

Table of Contents

- 2 ⇨ *New gTLDs Cause Rise in Cybersquatting*
- 4 ⇨ *Official Visits by the Director General*
 - Launch of the Jamaican IP Office
 - Mauritania Recognizes Importance of IP
- 6 ⇨ *The PCT System*
 - Boom in International Patent Filing System
 - PCT-SAFE
 - PCT Web Services
- 8 ⇨ *PCT Strategic Usage Seminar*
- 9 ⇨ *The IPDL System goes into Production*
- 10 ⇨ *New Challenges for IP Offices*
- 11 ⇨ *Intellectual Property Rights and the Judiciary*
- 12 ⇨ *IP and Business*
 - Trade Secrets are Gold Nuggets: Protect Them
- 14 ⇨ *Korean Art Exhibition*
- 15 ⇨ *Calendar of Meetings*
- 16 ⇨ *New Publications*



Geneva,
April 2002

NEW GTLDS CAUSE RISE IN CYBERSQUATTING



An encouraging trend witnessed in 2001, which saw a modest decline in the number of cybersquatting cases in the *.com*, *.net* and *.org* domains, quickly reversed as the new generic top level domain (gTLD) rolled out. From the beginning of January to February 28, the WIPO Arbitration Center received and notified 3,970 so-called Challenges of Last Resort in the new *.info* domain. Moreover, it is expected that the internationalization of domain names will also create new opportunities for cybersquatters as it becomes possible to register domain names in non-ASCII (Roman) characters.

"The decline in number of cybersquatting cases relating to *.com*, *.net* and *.org* in 2001 is very good news," said WIPO Assistant Director General Francis Gurry. "We should always remember that the full potential of electronic commerce will only be realized in an environment where the rights of all are respected and guaranteed. However, we must not be complacent. Fresh opportunities are opening up for cybersquatters as new gTLDs come online and as it becomes possible to register domain names in different language scripts. As indicated by the new cases filed with WIPO, this brings with it new challenges for trademark holders and policymakers."

Alternative dispute resolution, such as the service provided by WIPO, is now widely regarded as an efficient, quick and cost-effective way to resolve domain name disputes. "The geographical distribution of parties involved in such disputes suggests that enormous savings have been made owing to the expedited and online nature of the procedure, away from foreign courts," Mr. Gurry noted. "For instance, cases filed with WIPO concerned parties from 100 countries worldwide - from Algeria to Zambia - and in every second case, the parties came from different jurisdictions."

The **.coop** domain for cooperatives became partly operational on January 30, while others, like **.aero** for the aviation community, **.museum** for museums and **.pro** for professionals, are expected to become operational and to introduce their dispute resolution policies in the first part of the year. The Center is preparing to implement these policies drawing on its expertise in the area of domain name dispute resolution.

Panelists

Independent panelists appointed by WIPO decide the outcome of all its domain name cases. The Organization has an expanding list of 260 panelists from 43 countries who are selected for their impartiality, sound judgement and substantive experience in trademark law, electronic commerce and the Internet. The transparency of their role is enhanced by the Center's publication of all panel decisions (at: <http://arbiter.wipo.int/domains/cases/all.html>). WIPO regularly organizes meetings for panelists to exchange experiences in applying the Uniform Dispute Resolution Policy (UDRP) procedure, and further facilitates such exchanges via an online Panelists' Forum. These measures serve to enhance the overall consistency of UDRP decisions rendered by WIPO panels.

A court in the United States of America recently upheld the outcome of a UDRP decision issued in 2000 by a WIPO panel concerning the **barcelona.com** domain name. The Center will shortly make available on its website a listing of the court cases in various jurisdictions in relation to the UDRP and decisions taken on those cases.

New Database Services

WIPO has recently gone live with a publicly accessible database that facilitates online searches for information on country code top-level domains (ccTLDs). This ccTLD database contains links to ccTLD registration agreements, WHOIS services and alternative dispute resolution procedures. Of the 243 ccTLDs listed 100 have posted a registration agreement, 98 offer a WHOIS service and 46 have adopted an alternative dispute resolution procedure. Sixty ccTLDs do not have a web presence. The WIPO ccTLD database is available at ecommerce.wipo.int/databases/ccTLD.

The registration of a domain name may under certain circumstances constitute an infringement of a trade or service mark. In view of this, it is recommended that domain name applicants check to ensure that the domain name applied for does not infringe the trademark rights of third parties. National and regional intellectual property offices have created a number of online trademark databases and have made them accessible to the public on their websites. Through its portal, WIPO has facilitated access to these databases with a view to the prevention of domain name disputes. The WIPO trademark database portal is available at ecommerce.wipo.int/databases/trademark.



LAUNCH OF THE JAMAICAN IP OFFICE



WIPO Director General Kamil Idris visiting JIPO with Minister of State, Mrs. Aloun Ndombet-Assamba, Ministry of Industry, Commerce and Technology, Mr. Phillip Paulwell, Minister for Industry, Commerce and Technology, and JIPO Acting Executive Director, Mrs. Gloria E. Edwards

Two events highlighted the visit of WIPO Director General Kamil Idris to Jamaica on March 11 and 12: the launch of the Jamaican Intellectual Property Office (JIPO) and the accession of Jamaica to the WIPO Copyright Treaty (WCT) and the WIPO Phonograms and Performances Treaty (WPPT). At an official ceremony held at the Jamaican Conference Center and presided over by the Minister of Foreign Affairs and Foreign Trade, Keith Desmond Knight, and the Minister of Industry, Commerce and Technology, Phillip Paulwell, the Director General received the instruments of accession to the WCT and WPPT and unveiled the official logo of JIPO.

The Ministry of Industry, Commerce and Technology established the JIPO as a statutory corporation on February 1 with a mandate to provide specialized services in all areas of intellectual property administration. Before this, several government agencies handled the administration of intellectual property in Jamaica. The new agency will streamline and refine administration into one government office.

The WCT and WPPT, which lay down the legal groundwork for safeguarding copyright and related rights on the Internet, will complete the legal framework for protection in this area in Jamaica. This is a very important sector for the country in view of its world-renowned performers, artists and musicians; thanks to the two treaties and the regional copyright collective management societies established in the Caribbean in recent years, they will work and perform with greater confidence that their efforts will be rewarded.

Discussions on Further IP Development

Dr. Idris also held discussions with Jamaican Prime Minister Percival J. Patterson on the strategic importance of the intellectual property system to Jamaica, in particular the role of copyright in safeguarding the island's rich musical traditions and in developing its cultural industries. The ratification of the WCT and WPPT – received by the Direc-

tor General the previous day – underlined the commitment of the Jamaican government to strengthening the intellectual property system.

In Kingston, Dr. Idris met with Governor General Sir Howard Cooke, who reiterated Jamaica's commitment to using the intellectual property system to harness the island's creativity for economic growth. Discussions with Ministers Paulwell and Knight as well as other senior government officials focused on ways of further strengthening cooperation between Jamaica and WIPO. Dr. Idris commended the Jamaican government's efforts to strengthen the intellectual property system in the country and pledged WIPO's continued support in that regard.

Jamaica is also in the process of drafting legislation for the national protection of geographical indications. The country has many products that have been commercialized worldwide, such as ***Blue Mountain Coffee, Jamaican Rum and Jamaican Jerk***. The recognition of a geographical indication of source for Jamaican products would provide an effective marketing tool with worldwide recognition and protection of Jamaican goods and services.

Participation in

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MAURITANIA RECOGNIZES IMPORTANCE OF IP

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Roundtable

During his visit, the Director General also participated in a roundtable discussion at the innovation center of the University of Technology on the role of intellectual property in enhancing creativity, innovation and development. At that event, attended by key individuals from both the private and the public sector, Dr. Idris underlined the intellectual property system as critical in capturing the value of Jamaica's creative and innovative capacities. He explained that WIPO's activities were of great relevance to Jamaica in its endeavor to capitalize on its rich cultural traditions. He also stressed the importance of raising public awareness and understanding of the role and value of the intellectual property system to Jamaicans in their daily lives.



The critical importance of the intellectual property system as a tool for wealth creation, social advancement and cultural development was the focus of discussions between President Maaouya Ould Sid Ahmed Taya of Mauritania and WIPO Director General Kamil Idris during the latter's official visit to Nouakchott on January 29 and 30. They agreed on the strategic importance of the intellectual property system to Mauritania in attracting foreign direct investment, building business competitiveness, enhancing market access and harnessing the benefits of its rich cultural heritage. Dr. Idris pledged WIPO's continued assistance in supporting efforts to strengthen the intellectual property system in Mauritania.

President Ould Sid Ahmed Taya expressed his government's commitment to intellectual property, which he said was of direct interest to Mauritania in capturing the value of its rich cultural heritage and in meeting its development goals. President Taya expressed particular interest in the WIPO program for small and medium-sized enterprises and in its work in the field of traditional knowledge and folklore and Internet domain names.



Dr. Idris explained that WIPO's activities are of great relevance to Mauritania in its endeavor to promote social, economic and cultural development. He assured the Mauritanian authorities of WIPO's support in the areas of intellectual property legislation, institution and capacity-building and human resources development. The Director General also stressed the importance of raising public awareness and understanding of the role and value of the intellectual property system to Mauritians in their daily lives.

While in Nouakchott, the Director General also held fruitful discussions with Mr. Zeidane Ould Hmeyde, Minister for Mines and Industry, Mr. Dah Ould Abdi, Minister for Foreign Affairs and Mr. Isselmou Ould Side El Moustaph, Minister of Culture and Islamic Orientation and Secretary of State for the Prime Minister responsible for New Technologies. These talks focused on ways to further strengthen cooperation between WIPO and Mauritania and how best to support national efforts to enhance the intellectual property system.

BOOM IN INTERNATIONAL PATENT FILING SYSTEM

WIPO received an unprecedented number of international patent applications under the Patent Cooperation Treaty (PCT) in 2001. Nearly 104,000 international applications were filed, representing a 14.3 percent increase on the number received in 2000. For the eleventh consecutive year, inventors and industry from the United States of America topped the list of biggest users of the system with 38 percent of all applications, followed by Germany with 13 percent, Japan with 11 percent, the United Kingdom with 6 percent and France with 4 percent.



Breakdown of PCT applications filed in 2001 by technical field of the International Patent Classification (IPC)

Physics	20.9 percent
Chemistry; metallurgy	20.8 percent
Electricity	18.2 percent
Human necessities	16.9 percent
Performing operations; transporting	13.4 percent
Mechanical engineering; lighting, heating, weapons, blasting	5.9 percent
Fixed constructions	2.6 percent
Textiles; paper	1.3 percent

In 2001, seven new countries joined the PCT, namely Colombia, Ecuador, Equatorial Guinea, Philippines, Oman, Zambia and Tunisia. By the end of the year, the PCT had 115 members.

THE PCT SYSTEM

The PCT system offers inventors and industry an advantageous route for obtaining patent protection internationally. By filing one "international" patent application under the PCT, protection for an invention can be sought simultaneously in each of a large number of countries.

Both applicants and patent offices of PCT member States benefit from the uniform formality requirements, the international search and preliminary examina-

tion reports and the centralized international publication provided by the PCT system. The national patent grant procedure and the related high expenses are postponed, in the majority of cases, by up to 18 months (or even longer in the case of some offices) as compared with the traditional patent system. During that time the applicant receives important value-added information concerning the likelihood of obtaining patent protection as well as potential commercial interest in the invention.



PCT-SAFE

The Patent Cooperation Treaty (PCT) Electronic Filing Project adopted a new name at the end of February, becoming the PCT-SAFE (**S**ecure **A**pplications **F**iled **E**lectronically) Project. The new name reflects the aim of the project to supply a trustworthy, safe and secure means for filing PCT applications.

The publication, in 2001, of the legal framework and technical standards necessary to enable the implementation of electronic filing and processing of international applications in the Administrative Instruction of the PCT fulfilled the first objective of the project. The second objective, the development of PCT-SAFE – a system for the electronic filing of international applications – is expected to be fully operational in December 2003.

PCT-EASY (Electronic Application System)

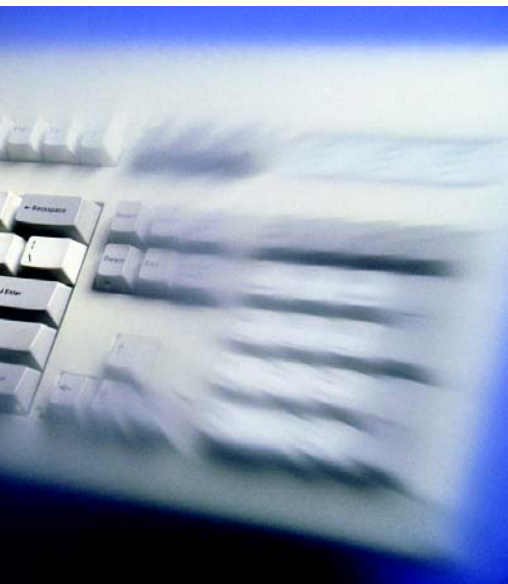
PCT-EASY, launched in 1999, is the stepping stone to the PCT electronic filing system. The maintenance and development of PCT-EASY software is a subproject of the PCT electronic filing project. In the course of 2001 there were some 18,000 downloads of the software from the PCT-EASY website, as well as some 3,000 CDs distributed.

PCT-EASY offers applicants a number of advantages in ensuring that the request part of international applications conforms to PCT requirements and in cost savings. In 2001, 36,428 applications contained request forms prepared using the PCT-EASY software. This figure represents 35 percent of all applications. Of the 86 PCT receiving Offices, as many as 65 now accept international applications using PCT-EASY software. These figures are promising for the use of PCT-SAFE when it comes online in 2003.

PCT WEB SERVICES

New and improved resources on the PCT website contributed to an overall increase in traffic on the WIPO website in 2001. One of the most popular items downloaded from the WIPO site was the PCT request form in editable PDF format, of which nearly 200,000 downloads were recorded. This new resource became available in May 2001 and will be supplemented with other editable PCT forms in 2002.

Regular online updating of the electronic version of the PCT Applicant's Guide contributed to its growing number of regular users in 2001. Visitors peaked at over 6,000 per month in December. The popularity of the PCT Newsletter was boosted by the new searchable database of all "Practical Advice" sections published since 1997 – over 4,500 visitors were recorded for the PCT Newsletter in December. The most popular resource on the PCT web pages remains the electronic version of the PCT Gazette, which regularly receives more than 25,000 visitors per month.



PCT STRATEGIC USAGE SEMINAR

For the first time, in 2001, the Japan Patent Office (JPO) recorded over 10,000 Patent Cooperation Treaty (PCT) filings in one year. To commemorate the event, while recognizing the increasing importance of the PCT to Japanese users, the

Representatives of companies that are leading users of the PCT discussed the strategic usage of the PCT system and stressed its advantages, calling for broader and more effective use of the PCT system in Japan. Following the opening speech, "Future Pro-patent Policy and Roles of the PCT" by JPO Commissioner Kozo Oikawa, WIPO PCT Director Gary Smith gave a presentation on "The PCT as it Enters a New Era, and its Utilization." Messrs. Osamu Yamazaki, Matsushita Electric Industrial Co., Ltd., David Reed, Procter & Gamble Company, and Wilhelm von Lieres, Siemens AG, each gave a presentation on "Patent Strategies of Enterprise and Advantages" based on their company's experience.

The speakers focused on how best to use the advantages of the PCT system the most economic and strategic uses of the system, and the future direction of the PCT. The PCT

users introduced concrete methods and strategies used in their companies. The seminar concluded with a panel discussion on various issues related to PCT Reform, moderated by Mr. Teruhisa Shimomichi, Patent Attorney, Aoki Associates.

Appreciation of the PCT system has grown significantly in Japan in the last few years, and Japanese applicants are now the third largest users of the PCT.



Panel discussions at the seminar

JPO, in cooperation with AIPPI-JAPAN (Japanese Group of the International Association of the Protection of Intellectual Property) held a PCT Strategic Usage Seminar on January 30 in Tokyo. The seminar attracted some 1,200 participants from major Japanese industries, patent lawyers and practitioners.

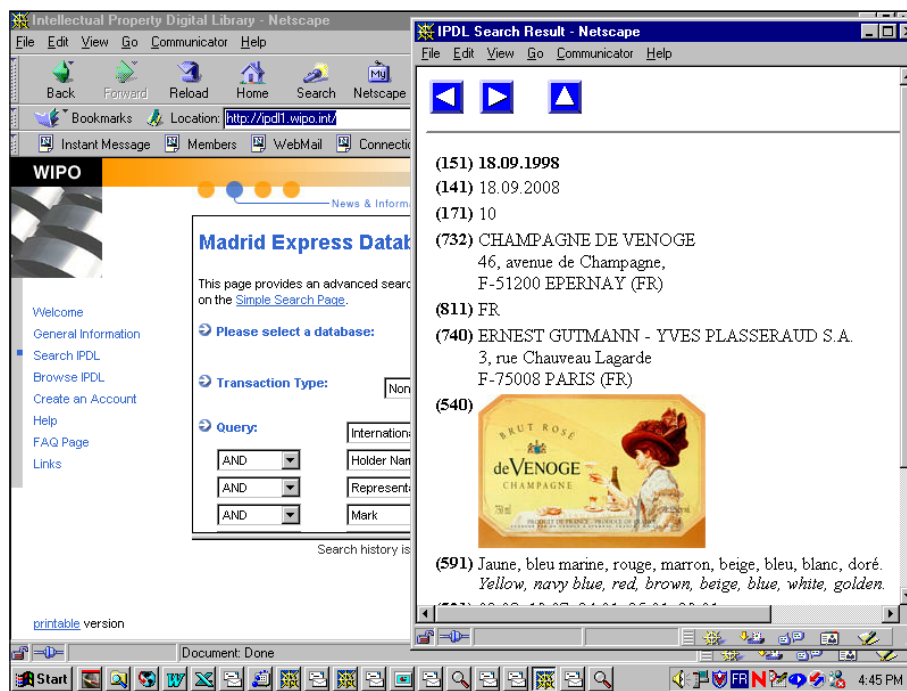


THE IPDL SYSTEM GOES INTO PRODUCTION

WIPO's Intellectual Property Digital Library (IPDL) went online with the complete Madrid and Hague Convention registration data in January. The IPDL, which now has over 18,000 registered users, was first proposed by the Permanent Committee on Industrial Property in 1997 when it recommended the use of technology to enable the global intellectual property community to disseminate and access data.

The first prototype IPDL, developed by WIPO in April 1998, contained an electronic version of the Patent Cooperation Treaty (PCT) Gazette. With the success of the prototype, a more formal IPDL project was formed with the objective of facilitating access to and the exchange of intellectual property information. The aim was to provide a tool for technology transfer and economic development to the benefit of developing countries and their inventors, industries, universities and research and development institutions.

WIPO set January 2002 as its own deadline for the provision of online access to WIPO intellectual property data collections, such as the trademark and design registration data of the Madrid and Hague Conventions. This will be followed in mid-2002 by the publication of PCT full-text data.



Development and Delivery of IPDL System

To meet its objectives, the IPDL project concentrated on issues of data searchability and the provision of standard format and user-friendly public interfaces as well as the implementation of a hardware infrastructure that would support the ever-growing data collections at WIPO. The Organization worked with an outside contractor to design, supply and install the required hardware and software. A deliberate policy of standardization on specific technical platforms also means that WIPO will gain economies of scale and cost in the provision and maintenance of all its information technology systems.

In addition to the PCT and the Madrid and Hague collections, development work has also been completed on a test database for traditional knowledge as prior art ("Health Heritage"). Work is also continuing on the identification of technical standards for intellectual property office electronic data integration into the IPDL system. This is scheduled for completion by the end of 2003 and is carried out under the mandate of WIPO's Standing Committee on Information Technology.

If you are interested in becoming a registered user of WIPO's IPDL system, or would like more information, please visit our website <http://ipdl.wipo.int>.



NEW CHALLENGES FOR IP OFFICES

WIPO organized from February 18 to 20 a roundtable meeting of the heads of intellectual property offices (IPOs) of the Asia and Pacific region in Manila, Philippines. Held in cooperation with the Intellectual Property Office of the Philippines (IPO-P), the meeting highlighted the recent international developments in the field of intellectual property that affect the work of IPOs and WIPO's cooperation for development program in the region. It also provided an opportunity to explore and promote coordination and cooperation among countries in the region.

The meeting provided a forum for discussions and sharing insights on policy, strategic and management issues that relate to the evolution of IPOs in Asia and the Pacific, as well as on issues that affect the developmental role of intellectual property rights.

IPOs are experiencing a reorientation of their roles and responsibilities, a change in their scope and orientation and also an enlargement of their clientele due to rising expectations that the intellectual property systems should address developmental objectives, help raise the standard of living and contribute to wealth creation. IPOs are evolving from simple registration agencies into proactive, outward looking and user-friendly promotional agencies.

In addition, international developments such as the global integration of economies, advances in information and communication technology, the Internet and electronic commerce, traditional knowledge, genetic resources and folklore all require institutional and infrastructure modernization.

The IPO heads expressed appreciation for the extensive legal-technical assistance provided by WIPO and requested it to continue its efforts to assist countries in facing these new challenges, specifically in:

- ⇒ strategic planning and policy development in the intellectual property field to provide direction and ensure the developmental impact of the intellectual property system;
- ⇒ providing developing countries with legal and technical advice both for the transformation of their creations and inventions into intellectual property assets and for management and marketing of those assets;
- ⇒ the modernization of IPOs and introduction of information technology to improve operations, increase service orientation and provide better access to intellectual property information;
- ⇒ identifying the intellectual-property-related needs of small and medium-sized enterprises (SMEs) on a country-specific basis and facilitating the implementation of customized activities to en-

hance their growth and competitiveness through the intellectual property system;

- ⇒ continuing the efforts to increase awareness and understanding of intellectual property issues within the community of traditional knowledge holders to enhance their capacity to maximize legal and economic benefits from the use of the system;
- ⇒ the continued training of enforcement officials such as law enforcement and customs officials and the judiciary;
- ⇒ implementation of systematic, structured and target-oriented public outreach programs as a means of demystifying intellectual property and promoting intellectual property literacy in various sectors and the general public;
- ⇒ intensifying efforts to establish or strengthen collective management capabilities in the region.



INTELLECTUAL PROPERTY RIGHTS AND THE JUDICIARY

WIPO held a colloquium on intellectual property for the judiciary from February 6 to 8 in New Delhi, India, under the auspices of the Ministry of Human Resource Development, India, and in collaboration with the Indian Law Institute. The colloquium, specifically for the Asian and Pacific region, focused on the critical challenges facing the judiciary in successful implementation of intellectual property rights (IPRs).

Two judges from the Supreme Court of India and five from Australia, France, Thailand and the United Kingdom, as well as three WIPO officials, covered 16 topics on the program and participated in the panel discussions. The colloquium objectives were to provide the judiciary:

- ⇒ with an opportunity to discuss their role and contribution in implementing legislation and developing jurisprudence for the effective protection of IPRs;
- ⇒ with information on recent developments in intellectual property law and practice in different countries and with an opportunity to review practical case studies of IPR infringement; and
- ⇒ with a forum in which to exchange views and experiences regarding the role of intellectual property in economic development.



*Meeting participants
in New Delhi*

The focus was on WIPO treaties, enforcement provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), actions, remedies and the challenge of enforcement in the digital environment. The participants discussed a number of case studies concerning infringement on patents, industrial designs, trademarks, geographical indications, copyright and related rights, trade secrets and unfair competition.

Some 24 participants came from Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Fiji, Indonesia, the Islamic Republic of Iran, the Lao People's Democratic Republic, the Maldives, Mongolia, Myanmar, Nepal, the Philippines, the Republic of Korea, Thailand and Viet Nam. The representatives from India included 36 judges of different High Courts of India, senior government officials, academics, patent attorneys and researchers



TRADE SECRETS ARE GOLD NUGGETS: PROTECT THEM

IP AND BUSINESS

All businesses have trade secrets. Some are so acutely aware of their importance that they make formal statements like the one of Stantec below. Many only become aware of them when competitors attempt to acquire their client lists or marketing plans, or to talk to their employees and copy the way they do business. Only then does it become obvious that they have something valuable to protect. A growing number of successful enterprises realizes that valuable information or knowledge is what gives them an edge on the competition. Original confidential information, knowledge and expertise provide a unique competitive quality that helps businesses attract customers.

Much valuable information may appear trivial and therefore may not be sufficiently appreciated. Many enterprises are unaware moreover that secret information is considered intellectual property – frequently referred to as trade secrets – and often protected by legislation. Companies also face a perpetual struggle between developing lasting relationships with customers, stakeholders and suppliers which entails revealing more and more about their products, processes and systems and the need to safeguard valuable trade secrets, key to their continued success. Finding the right balance requires careful consideration.

Today's business environment has increased the importance of trade secret protection for business by developing and implementing information protection practices that address the risks associated with a global marketplace, rapid advances in technology and telecommunications, a mobile, highly-skilled workforce, and networked strategic business relationships, including extensive outsourcing. Technology is changing so rapidly that trade secret protection is, in some cases, the most attractive, effective and readily available intellectual property right. As with all intellectual property, trade secrets can be valuable to a company's growth and competitive advantage, and sometimes even its survival.

Trade secret protection also protects a business against tomorrow's competitors. These may include former employees or customers. Accordingly, there is need for lead-

ership from senior management in companies in order that trade secrets may be properly identified and protected as valuable assets.

Strategies for Staying Ahead

While discussing the issue of employees taking secrets to a competitor in his book entitled *The Pursuit of Wow!*, Tom Peters suggests that the trick for any sensible company to survive and thrive is to keep topping itself – so that stolen secrets are the secrets of *yesterday's* success. Most companies would indeed find this a difficult feat to emulate.

Another strategy, ordinarily suicidal, would be to post business secrets on a website for all to see, copy and use. Interestingly, a start-up software company, Open Cola, posted a secret recipe for cola on its website as a marketing strategy



Stantec

Courtesy - Stantec, Inc.

"The Company relies primarily upon trade secret laws to protect its proprietary rights in its specialized technologies."

This statement accompanied Stantec's announcement of a record quarter and fiscal year-end results that mark 48 years of uninterrupted profitability. Stantec, a North American professional consulting service company, provides knowledge-based solutions for infrastructure and facilities projects in the form of value-added professional services and technologies. (March 4, 2002)

to promote its software. This resulted in its selling substantial amounts of the 'open source' cola drink as an additional product through another company which advertises 'OpenCola' on its website. Such examples are exceptions to the rule according to which valuable business secrets that provide competitive advantage should be properly safeguarded by all possible means.

Defining Trade Secrets

A trade secret is information of any type that is actually or potentially valuable to its owner and not generally known or readily ascertainable by the public, and which the owner has made a reasonable effort to keep secret. A trade secret generally has some cost associated with its development, and is not common knowledge in the industry. Even negative information, such as research options that have been explored and found worthless, can be a trade secret. Practically any type of technical and business information can be protected as a trade secret provided that it meets these requirements. The following are a few sample categories:

⇒ Data compilations, for example lists of customers (the more information a list contains, the more likely it is to qualify for trade secret protection);

- ⇒ Designs, drawings, architectural plans, blueprints and maps;
- ⇒ Algorithms and processes that are implemented in computer programs, and the programs themselves;
- ⇒ Instructional methods;
- ⇒ Manufacturing or repair processes, techniques and know-how;
- ⇒ Document tracking processes;
- ⇒ Formulas for producing products;
- ⇒ Data compilations, including certain databases;
- ⇒ Business strategies, business plans, methods of doing business, marketing plans;
- ⇒ Financial information;
- ⇒ Personnel records;
- ⇒ Schedules;
- ⇒ Manuals;
- ⇒ Ingredients;
- ⇒ Information about research and development activities.

A trade secret may be made up of a combination of characteristics and components, each of which by itself is in the public domain, but where the unified process, design and operation of such characteristics or components, in combination, provides a competitive advantage.

Products and processes that are not patentable can be protected under trade secret law. However, enterprises rely on trade secret law, which does not require registration, to safeguard the details of research and development, including draft patent applications and patent applications before their publication.



DELL™

Dell, the computer company, has a number of patents and some pending applications in the United States on its unique business models. A patent may reveal a lot of valuable information, but at the same time, it provides exclusivity in the marketplace. In 1999, Dell used its patent portfolio as collateral in a \$16 billion cross-licensing deal with IBM that provided Dell with lower cost computer components. This freed Dell from having to pay IBM several millions of dollars in royalties and further reduced Dell's cost of doing business.

Wal-Mart

Wal-Mart, on the other hand, appears to rely more on the protection afforded by the law of trade secrets for protection of its business model, regardless of the fact that the law protecting secret information is often regarded as a relatively ineffective mechanism for protection against theft of proprietary information from past key employees to competitors.

The Dell logo is a trademark of Dell Computer Corporation.

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Even after the grant of a patent, the associated knowledge may be protected as a trade secret. A newly developed but as yet unpublished or unused industrial design or even trademark may also be valuable confidential information.

Trade secrets can afford an advantage over competitors in many ways; the right to use trade secret information can also be licensed or sold. Although trade secrets provide no protection against those who independently develop secret information, trade secrets never expire as patents, industrial designs and copyright do. Enterprises may rely more on one type of intellectual property right than another when using the intellectual property system as part of their business strategy.

For more information on various practical aspects of the IP system of interest to business and industry, please visit the website of the SMEs Division at www.wipo.int/sme.

The next article in IP and Business will discuss policies for the protection of trade secrets.

KOREAN ART EXHIBITION



Photos: Mercedes Martinez Dozal

WIPO hosted from March 5 to 15 an exhibition by Korean artist Chung Gang Kim Byung-Gon. The exhibition, which was inaugurated by Ambassador Chung Eui-Yong, Permanent Mission of the Republic of Korea to the United Nations in Geneva, and WIPO Deputy Director General Roberto Castelo, featured a series of oil paintings and works of calligraphic art. The rich landscape of the artist's homeland inspired many of the works. At the inauguration, the artist, who is a master of calligraphy, provided the audience with a demonstration of his art, which features broad brush strokes and jet-black ink.



(Top) The artist Chung Gang Kim Byung-Gon demonstrating Korean calligraphy

(Bottom) The artist and WIPO Deputy Director General Roberto Castelo

Mr. Castelo welcomed the artist to WIPO and noted that intellectual property systems encourage creativity and innovation. Ambassador Chung Eui-Yong said the works gave a taste of the rich and long-standing tradition that Korea had developed over many millennia of art history. He also noted that the exhibition provided a golden opportunity for the Geneva community to experience Korea's unique brush paintings, and encouraged further cultural exchanges between East and West.

CALENDAR of meetings

APRIL 8 TO 12

(GENEVA)

Preparatory Working Group of the Nice Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks (Twenty-second session)

The Preparatory Working Group will continue to consider and make decisions on proposals for changes to the eighth edition of the Nice Classification, which will subsequently be submitted to the nineteenth session of the Committee of Experts of the Nice Union for adoption.

Invitations: As members, the States members of the Preparatory Working Group of the Nice Union; as observers, all States members of the Paris Union, which are not members of the Working Group and certain organizations.

MAY 6 TO 10

(GENEVA)

Standing Committee on the Law of Patents (Seventh 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/or of the Paris Union; as observers, other States and certain organizations.

MAY 13 TO 17

(GENEVA)

Standing Committee on Copyright and Related Rights (SCCR) (Seventh session)

The Committee will continue its work on the protection of broadcasting organizations and databases.

Invitations: As members, the States members of WIPO and/or of the Berne Union, and the European Community; as observers, other States and certain organizations.

MAY 13 TO 17

(GENEVA)

IPC Reform Working Group of the IPC Union (Seventh session)

The Working Group will continue elaboration of recommendations concerning IPC reform for the Committee of Experts of the IPC Union.

Invitations: As members, the States members of the IPC Union and member organizations of the Working Group; as observers, the States members of the Paris Union and certain organizations.

MAY 21 TO 24

(GENEVA)

Second Special Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) on the Report of the Second WIPO Internet Domain Name Process

The second of two special sessions of the SCT, the first of which took place from November 29 to December 4, 2001, will continue discussions of the Final Report of the Second WIPO Internet Domain Name Process.

Invitations: As members, the States members of WIPO and/or of the Paris Union; as observers, other States and certain organizations.

MAY 27 TO 31

(GENEVA)

Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) (Eighth session)

The Committee will continue its work based on the results of its seventh session.

Invitations: As members, the States members of WIPO and/or of the Paris Union; as observers, other States and certain organizations.

JUNE 6 AND 7

(GENEVA)

Seminar on the Madrid System of International Registration of Marks

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