in the Asia-Pacific region. To build on these trends, WIPO conducted a regional PCT training course for developing contracting States from June 20-23 in Beijing, China in cooperation with the State Intellectual Property Office (SIPO).

In her opening comments, Mrs. Jiang Ying, Commissioner of the SIPO, called the course an effective channel to promote awareness and use of the PCT system in the region. She noted that China is on the verge of becoming a member of the World Trade Organization and that the international PCT system, in use for over 20 years, is an excellent tool for Chinese industry to be a major participant in the global marketplace.

Questions and Difficulties

Most of the questions raised in the course related to PCT procedures and requirements. Explanations

given by the speakers from different patent offices helped participants gain a better and more comprehensive understanding of these issues. Speakers from the European Patent Office and the Swedish Patent and Registration Office explained how their offices prepare PCT international search and preliminary examination reports.

In their presentations, the speakers from China and the Republic of Korea stressed the advantages of the PCT in connection with national economic and industrial development. Several patent attorneys and agents mentioned that the accession to the PCT by China had brought them much more business. They said that using the PCT presents various advantages, although they noted that using the system requires more preparation time to familiarize themselves with the relatively complicated filing procedures.

Many of the course participants cited the lack of qualified patent officials and agents to deal with the increase in PCT applications as an immediate problem. They also noted some difficulty in dealing with patent agents in developing countries, who are unfamiliar with PCT procedures.

Conclusions

The presentations and exchange of practical experience helped foreign and local participants gain familiarity with PCT procedures in order to handle PCT applications more effectively and skillfully. The participants noted that the developing countries with fast growing economies could benefit from the experience of China and the Republic of Korea. They stressed the need to make the PCT system more relevant to other developing countries, in particular to the least developed countries.

In Geneva Public Awareness Posters Adorn WIPO Headquarters

The mezzanine of WIPO's Arpad Bogsch Building was transformed into a poster gallery during the summer months with an exhibition of posters promoting public awareness of intellectual property rights. The posters were created and provided by national and regional intellectual property offices and non-governmental organizations from around the world. The collection, representing some 34 countries and organizations, demonstrated a wide variety of approaches and great creativity in explaining to the general public the importance of intellectual property and its protection. A small sample is reproduced here. All photographs are by Ms. Mercedes Martinez Dozal, WIPO photographer.



0070-55 Ministry of Industry and Commerce, Colombia. A bank has been built that deals with things more valuable than money: Ideas.



0072-56 (title) Fine and Rough by the National Copyright Administration, China. "Fine" shows the elegant and excellent quality of the original copyrighted product. "Rough" shows that pirated products are manufactured in a crude way.



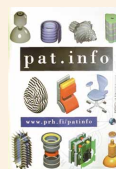
0074-83 Ministry of Education and Culture, Spain, in cooperation with WIPO.



0070-65-6 (title) Who knows the hard worker? by Zhang Liang from Shenzhen, China: The idea comes from a Chinese poem. Food on the plate reminds us of the efforts of hardworking farmers. Today the disk has replaced the plate, while the mouse symbolizes the pirate.



0071-67 by the Karaoke Anti-illegal-Copying Committee, Japan: Stop illegal copying! Do not use copied articles for your Karaoke lessons. Respect copyright and neighboring rights.



0070-82 National Board of Patents and Registration of Finland.



0072-85 National Copyright Directorate, Colombia: The respect of copyright is everyone's obligation.



0073-53 Directorate General of Intellectual Property, Indonesia.



0071-55 Institut national de la propriété industrielle, France: An undeclared imported animal can be costly.



0070-58 German Patent & Trademark Office: Industrial property protection puts you in a strong position! Patents add value to innovation and offer a secure means to reap the economic benefits of inventions.



0069-54 Industrial Property Organization, Greece: Patents, industrial designs, technical information, technology transfer.



0072-83 American Film Market, United States of America.

Country Profile

Trinidad and Tobago's Intellectual Property System

Among WIPO's principal tasks is promoting the progressive development and harmonization of intellectual property laws, standards, and practices. A key aspect of this involves close cooperation with the governments of member States in shaping their intellectual property legislation. The evolution over the last decade of the intellectual property system of Trinidad and Tobago is a prime example of the results of this kind of cooperation.

The Caribbean nation's legislation for the implementation of intellectual property protection was positively reviewed recently by the World Trade Organization Council for Trade-Related Aspects of Intellectual Property Rights (the TRIPS Council) at its June meeting in Geneva. This success represents the latest milestone in an enduring partnership between Trinidad and Tobago and WIPO.

WIPO's program of cooperation and technical assistance with Trinidad and Tobago intensified in 1990 when the government established a committee to review its intellectual property legislation. Discussions between the government and WIPO identified the following goals:

- to modernize the legal framework of intellectual property in accordance with international standards, including the WIPO-administered treaties and the TRIPS Agreement;

- to develop efficient administration and enforcement of intellectual property rights;
- to build public awareness of the important role of intellectual property;
- to increase the use of industrial property information;
- to establish cooperation links with other developing countries.

In the ten years since the committee was formed, WIPO, at the government's request, sent several missions to Trinidad and Tobago to provide advice and technical support on intellectual property legislation. These initially included visits to help update the draft patent law in light of new developments in the industrial property field, as well as seminars on the Patent Cooperation Treaty (PCT) and the Budapest Treaty. Also discussed were proposed amendments to the country's trademark law, which were enacted in 1994. During this same period, Trinidad and Tobago increased its membership in international treaties in the field of intellectual property, eventually participating in more WIPO-administered treaties than any other country in the region.

Later missions and consultations dealing with a variety of legislation regarding industrial property and copyright produced steady results. The year 1996 was a particular watershed, witnessing the enactment in parliament of the following six pieces of legislation,

as well as relevant subsidiary regulations: The Trademark Amendment Act, The Patent Act, The Industrial Designs Act, The Geographical Indications Act, The Integrated Circuits Act, and The Act for the Protection Against Unfair Competition. In 1997, The Copyright Act was also enacted.

The passage of the bulk of this legislation was followed by a key workshop, organized by WIPO in late 1996, to familiarize government officials, attorneys, and other interested groups with the new laws as well as with services provided by the national intellectual property office. A symposium for the judiciary on various aspects of the new legislation, as well as enforcement, was held in 1998.

Throughout the period of cooperation, special attention was paid to automation and improving information technology aspects of registration services, with an eye toward making intellectual property information and databases more readily available to professionals and the general public. Extensive training programs were implemented as well, and included numerous seminars held on the national level.

The country, in 1997, hosted the first WIPO Ministerial Level Meeting on Intellectual Property for Caribbean countries and the second WIPO Regional Meeting

for Heads of Industrial Property Offices in the Caribbean countries. It has also developed strong cooperation links with other developing countries, in the region and elsewhere. Trinidad and Tobago is also chairing a committee of local governments and organizations seeking to establish a regional collective management center for copyright and related rights.

Earlier this year WIPO and the Intellectual Property Office of Trinidad and Tobago jointly organized a regional seminar on the PCT for Caribbean countries to create awareness and promote accession to the PCT in the Caribbean region. During the seminar, government officials stressed that knowledge of the PCT and intellectual property rights as a whole are critical in economic development. Indeed, officials of the nation's Intellectual Property Office now rely heavily on the international search and preliminary examination reports provided by the PCT system when taking a decision on whether to grant or refuse a patent.

As participants in the seminar agreed, development of strong local institutions to administer and implement intellectual property laws are key in fostering the development of innovative industries and competitive economies.



www.artsbailly.com



Queen's Royal College, Trinidad and Tobago.

www.artsbailly.com

Cooperation for Development International Conference on Intellectual Property in Brazil



Panelists at the international conference in Rio de Janeiro, Brazil.

Developing countries throughout the world, although geographically varied and culturally diverse, confront similar challenges in the intellectual property field. These challenges were discussed at the first international conference on intellectual property, trade, technological innovation and competitiveness, held from June 19 to 21 in Rio de Janeiro, Brazil.

This first inter-regional meeting, jointly organized by the four regional bureaus of WIPO's Cooperation for Development sector in cooperation with the government of Brazil through the National Institute of Industrial Property (INPI), provided an occasion for the exchange of views, information and experiences among developing countries on questions related to intellectual property and development.

The conference attracted some 150 participants from developing countries throughout the world. Mr. Alcides Lopes Tápias, Minister for Development, Industry and Foreign Trade, Brazil, opened the conference. Government officials, intellectual property attorneys, and representative from the private sector, from industry, research institutions, and universities attended. Speakers came from Brazil, Chile, China, Cuba, Egypt, India, Jamaica, Jordan, Kenya, Lebanon, Malaysia, Nicaragua, Republic of Korea, Senegal, Sri Lanka, Tanzania, Uruguay, Venezuela, the African Regional Industrial Property Organization (ARIPO), the Organisation africaine de la propriété intellectuelle (OAPI), the League of Arab States, and WIPO.

The broad spectrum of participants at the meeting provided a forum to identify needs and debate innovative approaches to better exploit the legal, technical, commercial and economic potential of intellectual property in each country. The participants analyzed global

and regional policy considerations related to the promotion and protection of intellectual property in the new millennium.

They addressed ways to encourage technological and industrial development in developing countries through the use of value-added patent information, and to promote the use of modern information technologies for the enhancement of intellectual property management at the national, regional and global levels. They discussed the role of trademark protection and management in the commercial strategy of enterprises and specialized intellectual property services, and incentives which could be provided in promoting small and medium-sized enterprise development and competitiveness.

The conference also addressed the implications of electronic commerce on intellectual property, and the strategies that could be followed by enterprises in managing intellectual property assets for commercial exploitation on global international markets.

Several speakers stressed the importance of regional organizations. Participants evaluated the different means of multilateral integration, examining the approaches taken by ARIPO, OAPI, the Association of South East Asian Nations (ASEAN), the Asia Pacific Economic Cooperation (APEC), the League of Arab States, the Caribbean Community (CARICOM), Mercado Común del Sur (MERCOSUR), the Andean Community and the Central

American Economic Integration System.

Discussion on the themes presented at the meeting included the manner in which small and medium sized enterprises (SMEs) could use conditions particular to developing countries to provide them with a comparative advantage. The participants concluded that they should encourage in their countries the development of their own local brands, and invest in and promote invention and innovation. They agreed on the need to establish cooperation and links between public and private sector entities involved in research, especially between industry and academia.

The discussions also stressed the increasing importance of intellectual property institutes which serve the dual purpose of protecting intellectual property and providing strategic information to guide investment decisions. With effective outreach programs, the intellectual property offices can sensitize enterprises on the importance of intellectual property and assist them in forecasting economic trends to help them form their own strategies for exploiting their intellectual property resources.

Regional Meeting on Copyright in Peru



Representatives from the regional copyright offices and WIPO officials.

On June 23 and 24 a meeting organized by WIPO and Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (INDECOPI), held in Lima, Peru, brought together the heads of copyright offices of 19 Latin American Countries.

Mrs. Beatriz Boza Dibós, President, INDECOPI, and Mr. Ernesto Rubio, Director, Cooperation for Development Bureau for Latin America and the Caribbean, WIPO, opened the meeting. Representatives from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela attended the meeting.

The participants discussed several key topics:

- recent developments in copyright and neighboring rights in Latin America;

- membership in international treaties, especially the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT);
- collective management of copyright;
- anti-piracy campaigns;
- organization and automation of copyright offices;
- the teaching of intellectual property at the university level.

A document prepared by WIPO on its cooperation program in the field of copyright and neighboring rights in Latin America was discussed and revised at the meeting.

The participants identified their priorities for areas of future cooperation. For example, the five countries in Latin America that have acceded to the WCT and WPPT, Argentina, Costa Rica, El Salvador, Mexico and Panama, requested cooperation from WIPO for the implementation of the two treaties. Representatives from other countries expressed the need for continued cooperation in ►

Course on Intellectual Property in South Africa

promoting the two treaties and their advantages.

The participants all requested assistance to strengthen their offices' corporate image, structural functions, staff training, and the use of new information technologies. They agreed that they also require further assistance in the enforcement of intellectual property rights, as well as in the promotion of protection of intellectual property as a tool of industrial, commercial, and cultural policy.

WIPO prepared two special reports for the meeting: The first focused on the teaching of intellectual property at the university level, presenting detailed information on all the professors, researchers and universities throughout Latin America where education on intellectual property is available. The second report, on collective management, outlined the current situation and key organizations in collective management throughout the region, as well as their activities. Representatives of the copyright offices stressed their desire to fully develop and strengthen collective management in Latin America.

WIPO organized a regional introductory course on intellectual property in cooperation with the Office of the Registrar of Patents, Trademarks, Designs, and Copyright of the Department of Trade and Industry, South Africa, from July 17 to 21 in Pretoria. The purpose of this course was to provide a broad discussion of the basic concepts under both branches of intellectual property: industrial property and copyright. The course was also designed to introduce the participants to a variety of issues of topical interest relevant to the protection of intellectual property in their own countries.

The participants at the course came from Botswana, Ethiopia, Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Nigeria, Seychelles, Swaziland, Tanzania, Uganda, Zambia, and Zimbabwe. Many local participants coming from local industry, law firms and academia also attended.

Mr. McDonald Nsethizenze, Registrar of Patents, Trademarks, Designs, and Copyright, explained in his welcoming speech how intellectual property systems are tools for economic development. He emphasized the important role that national governments can play in this regard, particularly in

modernizing intellectual property law, in providing assistance with commercialization, and in encouraging inventors.

In his opening address Mr. Octavio Espinosa of WIPO's sector for the Progressive Development of International Intellectual Property Law noted that a modern and well-functioning intellectual property system is an essential requirement to integrate African countries into the global economy. He provided information on the main international treaties relating to marks, geographical indications, industrial designs and inventions, including WIPO-administered treaties and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

Further presentations were made by Mr. Coenraad Visser, from South Africa, Mr. Adebayo Oyabola, from Nigeria, and Mr. Michael Blakeney, from Australia. They highlighted recent developments in the protection of works by copyright, the new copyright treaties concluded under the aegis of WIPO, the protection of confidential information, and new areas of study in intellectual property, such as traditional knowledge and genetic resources. The speakers

also emphasized the role of regional organizations in Africa, such as the African Regional Industrial Property Organization (ARIPO) and the Organisation africaine de la propriété intellectuelle (OAPI).

The participants considered the benefits and challenges for Africa deriving from recent and future developments of the intellectual property system. Lively discussions followed the presentations on the Banjul and Harare Protocols, the Patent Cooperation Treaty (PCT) and the Trademark Law Treaty (TLT). A special point of interest was the protection of traditional knowledge in Africa, including indigenous medicines, as well as the access to genetic and biological resources, and the protection of expressions of folklore.

WIPO Forum in India



WIPO Deputy Director General Roberto Castelo addresses the forum.

The WIPO Forum on Intellectual Property Policy and Strategy in the 21st Century was held in New Delhi, India from July 5 to 7, attracting some 38 senior representatives from 24 countries of the Asia and Pacific region. Another 250 participants from around India attended the forum, which focused on the following objectives:

- To review policy perspectives and strategic considerations in the area of intellectual property in the 21st century;
- To discuss new and emerging global intellectual property issues including strategic management of intellectual property for enhancing competitiveness, particularly in small and medium-sized enterprises (SMEs);

- To review the current status of the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the post-TRIPS scenario;
- To consider intellectual property issues in relation to the protection of traditional knowledge and electronic commerce;
- To formulate a coordinated response and plan of action by the participating countries of Asia and the Pacific region.

Nine panelists from around the world were invited by WIPO to cover the topics presented at the forum. The forum was opened by Mr. Murasoli Maran, Minister of Commerce and Industry, India, and WIPO Deputy Director General Roberto Castelo. ▶

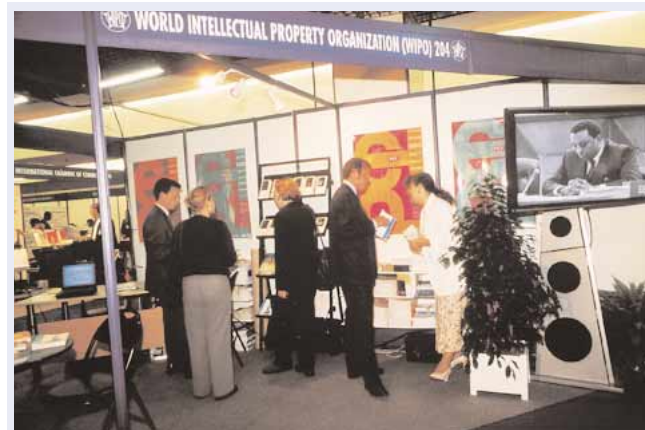
The forum acknowledged the need for participating countries to take part in the international harmonization of intellectual property laws and procedures, including the study of intellectual property issues associated with new and emerging technologies, the digital environment, global issues and the TRIPS Agreement. The participants also stressed the need to facilitate and strengthen cooperation among the developing and least developed countries in the Asia-Pacific region, in the areas of protection and the administration of intellectual property systems.

The forum provided an excellent opportunity for the countries of Asia and the Pacific region to share experiences on intellectual property policy and strategy concerns with representatives of other regions. At the end of the forum, a unanimously adopted joint statement summarized the key points and concerns expressed by the panelists and participants during their presentations and discussions.

The joint statement highlighted:

- The critical role of intellectual property in the knowledge-based economy, characterized by information and technological innovations.
- The imperative of balancing exclusive rights of individuals with the public interest and benefits to society.
- The need to assist developing and least-developed countries in modernizing their intellectual property systems to meet requirements under the TRIPS Agreement.
- The need to follow closely the post-TRIPS scenario, including subsequent negotiations.
- The protection of bio-diversity and traditional knowledge by the setting-up of Traditional Knowledge Digital Libraries (TKDLs).
- The need to encourage innovation and creativity and promote the sharing of their benefits.
- The importance of education, training and awareness programs to stress the importance of intellectual property in everyday life.
- The imperative to develop information technology systems for developing countries to disseminate intellectual property information through the internet and WIPONET.
- The goal of developing simple, cost-effective, and transparent systems for the enforcement of intellectual property rights, in coordination with all interested stake-holders.
- The need to promote appropriate intellectual property policies and strategies to enhance the growth and competitiveness of small and medium-sized enterprises, while addressing emerging issues posed by the growth of electronic commerce.

OECD Forum 2000 and Knowledge Fair



WIPO's stand at the Knowledge Fair.

WIPO participated as an exhibitor in the Organization for Economic Cooperation and Development (OECD) Knowledge Fair held from June 24 to 29 in Paris, France. In addition to general information about intellectual property and WIPO activities, the WIPO exhibition stand featured information on the Patent Cooperation Treaty (PCT), the WIPO Digital Agenda (e.g. electronic commerce activities, domain name dispute resolution services, and promotion of the WIPO Internet Treaties) and the WIPO World Wide Academy.

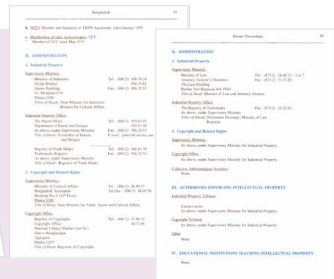
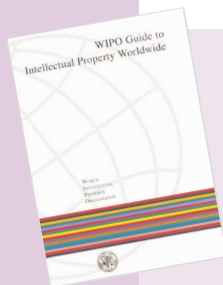
The OECD organized the Knowledge Fair at the same time and in the same location as Forum 2000, which consisted of a series of panel discussions revolving around such topics as global trade, sustainable development, electronic commerce, and changes in the global economy. Both events took place at the same time as the meeting of the OECD Ministerial Council.

The Knowledge Fair's theme was "Partnership in the New Economy," meaning partnerships between the public and private sectors and civil society. The exhibitors ranged from

international organizations to consultancies to private companies.

The fair presented an opportunity for WIPO's cooperation with a major inter-governmental organization, as well as a forum to promote the role of intellectual property in economic development and cooperation.

Book Highlights: WIPO Guide to Intellectual Property Worldwide



The WIPO Guide to Intellectual Property Worldwide, published in July, offers a single-volume report on the intellectual property situation in the member States that adhere to the Organization's treaties.

The book, the first of its kind published by WIPO, provides individual country profiles that give an overview of all aspects of intellectual property in each country. It includes basic legislation, membership of international treaties (not only WIPO treaties, but also, for example, membership of the World Trade Organization and the Universal Copyright Convention), administrative structures, governmental and non-governmental bodies for information and enforcement, educational institutions teaching the subject, and industrial property statistics.

The WIPO Guide to Intellectual Property Worldwide has been compiled to help a wide variety of readers – officials in national

administrations, legal practitioners, teachers and students, researchers, creators or owners of intellectual property, as well as members of the general public. WIPO approached national intellectual property administrations to assist with the information needed, and based the publication on their responses and on information from its own internal sources.

The Guide covers states at different stages of development, so the amount of information collected varies from country to country. If a reader cannot locate information they require in the Guide, they will at least find contact addresses for each country to which they can apply for further information.

The publication is intended to serve as a basic reference work. It will be updated regularly. It is available from WIPO's Marketing and Distribution Section or electronic bookshop (please see back page for further information).

Calendar of Meetings

September 20 to 22 (Geneva) Program and Budget Committee

The Committee will review and make recommendations to the Assemblies of the member States of WIPO on policy matters concerning budget surplus, special reserve funds and other related matters.

Invitations: As members, the States members of the Program and Budget Committee; as observers, other States members of WIPO.

September 25 to October 3 (Geneva) Assemblies of the member States of WIPO (Thirty-fifth series of meetings)

Some of the assemblies will meet in extraordinary session, other bodies concerned in ordinary session.

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

October 2 to 13 (Geneva) Committee of Experts of the Nice Union (Special Committee for the International Classification of Goods and Services for the Purposes of the Registration of Marks (Eighteenth session))

The Committee of Experts will consider proposals for amendments and other changes to the seventh edition of the International Classification of Goods and Services (Nice Classification) in view of the entry into force of the Eighth edition on January 1, 2002.

Invitations: The States members of the Nice Union and, as observers, the States members of the Paris Union but not members of the Nice Union, the African Intellectual Property Organization, the Benelux Trademark Office and the Office for Harmonization in the Internal Market (Trade Marks and Designs).

October 9 to 13 (Geneva) Working Group on the Modification of the Regulations Under the Madrid Agreement and Protocol (First session)

The Working Group will be presented with proposals for the modification of the Common Regulations Under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement, based on experience acquired with the implementation of those treaties, and will be called upon to prepare recommendations for consideration by a future session of the Assembly of the Madrid Union.

Invitations: As members, the members of the Madrid Union; as observers, the States members of the Paris Union that are not members of the Madrid Union, and certain organizations.

November 6 and 7 (Geneva) Conference on the Impact of Technology on International Dispute Resolution

This Conference is co-sponsored by the London Court of International Arbitration (LCIA), the Dispute Resolution Section of the American Bar Association (ABA) and the Singapore Subordinate Courts. The Conference will explore e-business models, technical and legal issues surrounding e-business, the use of on-line dispute resolution and technology tools in aid of dispute resolution such as real time transcription services.

Invitations: Representatives from both public and private sectors competent in the field of Alternative Dispute Resolution, against payment of a registration fee.

November 6 to 14 (Geneva) Standing Committee on the Law of Patents (Fourth session)

The Committee will continue its work on further harmonization and other issues relating to patent law. Invitations: As members, the States members of WIPO and other delegations that the Committee has admitted as members; as observers, other States and certain organizations.

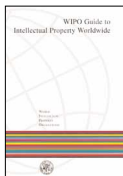
December 7 to 20 (Geneva) Diplomatic Conference on the Protection of Audiovisual Performances

The Diplomatic Conference will negotiate and is expected to adopt an international instrument on the protection of audiovisual performances. Invitations: States members of WIPO, the European Community and, as observers, member States of the United Nations which are not members of WIPO, and certain organizations.

Products

The following new products were issued by WIPO:

- *WIPO Annual Report 1999*
(French) No. 441(F), (Spanish) No. 441(S) free of charge
- *WIPO Guide to Intellectual Property World-Wide*
(English) No. 479(E), 65 Swiss francs
- *Collection of Papers Presented at the ATRIP Annual Meeting*
(English) No. 765(E), 30 Swiss francs
- *International Patent Classification CD 4.1*
(IPC Ed. 1-7 English/French,
IPC Ed. 4-7 German,
IPC Ed. 5-7 Russian/Spanish)
No. IPC:CLASS 4.1,
150 Swiss francs



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