

Geneva, February 2002

WORK ADVANCES ON GLOBAL ISSUES



TRADITIONAL CULTURE IN CHINA



TRADEMARKS AND MARKETING



A Message from the Director General



As we begin the new year of 2002, on behalf of WIPO and its staff, I wish to extend our best wishes to all. The start of a new year is a good time for reflecting on the challenges ahead.

In the WIPO Millennium Declaration adopted by WIPO's Policy Advisory Commission, the Commission members stated:

"Intellectual property rights are a key and integral tool in efforts to address the fundamental challenge of development for all, which at the end of the twentieth century stands as the most universally important responsibility facing mankind."

One of the greatest challenges that WIPO faces today is the task of making the promise of intellectual property as a tool for economic development a reality.

In this 21st Century, intellectual property (IP) is a powerful driver of economic growth. When linked to the development of human capital, it results in educated, skilled and motivated individuals and becomes a dynamic combination in terms of stimulating creativity and innovation, generating revenue, promoting investment, enhancing culture, preventing "brain drain", and nurturing overall economic health.

Despite the importance of IP to wealth creation and economic development, a gap continues to exist between developed and developing nations in terms of IP asset ownership and use. This is not because of an inherent lack of creativity or innovation but mainly because of a lack of information about IP and its potential as a tool for economic growth. If all nations and their leaders integrate strategic intellectual property policies into their wealth creation plans, the current gap between knowledge-asset-based powers and others can shrink in a few decades.

In developed countries there is also a lack of understanding in certain sectors of how IP promotes wealth creation. Although some businesses effectively wield the "IP tool", others, especially small and medium sized enterprises (SMEs) may not have the information necessary to do so. For this reason, WIPO will continue the campaign it launched last year to demystify IP and make it more accessible to all.

WIPO will address how IP works in practice, how it promotes investment and affects valuation, how inventions relate to research policies, how cultural industries can be supported by IP policies, how trademarks relate to branding and licensing, how IP asset development can be incentivized, how IP assets are managed, how licensing operates to share knowledge and spread the value of IP, how IP can be protected, and other matters of great interest to policy and business leaders.

This is an important part of WIPO's mission and will be integrated in all that we do as we move forward into 2002.

WIPO will soon be publishing a book on IP and its relationship to economic development. Written for non-experts, and based on success stories of IP drawn from many nations, it is entitled: **"Intellectual Property — A Power Tool for Economic Growth — A Road Map from the Rhetoric of Universal Commitment to the Reality of Universal Achievement"**. An abstract of the book is available on the WIPO website at www.wipo.int, via the "Message from the Director General" page.

The challenges ahead for WIPO are exciting ones. The Organization's success in meeting them will depend upon full participation of its members, as well as civil society groups, academic institutions, businesses and citizens.

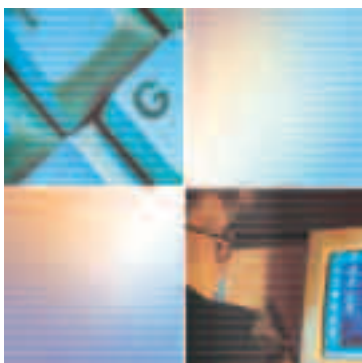
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Geneva,
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DEVELOPMENTS IN MULTILINGUAL DOMAIN NAMES



A symposium organized jointly by the International Telecommunication Union (ITU) and WIPO in association with the Multilingual Internet Names Consortium (MINC) reviewed the technical, legal and policy issues relating to enlargement of the domain name space to support scripts of languages using non-Latin characters. Meeting in Geneva in December, symposium participants – drawn from the Internet and legal communities, as well as policy-makers and government representatives – also discussed the intellectual property implications of such developments.

Estimates indicate that by 2003 two-thirds of all Internet users will be non-English speakers; however, a significant barrier remains for many of these potential users as Internet domain names are in a restricted set of Latin characters, most commonly used to write English. “Native speakers of Arabic, Chinese, Japanese, Korean, Tamil, Thai and other languages are at a disadvantage,” said ITU Deputy Secretary-General Roberto Blois. “The global nature of the Internet makes international dialogue critical if a universal solution to the problem is to be found.”

WIPO Assistant Director General Francis Gurry further emphasized this point. “Equality of access to the valuable resources provided by the Internet is an issue of critical importance to the international community,” he said, “and is a key concern for international intergovernmental organizations, such as ITU and WIPO.” Mr. Gurry noted that while expansion of the domain name space means greater opportunities for legitimate users, it also opens up new opportunities for

cybersquatters. “We are keen on ensuring that the expansion does not happen at the expense of any one party,” he said.

Problems Faced in a Multilingual System

The Domain Name System (DNS) serves to facilitate users’ ability to navigate the Internet by mapping the user-friendly domain name to its corresponding numeric Internet Protocol address. A domain name registration, whether in a generic top-level domain (gTLD) or a country code top-level domain (ccTLD), provides a global presence which ensures that the corresponding online address is accessible online from anywhere. Some 100 million such names are already stored in the DNS, according to industry estimates.

While the process of “internationalization” of the Internet’s DNS is underway, a number of problems need to be overcome to ensure that all linguistic systems are fairly represented on the Internet. The challenges are complex and go far beyond technical considerations. These include:

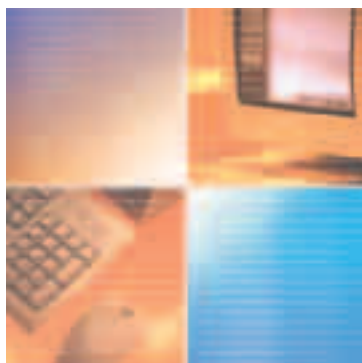
- administrative arrangements for multilingual domains,
- competition policy,
- market access,
- intellectual property and dispute resolution mechanisms,
- cultural and social issues.



A number of commercial and private organizations have proposed solutions that would enable multilingual domain name use, but no *de facto* or technical standards that would guarantee interoperability have yet emerged from the Internet Engineering Task Force (IETF). The result is a risk of confusion in the marketplace among Internet users and providers. As Mr. Blois noted, "We do not want to run the risk of fracturing access to the Internet and as a result increasing the digital divide between developed and developing nations."

Key Challenge: Protecting Intellectual Property

The symposium provided a forum in which a diversity of views and perspectives could be shared and future directions could be explored. By looking at existing challenges faced on a daily basis by intellectual property holders and administrators in protecting trademarks in our multilingual world, experts in intellectual property and Internet technology shared experiences that may lead to a greater understanding of the issues raised by an increasingly internationalized domain name space. Key among those issues is the critical challenge faced by enterprises in protecting their intellectual property in a multilingual world, both on and offline, and the need for effective dispute resolution to resolve the domain name conflicts that inevitably arise.



The joint ITU/WIPO symposium aimed to bring about a wider understanding of the many issues raised by the implementation of multilingual Internet names. "We welcome an orderly expansion of the domain name system which more accurately reflects the linguistic diversity of the offline world and is done in a way that preserves the rights of intellectual property owners," said Mr. Gurry. Mr. Blois noted that this activity is part of a broader objective, "the true internationalization of the Internet."



WORK ADVANCES ON NEW GLOBAL ISSUES



*Textiles
from Tunisia*

The second meeting of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), held in Geneva from December 10 to 14, approved further work within WIPO on the intellectual property aspects of the documentation of public domain traditional knowledge and its inclusion in the patent examination process as part of searchable prior art. This would make a useful contribution in addressing complaints relating to the grant of patents on traditional knowledge.

The Committee also approved further work on the establishment of model intellectual property clauses for contractual agreements regulating access to and benefit-sharing in genetic resources. This could involve the establishment of a database of model clauses submitted by states and other stakeholders to serve as a guide in the negotiation of contracts.

The IGC also discussed interim reports on traditional knowledge and folklore that used empirical information provided by states to describe the extent to which the traditional intellectual property system is sufficient in addressing these forms of knowledge. Final reports will be considered at the third meeting that is scheduled in June. In this regard, work will also continue to identify those components of traditional knowledge that might be protected by intellectual property rights.

The IGC reaffirmed that WIPO should continue to address these issues in collaboration, where appropriate, with the secretariat of the Convention on Biological Diversity (CBD) and the Food and Agriculture Organization (FAO) and its Commission on Genetic Resources, as well as the United Nations Educational, Scientific and Cultural Organization (UNESCO).

100,000TH PCT APPLICATION FILED

The Patent Cooperation Treaty (PCT) set a new record last year when the 100,000th international patent application filed under the Treaty was received at WIPO in December. In the PCT's 23-year history, this is the largest number of applications filed in a single year. In 2000, the PCT received 90,948 international applications – representing a notional equivalent of just under 8.5 million national patent applications – which itself was a 22.9 percent increase on figures for 1999. Since the PCT came into force in 1978, more than 600,000 international applications have been filed.



EFFORTS TO HARMONIZE TRADEMARK LAW MOVE AHEAD

By filing a patent application under the PCT, an applicant may apply for patent protection in any or all of the 115 PCT member states. This significantly reduces the time and money invested in obtaining patent protection. The PCT does not grant patents, but it contributes significantly to the process of seeking patent protection in multiple countries.

Initial statistics also show a significant increase in use of the PCT by nationals from developing countries. Last year's largest number of users from developing countries came from the Republic of Korea, China, South Africa, and India.

A comprehensive effort at reform of the PCT has been underway during the last four years, including efforts towards automation, lowering of fees, and simplification of the treaty. Fee reductions have been implemented for five consecutive years, leading to a total 45 percent reduction in fees since 1998.



WIPO member States have agreed to move forward with a comprehensive program of harmonization of laws for the protection of marks. At a meeting of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) in Geneva in December, negotiators committed to a program of work that aims to further simplify and streamline the trademark procedures and to initiate harmonization of substantive trademark law.

The decision to move ahead with further harmonization efforts follows the adoption of the Joint Recommendation on the Protection of Well-Known Marks (1999), the Joint Recommendation on Trademark Licenses (2000) and the Joint Recommendation on the Protection of Marks on the Internet (2001).

Trademark formality requirements are currently governed by the WIPO Trademark Law Treaty (TLT), concluded in 1994, which serves to harmonize and simplify the formal requirements involved in trademark procedures. The SCT agreed to build on the TLT and to further simplify and expand the harmonization of formalities by introducing provisions for electronic filing, incorporating provisions contained in the WIPO Joint Recommendation on Trademark Licenses or offering relief in regard to various formal mistakes and time limits.

Photo: Mercedes Martínez Dosal



The SCT also decided to initiate work on harmonization of substantive trademark law, particularly concerning non-traditional marks (for instance, color marks, smell marks, three-dimensional marks) or conflicts with prior rights. The member States stressed the need for an evaluation of the interference between trademark law and industrial designs law or copyright law.

The SCT also engaged in a fruitful exchange of views on issues concerning the definition of geographical indications, systems of protection and the underlying policy considerations, the relationship between geographical indications and trademark rights and the economic impact of various systems of protection (see http://www.wipo.int/eng/document/sct/index_6.htm).



Ms. Debbie RØNNING (center), Chair of the SCT, and the two Vice-Chairs, Mrs. Graciela ROAD D'IMPERIO (at her right) and Mrs. María Teresa YESTE LÓPEZ (at her left)

DOMAIN NAME CASES AT THE ARBITRATION CENTER

The WIPO Arbitration and Mediation Center received 3,192 domain name cases during 2001, a 72 percent increase over the previous year. Since December 1999, the Center has received 5,053 complaints involving parties from 100 countries.

On December 12, the Center received its first *.biz* domain case filed under the Uniform Dispute Resolution Policy (UDRP), and on December 14 the first WIPO panel decision concerning a *.info* domain name under the UDRP was issued. The Center also administered 25 complaints in relation to non-Roman script or "internationalized" domain names, which also became available during the year.

From August 28 to December 26, the Center received "sunrise challenges" against domain names registered in the *.info* domain. These challenges were part of the "sunrise registration period" (July 25 - August 28, 2001) during which trademark owners could file a domain name application before the general public involving a domain name that is identical to the textual elements of a trademark which they owned, and which had national effect prior to October 2, 2000.

Compliance with these conditions was not examined at the entry-level, but any person could submit a challenge against domain names registered during the sunrise registration period, alleging non-compliance with the sunrise registration conditions. Such challenges were subject to the Afiliat Sunrise Challenge Policy for *.info*. Challenges could only be filed between August 28 and December 26, 2001.

The Center was the exclusive dispute resolution service provider for sunrise challenges and received a total of 1,579 challenges, including 656 in December. By the end of the year, the Center had already resolved some 600 of these challenges. Some 53 cases have also been filed under the special introductory mechanism for *.biz*, the Start-up Trademark Opposition Policy (STOP). As of January 15, 2002, the date on which *.name* became fully operative, the Center will administer cases filed under the specific dispute policy for that registry, the Eligibility Requirements Dispute Resolution Policy for *.name* (ERDRP).

The WIPO Arbitration and Mediation Center is the leading provider of online domain name dispute resolution services worldwide and the only international not-for profit institution offering this service. The Center administers the great majority of all domain name cases filed under various policies, including the UDRP, which was adopted at



the recommendation of WIPO, as well as new policies developed by the new generic Top Level Domains (new gTLDs). The Center also acts as dispute settlement provider for 23 country-code Top Level Domains (ccTLDs)

Further information on the domain name dispute resolution services of the Arbitration Center is available at <http://arbiter.wipo.int/domains/index.html>.



PROMOTING IP IN PUBLIC ADMINISTRATIONS

WIPO took a novel approach to the promotion of intellectual property by stressing the role that public administrations can play in this area during a workshop in Hong Kong, Special Administrative Region (SAR), China from December 12 to 14. The workshop examined the relationship between the intellectual property system and various aspects of public administration, and explored measures for improving awareness of the intellectual property system and its role in national development.

The workshop, organized by WIPO in cooperation with the Intellectual Property Department (IPD) and the Civil Service Training and Development Institute (CSTDI) of the Government of Hong Kong SAR, attracted some 26 foreign and 20 local participants.

The workshop got underway with a keynote speech by WIPO Deputy Director General Rita Hayes that highlighted the most recent developments in the intellectual property arena. An introduction to intellectual property, WIPO, and its treaties was also provided.

The workshop explored the following themes:

- ▶ promoting intellectual property protection and management: the role of the public service;

- ▶ identifying and maximizing public intellectual property assets and minimizing the risk of intellectual property infringement;
- ▶ enforcement of intellectual property rights;
- ▶ intellectual property rights of government in contracts;
- ▶ enhancing compliance with the intellectual property system by the public service;
- ▶ developing web-based resources for public sector intellectual property training;
- ▶ policy and strategy considerations for public service education and training in intellectual property.

Speakers in the workshop stressed the need to identify and maximize public intellectual property assets and to minimize the risk of infringement, noting that in many developing countries research and development activities are still very much in the hands of the public sector. They noted that, as government is still a major investor in research and development activities in public universities and research institutions, it is crucial to create a supportive environment for these activities. This includes making public intellectual property assets relevant to industries and the public, providing incentives for inventive activities, as well as creating a "critical mass" of intellectual property literate citizens through awareness building.



Conference participants in Hong Kong

Discussions on the aspect of intellectual property rights in government contracts included cautionary measures for the public service, i.e., developing means to minimize the risk of infringement of intellectual property rights of others and to promote intellectual property compliance in contracts.

The experience of the public services of the government of Hong Kong SAR was discussed as an example of how to enhance compliance with the intellectual property system. The IPD launched an intellectual property compliance officer scheme in January 2000, under which, within the cadre system of the government, the heads of departments appointed about 150 compliance officers with the objective of promoting awareness within the government and ensuring compliance with intellectual property standards and guidelines.



PROTECTION OF TRADITIONAL CULTURE IN CHINA



WIPO Deputy Director General Philippe Petit meeting with the Vice-Chair of the Standing Committee of the National People's Congress, Ms. Peng Peiyun

WIPO participated in an international symposium on the protection and legislation of folk/traditional culture in Beijing, China in December, organized by the Ministry of Culture, the Education, Science, Culture and Public Health Committee of the National People's Congress (NPC), and the State Administration for Preservation of Cultural Heritage. China has drafted a law for the legal protection of folk and traditional culture. The draft law is still under consideration, and the symposium aimed at exchanging national experiences in order to proceed with the finalization of the law and encourage international cooperation in this area.

Papers presented at the symposium included an account of China's efforts to protect the highly skilled mask-changing stunt in Sichuan opera and a project to film and record famous Yangzhou storytellers. Other papers were presented by:

- ▶ The Director of the American Folklife Center, Library of Congress, Washington;
- ▶ The Head of the Arts Department of the National Arts Council, Tanzania; and
- ▶ The President of the International Council for Traditional Music.

WIPO presented a paper on the legal protection of folk and traditional culture and on recent developments in this regard within the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

The success of the symposium demonstrated the high level of interest in the protection of folk and traditional culture in China. Several senior Chinese officials expressed a need for an international instrument for the protection of folk and traditional culture. WIPO was requested to continue to provide legal-technical assistance in regard to the national protection of such culture and to facilitate the development of an international instrument.



A TIMELY ASSESSMENT OF THE WIPO INTERNET TREATIES

In the first book published on the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), the authors offer an extensive analysis of and commentary on the legal and historical implications of these two key treaties that bring copyright and related rights into the digital age.

“The WIPO Treaties 1996 – Commentary and Legal Analysis” is a landmark study on two landmark instruments, known together as the WIPO Internet Treaties. The authors, Jörg Reinbothe and Silke von Lewinski, were both participants in the preparation and negotiations leading up to the signature of the WCT and WPPT in December 1996. Their book provides essential guidance to the two treaties, explains their historical and legal background, and provides an article-by-article commentary on each treaty provision.

The book is an indispensable and timely guide for anyone attempting to understand the effects – still unfolding – of the digital age on copy-

right and copyright law. Coincidentally, the book was published within days of the December 6, 2001, deposit by Gabon of the 30th instrument of ratification of the WCT, which assures that the WCT will enter into force on March 6, 2002. The WPPT is expected to enter into force in the near future as well.

The 600-page book addresses questions, still unresolved, regarding the protection of databases and the protection of audiovisual performances, including the discussions at the Diplomatic Conference of December 2000. It also offers an insightful assessment of the Internet Treaties in comparison with the Berne Convention, the Rome Convention, and the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS). The book is particularly timely as it includes discussions on and reflects international developments relating to the Treaties up to October, 2001.

Jörg Reinbothe is head of the Copyright and Related Rights Unit of the European Commission (EC) and is active in implementing the WCT and WPPT into EC law. Silke von Lewinski is head of the Department



of International Law at the Max-Planck-Institut in Munich. Both authors were delegates at the 1996 Diplomatic Conference which resulted in the signing of the Internet Treaties.

Published by Butterworths LexisNexis of the United Kingdom, “The WIPO Internet Treaties 1996” provides a thorough, thoughtful analysis of these two cornerstones of the digital age.



THE ROLE OF TRADEMARKS IN MARKETING

Peter Drucker, a well-known management guru, said that a “business enterprise has two basic functions: marketing and innovation. Marketing and innovation produce results; all the rest are costs.” These two basic functions guide the underlying desire of a business to make a monetary profit in the process of providing quality products and services to customers. Intellectual property plays a role in both of these functions, and specifically trademarks are of primary importance in the marketing process.

Every product in the market faces competing products that are often almost identical, similar or good substitutes. Meeting or exceeding customers’ expectations is a challenging task, especially when tastes and preferences continuously evolve in a competitive marketplace, with many similar products catering for the same need. Only businesses that can meet these challenges can expect to develop and retain a loyal clientele.

Distinguishing Products from Others

To develop trust, confidence and loyalty in its products, every business has to develop and maintain a distinct identity, image or reputation. Only then is it able to distinguish itself and its products from those of its competitors. It must also, at the same time, provide a mechanism for linking the provider

of a product to the valuable business assets of trust and goodwill. Businesses achieve this mostly through a distinctive trade name and one or more trademarks.

These play a pivotal role in the marketing strategy of differentiating products from those of rivals and in developing longer-term positive – and often emotional – relationships with customers by communicating an assiduously nurtured image or reputation. Every business must woo customers to move them quickly from brand awareness, via brand recognition, to brand preference and finally to brand insistence, a point at which the consumer refuses to accept alternatives and is willing to pay an even higher premium for the desired branded product.

The popular terms used in marketing jargon, “brand” or “brand name” are interchangeable with “trademark,” the term used in intellectual property legal circles. Of course, a product brand or a corporate brand is a much larger concept than a mere trademark, as building a strong brand and establishing the brand equity of a business is a bigger challenge than choosing, registering, or maintaining one or more trademarks. Strong brands and successful branding

generally refers to successes in terms of contribution to market share, sales, profit margins, loyalty and market awareness. However, the ultimate success of a brand is also judged in terms of the total value derived by the customer from the product to which it relates.

Designing a Trademark

Businesses often use a portfolio of trademarks for diversifying their market strategy to meet the expectations of different target groups in the same or different countries. Building a strong brand image is no easy task. Use of trademarks for effective marketing of products requires an excellent knowledge of trademark law and practice at the national and international levels – seeking professional guidance becomes necessary, as this is a specialized task. However, a few basic elements must be kept in mind for the design of a good trademark. Trademarks should

- be inherently distinctive,
- be easy to memorize and pronounce,
- fit the product or image of the business,
- have no legal restrictions, and
- have a positive connotation.

A brand/trademark may be a word, letter, symbol (logo), number, color, shape or, where the legislation of the country so allows, sound or smell, or a combination of one or more of these elements.



Interbrand 2001 Annual Survey of the world's most valuable global brands

(top three brands in US\$, based on estimated market value of the brands themselves)



Coca Cola \$68.9 billion



Microsoft \$65.1 billion



IBM \$52.7 billion

© Coca-Cola Company
Registered trademark of Microsoft Corporation in the USA and/or other countries
Courtesy: IBM Deutschland GmbH

Brand Value

The value of brands varies across sectors of the economy and within the same sector as well. According to a recent survey of businesses in some developed economies, it represents just over 10 percent of the total value of the firm in the industrial sector, around 40 percent in the financial services and the automotive sectors and as much as 70 to 90 percent in the food or luxury goods sector.

In absolute terms the value of a brand, excluding the value of its other intellectual property and intangible assets, may be a phenomenal sum. Results from the Interbrand 2001 annual survey of the world's most valuable global brands in the box above clearly demonstrate this point. As such, trademarks/brands are extremely valuable assets, which need care-

ful handling, care, nurturing and protection; otherwise they may lose value, be stolen or simply be destroyed or lost.

Protect your Trademarks

A major step in eliminating wasteful expense and reducing risk is to register the trademark early so that it is legally secure and others cannot free-ride on it. This is often done well before test marketing the new product to avoid incurring expense on advertising and other promotional activities, only to discover the brand name is not available.

Some countries do provide a degree of protection to unregistered trademarks, but in most countries protection is contingent upon successful registration. Many countries allow registration without prior use, but the trademark may be cancelled if it is not used in the marketplace in relation to the product for a certain period of time. It is easier to deal with the willful free-riding, known as counterfeiting of a trademark and with gray market products (so-called parallel imports) if the trademark is validly registered.

Informed businesses take active steps to educate employees, dealers, distributors, newspaper editors, publishers of encyclopedias and the public that their trademark identifies their specific products alone and therefore should be used in a proper manner.

Another major step that must be taken by every business is to annually review its portfolio of trademarks to check whether timely action has been taken to (1) register all trademarks in use or proposed to be used in the domestic or export markets, (2) record licensing of a trademark if required under the trademark law; (3) adequately control the quality of the product provided by a trademark licensee or franchisee; and (4) renew trademark registrations.



The next article in IP and Business will discuss the role of industrial designs in marketing.

DEVELOPING GEOGRAPHICAL INDICATIONS IN BRAZIL

Due to the increasing demand for quality products all around the world, Brazilian producers and manufacturers are becoming increasingly aware of the importance of having a distinguishable product to face worldwide competition. Since such distinction can be achieved through the use of a geographical indication, this has become a major concern and goal for Brazilian agribusiness representatives.

With this intent, Brazil has been steadily moving towards the recognition of geographical indications at a national level. Being party to both the Paris Convention and the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, Brazil has long recognized indications of source and appellations of origin as elements of industrial property and adopted a policy of repression of false geographical indications on merchandise. On May 14, 1996 with Law 9279, which regulates rights and obligations relating to industrial property, Brazil innovated by introducing legal protection for geographical indications at the national level.

From then on, the thrust for the protection of geographical indications has increased steadily. The National Institute of Industrial Property (INPI) has developed a database containing 1,500 recognized appellations of origin.

National Requests for Geographical Indications

The greatest motivation for the introduction of geographical indications in Brazil is the desire of local producers to obtain titles of protection for products originating in their own regions. In this regard, INPI, in cooperation with research institutions and associations of producers, has been conducting research in order to ascertain the potential national regions where producers could claim such titles, and has stimulated the local producers to request them. The country has many good candidates for the geographical indication title relating to products such as wine, coffee, chocolate, cheese and meat.

In 2001, the two first national geographical indications were registered. These were for wines in the southern region known as *Vale dos Vinhedos* in Rio Grande do Sul and coffee from the *Cerrado* region of Minas Gerais.

Vale dos Vinhedos

Vale dos Vinhedos, situated in the south of Brazil between the cities of Bento Gonçalves, Garibaldi and Monte Belo do Sul, is 742 meters above sea level and has a temperature varying between 16° and 18°. Immigrants from northern Italy, finding the climate and soil similar to the one they left, colonized the region around 1875 and initiated viticulture following the Italian tra-

dition. The valley is in the region of Serra Gaúcha, also known, amongst others, for its production of furniture, chocolate, cheese, handicraft and shoes.

When wines were first marketed under the *Vale dos Vinhedos* name more than a decade ago, the district was an area with a few vineyards, several houses and barely any infrastructure. Tourists were rarely seen in the area. Now, some 60,000 tourists annually visit the region, which has become a focal point for people who appreciate gastronomy, winter sports and viticulture.

This achievement results in large part from the efforts of the local wine producers, who created the Association of Producers of Fine Wines of the *Vale dos Vinhedos* (APROVALE). The initial idea of the producers was to stimulate tourism in relation to wine production. They tried to reach visitors from the surrounding cities, as well as tourists visiting the area's other sites. The members of the Association would indicate to their guests the next wine producer to visit on their itinerary and, by so doing, caused a constant increase in tourism in the region, as well as an increase in investments and the quantity of vines planted.



Wine aging in wooden casks in *Vale dos Vinhedos*

In Pursuit of a Geographical Indication

The local wine producers carried out a number of activities in order to have a geographical indication title granted. Initially, they created APROVALE, which included not only the wine-growing establishments of the valley but all enterprises connected with tourism, agribusiness and the supply of vinicultural inputs. Its principal mission: to develop and motivate research connected with viticulture to preserve and protect the geographical indication of the wines in the region.

The Association developed a program that aims at making the region into a national – and perhaps international – point of reference for products related to wine. For the

implementation of this project, the recognition of a geographical indication would be a positive factor, as it would bring an increase in consumption and tourism and motivate more producers to install wine-growing establishments in the area.

The Association ordered, in cooperation with the Foundation of Support to Research of the State of Rio Grande do Sul (FAPERGS), a study on the necessary specific knowledge for a geographical indication. The institutions involved with this project were the Brazilian Enterprise for Agricultural Studies (EMBRAPA) and the University of Caxias do Sul (UCS). In 1999, the results were published in a book called "*Vale dos Vinhedos - Caracterização Geográfica da Região*" (Vineyards' Valley - Geographical Characterization of the Region).

Once the studies had been finalized, APROVALE claimed the registration of its geographical indication at INPI and established a regulatory council aimed at making regulations to maintain and preserve the geographical indication. This council was a pioneer in Brazil, creating the first national statutes for a geographical indication, as well as its rules and procedures. The local producers respect the technical rules in the document, and their products are steadily improving in quality and standard, and gaining widespread recognition in national and international circles.

The example of the *Vale dos Vinhedos* has stimulated other producers to consider the acquisition of a national certificate of geographical indication to strengthen their products' position on the international market and consolidate Brazil's image as a developing country of great wealth and resources.



The WIPO Magazine acknowledges the assistance of University of Caxias do Sul and the Brazilian Enterprise Agricultural Studies (EMBRAPA) in the preparation of this article.

CALENDAR of meetings

FEBRUARY 18 TO 22

(GENEVA)

Working Group on Constitutional Reform (Fifth session)

The Working Group will continue its work based on the results of its fourth session (September 11 to 14, 2001).

Invitations: As members, the States members of WIPO and/or of the Paris and/or Berne Unions.

FEBRUARY 25 TO MARCH 1

(GENEVA)

Committee of Experts of the Special Union for the International Patent Classification (IPC Union) (Thirty-first session)

The Committee of Experts will adopt proposals for the revision to the current (seventh) edition of the IPC and will consider recommendations concerning IPC reform.

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

APRIL 22 TO 26

(GENEVA)

Standing Committee on Information Technologies (SCIT) Working Group on Standards and Documentation (Second session)

The Working Group will discuss progress towards the completion of the tasks in its work program.

Invitations: As members, the States members of WIPO and the Paris Union; as observers, 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)

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.

JUNE 24 TO 28

(GENEVA)

Working Group on Constitutional Reform (Sixth session)

The Working Group will continue its work based on the results of its fifth session (February 18 to 22, 2002).

Invitations: As members, the States members of WIPO and of the Paris and Berne Unions.

JUNE 27 AND 28

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WIPO Workshop for Mediators in Intellectual Property Disputes

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JULY 1 AND 2

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JULY 1 TO 4

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Program and Budget Committee (Fifth session)

The Program and Budget Committee is being convened to discuss issues concerning the new construction.

Invitations: As members, the States members of the Program and Budget Committee; as observers, all member States of WIPO which are not members of the Committee.

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WIPO will convene a Conference on the International Patent System in Geneva from March 25 to 27 to discuss the WIPO Patent Agenda.

The objective of this event is to stimulate discussion on the main issues and challenges confronting the international patent system and to receive further inputs and responses from users of the patent system. Matters raised in discussions during the conference will be taken into account in a paper to be prepared by the Secretariat for presentation to the WIPO General Assembly and the Assemblies of the Paris and PCT Unions in September. The provisional program for the conference is available on WIPO's website, www.wipo.int.

The conference is open to any interested member of the general public. Online registration is available at the WIPO website. The fee is 400 Swiss francs. This amount covers admission to the conference plus all conference materials including speakers' papers and presentations.

The conference will be held at the International Conference Center of Geneva (CICG), 15 rue Varembe, 1211 Geneva 20, Switzerland.

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