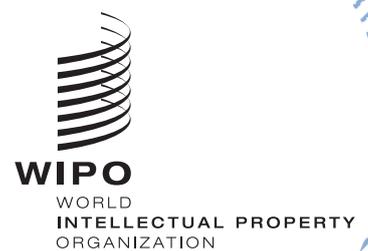




Assemblies of the Member States of WIPO

List of Decisions – 2018

58th Series of Meetings



PREFACE

[The Fifty-Eighth Series of Meetings of the Assemblies](#) and other Bodies of the Member States of the World Intellectual Property Organization (WIPO) and of the Unions administered by WIPO, hereinafter “the 58th Assemblies”, was held in Geneva from September 24 to October 2, 2018¹.

The present document² contains the list of the decisions³ adopted at those meetings, together with additional information, as appropriate. Questions, comments or suggestions on this document can be addressed to assemblies@wipo.int

ABOUT THE WIPO ASSEMBLIES

WIPO is a UN specialized agency composed of 191 Member States, serving as the global forum for intellectual property (IP) services, policy, information and cooperation. WIPO’s mandate is set out in the Convention Establishing the World Intellectual Property Organization (“WIPO Convention”).

As established by the Convention, the main policy and decision making bodies of WIPO are the WIPO General Assembly and the WIPO Coordination Committee.

In addition to the WIPO Convention, WIPO administers another [25 IP treaties](#)⁴, most with their own decision making bodies, such as the Paris Union Assembly, the Berne Union Assembly and the Patent Cooperation Treaty (PCT) Union Assembly.

The decision making bodies of the WIPO Convention and of the treaties administered by WIPO traditionally meet in joint sessions in autumn on the basis of a consolidated agenda. These meetings bring together WIPO’s Member States, allowing them to take stock of the progress in the Organization’s work and to discuss future policy directions.

Those are the “Meetings of the Assemblies and other Bodies of the Member States of the World Intellectual Property Organization (WIPO) and of the Unions administered by WIPO”, simply known as the “WIPO Assemblies”.

At the 58th WIPO Assemblies, 21 bodies met in joint sessions. The list of those bodies appears in document A/58/INF/1 Rev. (General Information).

¹ Home page of the 58th Assemblies: <https://www.wipo.int/portal/en/index.html>

² The document is available in English, Arabic, Chinese, French, Russian and Spanish: https://www.wipo.int/about-wipo/en/assemblies/2018/a_58/index.html

³ Disclaimer: This is an informal document prepared by the Secretariat to facilitate the consultation of the decisions by delegations and interested parties. This document has no legal status. The formal reports of the Assemblies, as adopted by Member States, are the only authoritative source of the proceedings and of the decisions adopted. The references to these reports are listed in the Annex to this document.

⁴ The list of WIPO-administered treaties: <https://www.wipo.int/treaties/en/>

ITEM 1: OPENING OF THE SESSIONS

Ambassador Duong Chi Dung (Mr.) (Viet Nam), Chair of the WIPO General Assembly, opened the 58th Assemblies on September 24, 2018.

Document: A/58/INF/1 Rev. (General Information).

ITEM 2: ADOPTION OF THE AGENDA

Documents: A/58/1 (Consolidated Agenda) and A/58/2 (List of Documents).

Decision: The Assemblies adopted the proposed agenda.

ITEM 3: ELECTION OF OFFICERS

Document: A/58/INF/2 (Officers).

Decision: The following officers were elected:

WIPO Coordination Committee

Chair: Ambassador Esmaeil Baghaei Hamaneh (Mr.) (Iran (Islamic Republic of))

Vice-Chair: Agnieszka Hardej-Januszek (Ms.) (Poland)

Paris Union Executive Committee

Chair: Nikoloz Gogilidze (Mr.) (Georgia)

Berne Union Executive Committee

Chair: Henning Envall (Mr.) (Sweden)

Additional Information: The current list of all the officers of the Assemblies and other bodies appear in document A/58/INF/2. According to the relevant rules of procedure, the officers of the Assemblies (i.e. the Chair and the Vice-Chairs of each of the 21 bodies that meet in the framework of the WIPO Assemblies) are elected once every two years during ordinary sessions (and therefore serve a two-year mandate). Officers were elected at the October 2017 Assemblies and the next elections will take place at the October 2019 Assemblies. This is with the exception of the officers of the WIPO Coordination Committee, as well as the officers of the Paris and Berne Union Executive Committees, respectively, whose mandates are limited to one year as these bodies meet each year in ordinary sessions. An election for these three bodies therefore takes place every year.

The term of all officers starts upon their election, except for the officers of the WIPO General Assembly, whose term starts immediately after the closing of the meeting at which they were elected. Therefore, the current Chair of the WIPO General Assembly presides over the meetings in 2018 and 2019.

ITEM 4: REPORT OF THE DIRECTOR GENERAL TO THE ASSEMBLIES OF WIPO

Document: [Report of the Director General](#) to the Assemblies of WIPO⁵.

Mr. Francis Gurry, Director General, introduced his annual report to the Assemblies⁶.

⁵ The report is available at: <https://www.wipo.int/publications/en/details.jsp?id=4353>

⁶ The address is available at: https://www.wipo.int/about-wipo/en/dgo/speeches/a_58_dg_speech.html

ITEM 5: GENERAL STATEMENTS

General statements were made by delegations from 121 States (including 9 on behalf of groups of States), 6 intergovernmental organizations, and 8 non-governmental organizations. The statements are available in Annex I of document A/58/11 and on a dedicated [Assemblies web page](#)⁷.

ITEM 6: ADMISSION OF OBSERVERS

(i) Admission of Observers

Document: A/58/3 (Admission of Observers).

Decision:

The Assemblies granted observer status to the following:

- (a) International non-governmental organizations:
 - (i) Confederation of Rightholders' Societies of Europe and Asia (CRSEA); and
 - (ii) 4iP Council EU AISBL (4iP Council)
- (b) National non-governmental organizations:
 - (i) *Association des spécialistes de la propriété intellectuelle de Côte d'Ivoire* (A.S.P.I.C.I.);
 - (ii) *Centre de recherche et de promotion du droit* (CRPD);
 - (iii) Egyptian Council for Innovation, Creativity and Protection of Information (ECCIPP);
 - (iv) Korea Institute of Patent Information (KIPI);
 - (v) National Academy of Inventors, Inc. (NAI); and (vi) National Inventors Hall of Fame, Inc. (NIHF).

Additional Information: WIPO welcomes the participation of observers at the Assemblies and other formal meetings of Member States, effectively contributing to open, transparent and responsive interaction with the [observer community](#)⁸. Following this decision, WIPO has granted permanent observer status to 259 international NGOs and 86 national NGOs to attend the meetings of the Assemblies. These observers are also invited to attend, in the same capacity, meetings of committees, working groups, and other bodies subsidiary to the Assemblies.

(ii) Update of the List of the Non-Governmental Organizations Admitted as Observers at WIPO

Document: A/58/8 (Update of the List of the Non-Governmental Organizations Admitted as Observers at WIPO).

Decision: The Assemblies took note of above-referred document.

Additional Information: Document A/58/8 provides an analysis of the increase in the number of NGOs admitted as observers at WIPO over the last two decades (1997-2017), while setting out the relatively low average participation rates of such observers in the meetings of WIPO Assemblies and Committees. The Secretariat will undertake an update of the list of Observer NGOs by conducting a survey among Observer NGOs that did not participate in the Assemblies or WIPO Committees during the last five years, and report to the Assemblies the outcome of the update.

⁷ https://www.wipo.int/meetings/en/statements.jsp?meeting_id=46434

⁸ More information to obtain observer status is available at <https://www.wipo.int/about-wipo/en/observers/>

ITEM 7: APPROVAL OF AGREEMENTS

Document: WO/CC/75/1 (Approval of Agreements).

Decision: The WIPO Coordination Committee approved two Memoranda of Understanding: one between WIPO, ARIPO and OAPI; and the other between WIPO and UEMOA.

Additional Information: WIPO concludes Memoranda of Understanding (MoUs) and similar cooperation and partnership agreements with other organizations in order to strengthen collaboration, usually *via* the implementation of joint activities and programs within the framework of the mandates assigned to each organization and for the benefit of their respective Member States. ARIPO and OAPI are regional intergovernmental organizations promoting IP protection and the harmonization and development of IP laws, and matters related thereto, appropriate to the needs of its Members and of the region as a whole. UEMOA promotes the use of IP for the economic, social and cultural development of its Member States.

ITEM 8: DRAFT AGENDAS FOR 2019 ORDINARY SESSIONS

Document: A/58/4 (Draft Agendas for the 2019 Ordinary Sessions of the WIPO General Assembly, the WIPO Conference, the Paris Union Assembly and the Berne Union Assembly).

Decision: “The WIPO Coordination Committee adopted Annexes I and II, the Paris Union Executive Committee adopted Annex III, and the Berne Union Executive Committee adopted Annex IV.”

Additional information: According to the WIPO Convention, the WIPO Coordination Committee formally prepares the draft agenda of the ordinary sessions of the WIPO General Assembly and of the WIPO Conference. Similarly, the Paris Union and the Berne Union Executive Committees prepare the draft agendas for their respective Assemblies. Ordinary sessions of these bodies take place every two years (the next in 2019), and through a standard agenda item in the year prior, Member States complete the prescribed formalities. The annexes referred in the decision of the 58th Assemblies include draft agendas for the 2019 sessions of the above-mentioned bodies.

ITEM 9: COMPOSITION OF THE WIPO COORDINATION COMMITTEE, AND OF THE EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS

Documents: A/58/7 (Composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions) and A/58/9 Rev. (Proposal of the Asia and the Pacific Group on the Composition of the WIPO Coordination Committee)

Decision: “The Assemblies of WIPO, each in so far as it is concerned, decided that the Chair of the WIPO General Assembly will undertake consultations with Member States on the allocation of the vacant seats at the WIPO Assemblies in 2019, for the election of the composition of the WIPO Coordination Committee, and of the Executive Committees of the Paris and Berne Unions, at the same WIPO Assemblies.”

Additional information: The membership of the WIPO Coordination Committee is established every two years in accordance with Article 8 of the WIPO Convention. While the composition of the WIPO Coordination Committee elected at the 2017 Assemblies was to consist of 87 members – an increase over the previous membership of 83 – Member States agreed that the WIPO Coordination Committee would remain, exceptionally, at 83 members. At the same time, they also agreed to conduct further consultations on the allocation of the four seats that remained vacant in 2017. At the 2018 Assemblies, it was decided to continue the consultations on the

allocation of the vacant seats (by then, five seats) ahead of the 2019 Assemblies, when new members will have to be elected.

ITEM 10: COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE (PBC)

Documents: WO/GA/50/12 (Composition of the Program and Budget Committee) and WO/GA/50/14 (Proposal of the Asia and the Pacific Group on the Composition of Program and Budget Committee).

Decision: “The WIPO General Assembly decided to consider the composition of the Program and Budget Committee; in this context, the Chair of the WIPO General Assembly will undertake consultations on an inclusive, transparent, and effective PBC, taking into account, among other considerations, geographical representation, with a view to making a decision at the WIPO General Assembly at its fifty-first session in 2019.”

Additional information: The Composition of the PBC is established every two years and new members were last elected at the 2017 Assemblies. At the same time, it was decided to conduct consultations on the Composition of the PBC. At the 2018 Assemblies, it was decided to continue the consultations ahead of the 2019 Assemblies, when new members will have to be elected.

ITEM 11: REPORTS ON AUDIT AND OVERSIGHT

(i) Report by the Independent Advisory Oversight Committee (IAOC)

Documents: WO/GA/50/1 (Report by the WIPO IAOC) and A/58/6 (List of Decisions Adopted by the PBC).

Decision: The WIPO General Assembly took note of the Report by the WIPO IAOC.

Additional Information: The IAOC reported on the quarterly sessions it held during the past year. Specific matters addressed relate, amongst other, to the Internal Oversight plan and the work plan results; the review of the Audited Financial Statements for 2017 and the Report of the External Auditor; risk management and internal controls; monitoring the Implementation of Oversight Recommendations; the review of, and provision of advice on, the workplan of the Ethics Office; discussions with the Ombudsperson; and assistance to Governance Bodies.

(ii) Report by the External Auditor

Documents: A/58/5 (Report by the External Auditor) and A/58/6 (List of Decisions Adopted by the PBC).

Decision: The Assemblies took note of the Report by the External Auditor.

Additional Information: WIPO received an unqualified audit opinion on its financial statements from the External Auditor. Furthermore, the External Auditor provided a long form Report on the audit of WIPO, in accordance with WIPO’s Financial Regulations and Rules.

(iii) Report by the Director of the Internal Oversight Division (IOD)

Documents: WO/GA/50/2 (Annual Report by the Director of the Internal Oversight Division (IOD)) and A/58/6 (List of Decisions Adopted by the PBC).

Decision: The WIPO General Assembly took note of the Annual Report by the Director, IOD.

Additional Information: The Report contains information on, amongst other, significant issues and high priority oversight and recommendations, investigative activities, status of implementation of

oversight recommendations, consultative and advisory oversight work, as well as IOD's cooperation with the Ombudsman, the Ethics Office and with external oversight bodies.

ITEM 12: REPORT ON THE PROGRAM AND BUDGET COMMITTEE

Document: A/58/6 (List of Decisions Adopted by the Program and Budget Committee).

Decision: The Assemblies took note of the PBC decisions and approved the PBC recommendations in document A/58/6.

Additional Information: This item covered all matters under the PBC's supervision except for the Reports on Audit and Oversight (covered under item 11). These concerned the Progress Report on the Implementation of the Joint Inspection Unit's (JIU) Recommendations, WIPO Performance Report for 2016/17, the Annual Financial Report and Financial Statements 2017, After-Service Health Insurance (ASHI) liability, Status of the Constitutional Reform Process, Methodology for Allocation of Income and Expenditure by Union and the Supplementary Capital Master Plan Projects. The PBC is tentatively scheduled to meet from May 6 to 10, 2019 and July 8 to 12, 2019.

ITEM 13: OPENING OF NEW WIPO EXTERNAL OFFICES

Document: WO/GA/50/11 (Opening of New WIPO External Offices during the 2018/19 Biennium).

Decision: "The WIPO General Assembly decided to request the Chair of the WIPO General Assembly to continue consultations with a view to making a recommendation to the 2019 General Assembly on opening up to four WIPO External Offices in the 2018/2019 biennium, including in Colombia."

ITEM 14: REPORT ON THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS (SCCR)

Documents: WO/GA/50/3 (Report on the SCCR). Reference was made to document A/58/INF/6 Rev. (Status of the Beijing Treaty on Audiovisual Performances).

Decision: "The WIPO General Assembly:

"(i) took note of above-referred document;

"(ii) directed the SCCR to:

(a) make best efforts to achieve consensus on the remaining outstanding issues related to the proposed treaty on the protection of broadcasting organizations during SCCR/37 and SCCR/38 and

(b) take stock of the progress made at SCCR/38 and if consensus has been reached on outstanding issues, propose a recommendation to the General Assembly to approve a date and venue for a diplomatic conference to adopt the treaty; and

"(iii) directed the SCCR to continue its work regarding the other issues reported on in document WO/GA/50/3."

Additional Information: According to the Report, the SCCR addressed the following matters over the past year: (i) protection of broadcasting organizations; (ii) limitations and exceptions for libraries and archives; (iii) limitations and exceptions for educational and research institutions and persons with other disabilities, (iv) analysis of copyright related to the digital environment, (v) resale royalty right; and (vi) protection of theatre directors' rights. The SCCR met from November 26 to 30, 2018, and is tentatively scheduled to meet from April 1 to 5, 2019 and from October 21 to 25, 2019.

ITEM 15: REPORT ON THE STANDING COMMITTEE ON THE LAW OF PATENTS (SCP)

Document: WO/GA/50/4 (Report on the SCP).

Decision: The WIPO General Assembly took note of above-referred document.

Additional Information: According to the Report, the SCP addressed the following matters over the past year: (i) exceptions and limitations to patent rights; (ii) quality of patents, including opposition systems; (iii) patents and health; (iv) the confidentiality of communications between clients and their patent advisors; and (v) transfer of technology. The SCP is tentatively scheduled to meet from December 3 to 6, 2018, June 24 to 27, 2019 and from December 2 to 5, 2019.

ITEM 16: REPORT ON THE STANDING COMMITTEE ON THE LAW OF TRADEMARKS, INDUSTRIAL DESIGNS AND GEOGRAPHICAL INDICATIONS (SCT)

Document: WO/GA/50/5 (Report on the SCT).

Decision: The WIPO General Assembly took note of above-referred document.

Additional Information: According to the Report, the SCT addressed the following matters over the past year: (i) on trademarks, the protection of country names, access to data regarding International Nonproprietary Names for Pharmaceutical Substances (INNs), as well as developments in the Domain Name System (DNS); (ii) on industrial designs, the draft Design Law Treaty (see under the next agenda item), Graphical User Interface, Icon and Typeface/Type Font Designs, as well as the Digital Access Service for Priority Documents; and (iii) workplan on geographical indications. The SCT met from November 12 to 16, 2018, and is tentatively scheduled to meet from April 8 to 12, 2019 and from November 4 to 8, 2019.

ITEM 17: MATTERS CONCERNING THE CONVENING OF A DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A DESIGN LAW TREATY (DLT)

Document: WO/GA/50/6 (Matters Concerning the Convening of a Diplomatic Conference for the Adoption of a DLT).

Decision: “The WIPO General Assembly decided that, at its next session in 2019, it will continue considering the convening of a diplomatic conference on the Design Law Treaty, to take place at the end of the first half of 2020.”

Additional Information: The same wording was adopted as in the 2017 Assemblies, with the relevant updates to 2019 and 2020.

ITEM 18: REPORT ON THE COMMITTEE ON DEVELOPMENT AND INTELLECTUAL PROPERTY (CDIP) AND REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AGENDA RECOMMENDATIONS

Documents: WO/GA/50/7 (Report on the CDIP and Review of the Implementation of the Development Agenda Recommendations) and WO/GA/50/13 (Contribution of the Relevant WIPO Bodies to the Implementation of the Respective Development Agenda Recommendations).

Decision: “The WIPO General Assembly:
“(a) took note of the “Report on the Committee on Development and Intellectual Property (CDIP) and Review of the Implementation of the Development Agenda Recommendations” (document WO/GA/50/7);

“(b) with respect to document WO/GA/50/13 entitled “Contribution of the Relevant WIPO Bodies to the Implementation of the Respective Development Agenda Recommendations”,
 (i) took note of the information contained in the above-referred document; and
 (ii) forwarded to the CDIP the report referred in that document.”

Additional Information: Document WO/GA/50/7 contains the Summary by the Chair of the last two CDIP sessions and the Director General’s Report on Implementation of the Development Agenda, presented at the May 2018 CDIP session. Document WO/GA/50/13 refers to the report by relevant WIPO Bodies and their implementation of the respective Development Agenda Recommendations. The CDIP met from November 19 to 23, 2018, and is tentatively scheduled to meet from May 20 to 24, 2019 and from November 18 to 22, 2019.

ITEM 19: REPORT ON THE INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE (IGC)

Document: WO/GA/50/8 (Report on the IGC).

Decision: “The WIPO General Assembly **considered** the “Report of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)” (document WO/GA/50/8), and **called upon** the IGC, based on progress made, to **expedite** its work in accordance with the mandate of the IGC for the biennium 2018/2019:

“(a) **Noting** that at the conclusion of the 37th session all members of the IGC reaffirmed their commitment, based on the progress made, to expedite the Committee’s work, with the objective of reaching an agreement on an international instrument(s), without prejudging the nature of outcome(s), relating to intellectual property which will ensure the balanced and effective protection of genetic resources (GRs), traditional knowledge (TK) and traditional cultural expressions (TCEs); and to work in a constructive and open way using sound working methods.

“(b) **Acknowledging** the progress made at the 35th and 36th sessions on GRs, reflected in the report and draft report of the sessions respectively (WIPO/GRTKF/IC/35/10 and WIPO/GRTKF/IC/36/11 Prov.).

“(c) **Noting** that GRs will next be considered at the “stocktaking” during the 40th session, where the Committee will consider next steps in relation to GRs, as well as TK and TCEs, including whether to recommend convening a diplomatic conference and/or continue negotiations.

“(d) **Noting** progress made at the 37th session on TK and TCEs as reflected in the draft report of the session (WIPO/GRTKF/IC/37/17 Prov.).

“(e) **Noting** that during the 38th, 39th and 40th sessions, the Committee will continue its work relating to TK and TCEs.

“(f) **Recognizing** the importance of the participation of Indigenous peoples and local communities in the work of the IGC, **noting** that the WIPO Voluntary Fund is depleted, and **encouraging** Member States to consider contributing to the Fund and consider other alternative funding arrangements.”

Additional information: According to the Report, the IGC addressed the following matters over the past year: (i) GRs at IGCs 35 and 36; and (ii) TK/TCEs at IGC 37. An *ad hoc* expert group on GRs met before IGC 36. The IGC is tentatively scheduled to meet from December 10 to 14, 2018, March 18 to 22, 2019, and June 17 to 21, 2019. An *ad hoc* expert group on TK/TCEs will meet on December 9, 2018. In accordance with the IGC mandate adopted in 2017, “The General Assembly in 2019 will take stock of progress made, and based on the maturity of the texts, including levels of agreement on objectives, scope and nature of the instrument(s), decide on whether to convene a diplomatic conference and/or continue negotiations.”

ITEM 20: REPORT ON THE ADVISORY COMMITTEE ON ENFORCEMENT (ACE)

Document: WO/GA/50/9 (Report on the ACE).

Decision: The WIPO General Assembly took note of above-referred document.

Additional Information: According to the Report, the ACE addressed the following matters over the past year: (i) national experiences on awareness-building activities and strategic campaigns as a means for building respect for IP among the general public; (ii) national experiences relating to institutional arrangements concerning IP enforcement policies and regimes; (iii) national experiences in respect of WIPO's legislative assistance; and (iv) success stories on capacity building and support from WIPO. The ACE is tentatively scheduled to meet from September 2 to 4, 2019.

ITEM 21: PCT SYSTEM**(i) Report on the PCT Working Group**

Document: PCT/A/50/1 (Report on the PCT Working Group).

Decision: The Assembly of the PCT Union took note of the above-referred document and approved the convening of a session of the PCT Working Group, as set out in paragraph 8 of that document.

Additional Information: According to the Report, the Patent Cooperation Treaty Working Group (PCT WG) addressed the following matters over the past year, amongst others: possible future directions and priorities in the PCT, recommendations to WIPO and to Member States regarding patent applications linked to persons or technologies that are the subject of United Nations Security Council sanctions, PCT online services, possible fee reductions for universities, erroneously-filed elements and parts of international applications, and coordination of technical assistance and training of examiners. Document PCT/A/50/1, paragraph 8 referred to in the decision, relates to the holding of one PCT WG session over the next year and the provision of financial assistance to enable the attendance of certain delegations, as in the past. The PCT WG is tentatively scheduled to meet from June 11 to 14, 2019.

(ii) Proposed Amendments to the PCT Regulations

Document: PCT/A/50/2 (Proposed Amendments to the PCT Regulations).

Decision: "The Assembly of the PCT Union adopted the proposed amendments to the Regulations under the PCT set out in Annex I to document PCT/A/50/2, and the entry into force and transitional arrangements set out in paragraph 4 of the same document."

Additional information: The proposed amendments to Rule 69 will allow International Preliminary Examining Authorities to begin examination as soon as all the specified requirements have been met unless the applicant explicitly requests that the examination be delayed until after the expiry of the time limit for submitting a demand for international preliminary examination.

(iii) Application Form for Appointment as an International Searching and Preliminary Examining Authority under the PCT

Document: PCT/A/50/3 (Application Form for Appointment as an International Searching and Preliminary Examining Authority under the PCT).

Decision: "The Assembly of the PCT Union adopted the proposed decision set out in paragraph 10 of document PCT/A/50/3, relating to the introduction of an application form for

appointment of an Office or intergovernmental organization as an International Searching and Preliminary Examining Authority under the PCT.”

Additional information: The application form enables an Office or intergovernmental organization seeking appointment as an International Searching and Preliminary Examining Authority to provide the information needed for the Assembly of the PCT Union to decide on the appointment. Having previously been optional for Offices to use in their application for appointment, completion of the form is now a requirement in the appointment procedure.

(iv) Amendment of the Agreement in Relation to the Functioning of the Canadian Commissioner of Patents as an International Searching and Preliminary Examining Authority under the PCT

Document: PCT/A/50/4 (Amendment of the Agreement in Relation to the Functioning of the Canadian Commissioner of Patents as an International Searching and Preliminary Examining Authority under the PCT)

Decision: “The Assembly of the PCT Union:

“(i) approved the text of the draft amendment to the agreement in relation to the functioning of the Canadian Commissioner of Patents as an International Searching and Preliminary Examining Authority, as set out in Annex I to document PCT/A/50/4; and

“(ii) approved the proposed amendments to the agreement in relation to the functioning of the Canadian Commissioner of Patents as an International Searching and Preliminary Examining Authority, as set out in Annex II to the same document.”

Additional Information: Canada required amendments to its new agreement which will expire at the end of 2027, and a further extension of the current agreement until the end of 2020, in order to complete the national processes for ratification of this new agreement.

ITEM 22: MADRID SYSTEM

(i) Report on the Madrid Systems Goods and Services Database

Document: MM/A/52/1 (Report on the Madrid Systems Goods and Services Database).

Decision: The Assembly of the Madrid Union took note of the above-referred document.

Additional information: The Madrid System Goods and Services Database (MGS) includes information of acceptance status from data of 35 national and regional IP offices and lists goods and services in 18 languages. The MGS contains more than 100,000 terms of goods and services in English and the 2017 version is fully aligned with the last edition of the Nice Classification (NCL11-2017). The MGS Database will continue to be populated with indications of goods and services extracted from various sources. The Report also notes the remaining funds available that will continue to be used for facilitating MGS translation activities.

(ii) Proposed Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks

Document: MM/A/52/2 (Proposed Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks).

Decision: “The Assembly of the Madrid Union adopted the proposed Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, as well as the amendments to the Schedule of Fees, as set out in the Annex to the “Proposed Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks” (document MM/A/52/2), with February 1, 2020, as their date of entry into force.”

Additional information: The name change from Common Regulations to Regulations is highly symbolic and is meant to indicate that the Protocol is the sole treaty governing international applications and registrations under the Madrid System.

ITEM 23: HAGUE SYSTEM

Document: H/A/38/1 (Proposed Amendments to the Common Regulations Under the 1999 Act and the 1960 Act of the Hague Agreement).

Decision: “The Assembly of the Hague Union adopted the amendments to the Common Regulations with respect to Rule 3, as set out in Annexes I and II of document H/A/38/1, with a date of entry into force of January 1, 2019.”

Additional information: The amendments aim at relaxing the requirement to submit a power of attorney at the time of filing an international application for appointing a representative before the International Bureau. The Working Group is tentatively scheduled to meet from October 30 to November 1, 2019

ITEM 24: LISBON SYSTEM

(i) Report on the Working Group on the Development of the Lisbon System

Document: LI/A/35/1 (Report on the Working Group on the Development of the Lisbon System).

Decision: The Assembly of the Lisbon Union took note of the above-referred document.

Additional Information: According to the Report, the Lisbon Working Group addressed the following matters: the fee reductions prescribed by the Geneva Act of the Lisbon Agreement and the financial sustainability of the Lisbon Union. The Working Group is tentatively scheduled to meet on May 27 and 28, 2019.

(ii) Proposed Amendments to the Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement

Document: LI/A/35/2 (Proposed Amendments to the Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement).

Decision: “The Assembly of the Lisbon Union:
“(i) adopted the amendments to the Schedule of Fees included in the Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement, in order to introduce a reduction to 50 per cent of the prescribed amount of fees to be paid by least developed countries (LDCs) in respect of international registrations and in respect of each modification of an international registration; and
“(ii) decided that the fee reductions mentioned in subparagraph (i) start to apply three years after the entry into force of the Geneva Act of the Lisbon Agreement.”

Additional Information: The amendments aim at offering fee reductions for applicants from least developed countries (LDCs).

ITEM 25: WIPO ARBITRATION AND MEDIATION CENTER, INCLUDING DOMAIN NAMES

Document: WO/GA/50/10 (WIPO Arbitration and Mediation Center, Including Domain Names).

Decision: The WIPO General Assembly took note of above-referred document.

Additional Information: The document contains an activity report of the Center as an international resource for efficient alternatives to court litigation of IP disputes, including collaboration with certain IP Offices in promoting alternative dispute resolution (ADR) options. In the area of domain name dispute resolution, the document notes that the number of WIPO cases which the Center administered in 2017 on the basis of the Uniform Domain Name Dispute Resolution Policy (UDRP) exceeded 3,000 for the second consecutive year; as of June 2018, the Center had administered total filings of over 41,000 such cases covering some 76,000 domain names.

ITEM 26: MARRAKESH TREATY TO FACILITATE ACCESS TO PUBLISHED WORKS FOR PERSONS WHO ARE BLIND, VISUALLY IMPAIRED OR OTHERWISE PRINT DISABLED (MVT)

Documents: MVT/A/3/1 Rev. (Status of the Marrakesh Treaty) and MVT/A/3/INF/1 Rev. (Report on the Accessible Books Consortium).

Decision: The Marrakesh Treaty Assembly took note of document MVT/A/3/1 Rev.

Additional Information: By September 20, 2018, the following 41 Member States had ratified or acceded to the Marrakesh Treaty: Afghanistan, Argentina, Australia, Botswana, Brazil, Burkina Faso, Canada, Chile, Costa Rica, Democratic People's Republic of Korea, Dominican Republic, Ecuador, El Salvador, Ghana, Guatemala, Honduras, India, Israel, Jordan, Kenya, Kyrgyzstan, Lesotho, Liberia, Malawi, Mali, Mexico, Mongolia, Nigeria, Panama, Paraguay, Peru, Republic of Korea, Republic of Moldova, Russian Federation, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Tunisia, Uganda, United Arab Emirates and Uruguay. The fourth annual Report on the Accessible Books Consortium, a public-private alliance led by WIPO, highlighted the activities undertaken to support the practical implementation of the Marrakesh Treaty.

ITEM 27: REPORTS ON STAFF MATTERS

(i) Report on Human Resources

Document: WO/CC/75/INF/1 (Annual Report on Human Resources).

Decision: "The WIPO Coordination Committee took note of WIPO's Rewards and Recognition program and the discussion thereon, and decided to request the Secretariat to report on the implementation of the Rewards and Recognition program at the seventy-sixth session of the Coordination Committee."

Additional Information: The Report covers both matters concerning WIPO's human resources that are required to be reported to the WIPO Coordination Committee and other staff matters that are of interest to Member States. It includes information on progress made in achieving goals relating to some of these staff matters and a brief description of relevant policies and activities which are aligned with the Organization's HR Strategy 2017-2021. The information in the report is complemented by a separate HR brochure containing HR data and infographics.

(ii) Report by the Ethics Office

Document: WO/CC/75/INF/2 (Annual Report by the Ethics Office).

Additional Information: The Report outlines the activities of the Ethics Office which are related to: (i) awareness raising and training activities; (ii) confidential advice to staff members; (iii) standard-setting and policy development; (iv) implementation of policies assigned to the Ethics Office; and (v) harmonization with best practices of the United Nations common system.

ITEM 28: AMENDMENTS TO STAFF REGULATIONS AND RULES

Document: WO/CC/75/2 (Amendments to Staff Regulations and Rules).

Decision: “The WIPO Coordination Committee:

“(i) approved the amendments to the Staff Regulations as provided in Annex I of document WO/CC/75/2, to be effective as from January 1, 2019, with the exception of the proposed amendment to Staff Regulation 3.14, which was withdrawn by the Secretariat at the request of the Committee.

“(ii) took note of the amendments to the Staff Rules.

(a) as provided in Annex II of document WO/CC/75/2, which will be effective as from January 1, 2019; and

(b) as provided in Annex III of the same document, which were implemented between July 1, 2017, and June 30, 2018.

“(iii) requested the Secretariat to include in its Annual Report on Human Resources information on any cases in which an extension of a temporary appointment beyond two years has been granted in the period covered by the report.”

ITEM 29: ADOPTION OF THE REPORTS

Documents: See Annex to the present document.

Decision: “The Assemblies of WIPO, each as far as it is concerned,

“(i) adopted the present Summary Report (document A/58/10 and addenda); and

“(ii) requested the Secretariat to finalize the Extensive Reports, post them on the WIPO website and communicate them to Member States by October 23, 2018. Comments should be submitted to the Secretariat by November 23, 2018, after which the final reports will be deemed adopted by December 7, 2018.”

Additional Information: The Summary Report, and its addenda, incorporated the decisions adopted by the Assemblies on October 2, 2018. The Extensive Reports, adopted on December 7, 2018, supersede the Summary Report with the addition of all statements made during the Assemblies.

ITEM 30: CLOSING OF THE SESSIONS

The Fifty-Eighth Series of Meetings of the Assemblies of WIPO was closed by the Chair of the WIPO General Assembly. The 59th session will take place at WIPO headquarters from September 30 to October 9, 2019.

[Annex follows]

LIST OF REPORTS OF THE 58TH ASSEMBLIES¹

A/58/11	General Report of the 58 th Assemblies (121pg.)
WO/GA/50/15	Report of the 50 th General Assembly (74 pg.)
WO/CC/75/3	Report of the 75 th WIPO Coordination Committee (17 pg.)
PCT/A/50/5	Report of the 50 th Patent Cooperation Treaty (PCT) Union Assembly (6 pg.)
P/EC/58/1	Report of the 58 th Paris Union Executive Committee (1 pg.)
B/EC/64/1	Report of the 64 th Berne Union Executive Committee (1 pg.)
MM/A/52/3	Report of the 52 nd Madrid Union Assembly (4 pg.)
H/A/38/2	Report of the 38 th Hague Union Assembly (4 pg.)
LI/A/35/3	Report of the 35 th Lisbon Union Assembly (9 pg.)
MVT/A/3/2	Report of the 3 rd Marrakesh Treaty Assembly (6 pg.)
Total:	10 Reports containing 243 pages

[End of Annex and of document]

¹ Additionally, a separate document records that other WIPO bodies were statutorily convened in the framework of the Assemblies but did not have specific matters to discuss.



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