

WIPO magazine

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Geneva, June 2002

CHINA HOSTS WIPO



CURBING CYBERSQUATTING



PATENTS AND NEW PRODUCTS

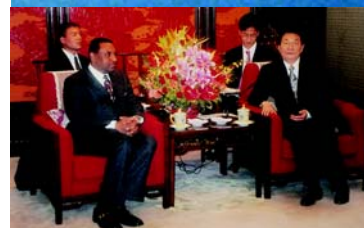


WIPO'S MISSION STATEMENT

To promote through international cooperation the creation, dissemination, use and protection of works of the human spirit for the economic, cultural and social progress of all mankind.

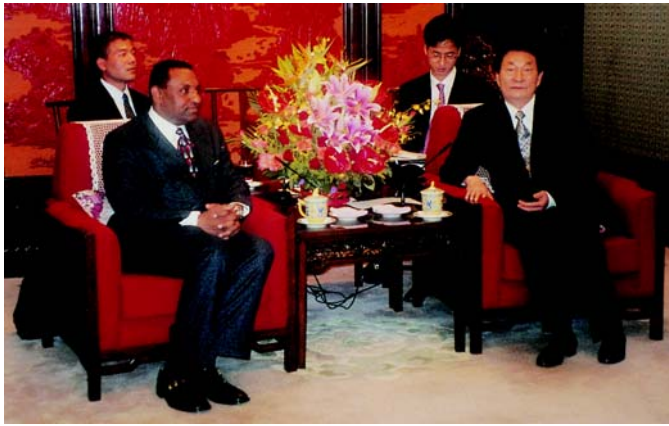
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Geneva,
June 2002

INTELLECTUAL PROPERTY HEADLINES IN CHINA



■ Meeting With Premier Zhu Rongji

WIPO Director General Kamil Idris met with Chinese Premier Zhu Rongji to discuss the economic importance of intellectual property, particularly to developing countries, during an official visit to China from May 21 to 23. The Chinese premier expressed support for WIPO's activities in fostering greater cooperation among countries, especially developing countries, to promote better understanding of the economic benefits of effective intellectual property protection.

■ Sino-African Intellectual Property Forum

The Director General also attended the first WIPO Sino-African Intellectual Property Forum, organized in cooperation with the State Intellectual Property Office (SIPO) of the People's Republic of China in Beijing from May 21 to 22. Dr. Idris remarked that this was "an unprecedented event in the history of intellectual property."

China's Vice-President Wen Jiabao said that the forum was a "very big event between the biggest developing country, China, and the biggest developing continent, Africa." It was attended by some 100 participants from 17 countries, including ministers, senior policymakers, academics and representatives from research institutes and industry.

The forum provided an excellent opportunity for developing countries in Africa to draw on China's experience in strengthening its intellectual property system. It enabled a fruitful exchange of ideas on important intellectual property policy issues and fostered better cooperation between China and countries in Africa. The themes addressed included:

- ⇒ intellectual property and economic development;
- ⇒ intellectual property and information technology;
- ⇒ challenges of the intellectual property system, especially the international patent agenda and reform of the Patent Cooperation Treaty (PCT);
- ⇒ emerging intellectual property issues (folklore, traditional knowledge and access to genetic resources).



The signing ceremony for the cooperation agreement between WIPO and SIPO

WIPO/SIPO Agreement

During his visit to China the Director General also signed a framework cooperation agreement between WIPO and SIPO. This far-reaching agreement covers all fields of intellectual property; it is the first such agreement to have been signed between China and WIPO and reflects the Chinese Government's commitment to strengthening its intellectual property system.

The framework agreement covers ten main areas of cooperation, including intellectual property and traditional knowledge, genetic resources and folklore; the patent system; protection and promotion of intellectual property in small and medium-sized enterprises (SMEs); dissemination and use of patent information; electronic commerce; and domain names. The agreement also covers the use of information technology in the protection of in-

tellectual property; promotion of the collective administration of copyright and related rights, promotion of the protection of trademarks and distinctive signs; enforcement of intellectual property rights; and development of human resources in the field of intellectual property, including cooperation between the WIPO Worldwide Academy and the China Intellectual Property Training Center (CIPTC) of SIPO.



The panel at the opening session of the Sino-African Forum

■ International Forum: Creativity and Invention

The Director General's visit also coincided with the Second Forum on Creativity and Invention - A Better Future for Humanity in the 21st Century, which was organized by WIPO in cooperation with the Government of China and took place in Beijing from May 23 to 25. In his opening remarks, the Commissioner of the State Intellectual Property Office of China (SIPO), Mr. Wang Jingchuan, underlined that China was pleased to host the 2nd Forum on Creativity and Invention at a time when Chinese companies and the Chinese government pay increased attention to making research and development and intellectual property rights real productive forces.

Some 200 senior government officials, economic and technology policy planners, academics and businessmen from more than 20 countries discussed the underlying importance of invention, innovation and creativity to wealth creation and economic development in today's technology-driven, knowledge-based economies. Discussions focused on six main themes, namely:

- ⇒ wealth creation through invention, innovation and creativity (philosophical, humanitarian, employment and development-related aspects);
- ⇒ inventors, innovators and creators - the intellectual capital of nations;
- ⇒ intellectual property in a knowledge-based society;

- ⇒ the development of the international patent system;
- ⇒ inventions and innovations – key elements in the quest for competitive advantage;
- ⇒ conditions for successful economic and social use of inventions.

Creativity and Invention

The goal of the forum was to stimulate an open and constructive dialogue on ways of promoting creativity and inventiveness in a world that is moving away from the traditional factors of wealth creation and towards an economy based on knowledge, information and creativity. "Creativity and inventiveness in conjunction with intellectual property have laid the founda-

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The opening session of the Second International Forum on Creativity and Invention



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tion for the well-being of industrialized countries, and at the same time they embody the hope for a better future in developing countries and countries in transition," said the Forum Coordinator, Mr. Martti Ennäjärvi, Director General of the Finnish National Board of Patents and Registrations.

The conference highlighted that general and specialized education is crucial to any efforts to promote and encourage inventiveness and creativity. Participants underlined the need for realistic approaches, taking into consideration the different needs and levels of development in each country. In his closing comments, Mr. Ennäjärvi recalled that the old saying "If you think training is expensive, try ignorance" still holds true.

Results

The enthusiastic debate and fruitful exchange of views which took place during the forum helped promote a better understanding of the relationship between creativity, intellectual property rights and development and their contribution to wealth creation and technological, social and cultural progress. Mr. John Turner, Managing Director, Flinders Technologies Pty Ltd, Australia, commented on the quality of the expert presentations. "The complementary nature of presen-

tations provided several perspectives on subjects to give a rounded view to the audience," he said. "The forum provided an excellent opportunity for networking with representatives from different countries."

"I could find common ground with what each of the participants spoke on despite the differences in our laws and structures," commented Mrs. Kirsten Leute, Licensing Associate, Stanford University, USA. "I was inspired not only by the overall topic of the conference, but by the individual facts and stories many people had. Their talks gave me knowledge and ideas that will be valuable in both my current work and any future career."

The first such event was held in October, 2000 in Helsinki, Finland, where it was decided to hold the event subsequently in different regions of the world to promote a broader understanding of intellectual property and its value. ◆

Visit to the China Intellectual Property Training Center



POLICY ADVISORY COMMISSION TASK FORCE

CHINA INVESTS IN RESEARCH AND PATENTS

In 2001, China granted over 110,000 patents, and expenditures on research and development in 2000 were over 10 billion US\$ - 1 percent of the Gross Domestic Product (GDP).

Since 1999, the Chinese Government has adopted a number of special measures to encourage and promote invention and innovation, amongst them tax reductions and exemptions for innovative and high technology products, the creation of a Tech-Innovation Foundation to assist small and medium-sized enterprises in their research and development projects and the creation of university technology and innovation incubators. A number of Chinese start-up companies have benefited from the new supportive environment and are among the worldwide leaders in their respective fields of technology.

SINOPEC, the China Petroleum and Chemical Corporation - ranked 68 on the Fortune 500 list - filed over 900 patent applications in 2001. Among approximately 500 patent applications filed abroad, some 200 were filed using the Patent Cooperation Treaty (PCT) system.

The Task Force of the WIPO Policy Advisory Commission (PAC) met for its fourth session on May 22 in Beijing, People's Republic of China. The purpose of the task force is essentially to consider and prepare topics for discussion in the plenary meetings of the PAC. Dr. Song Jian, Vice-Chairman of the People's Political Consultative Conference of China, and Former State Councilor in charge of science and technology development, a member of the PAC since 1999, hosted the meeting.

The Task Force, chaired by Ambassador Sergio Marchi of Canada, had two agenda topics:

- ⇒ Intellectual Property and Public Health,
- ⇒ Managing Cultural Assets.

Mr. Bruce Lehman, President, International Intellectual Property Institute, and former Assistant Secretary for Commerce and Commissioner of Patents and Trademarks, USA, presented discussion papers on both topics, which were discussed from various perspectives by the Task Force. Discussions focused on the possible role for WIPO in clarifying the issues, offering advocacy where appropriate, and taking substantive steps to find solutions where needed.

The Task Force concluded that both topics are important issues for WIPO and worthy of further discussion in the plenary.

RECOMMENDATIONS TO CURB CYBERSQUATTING

A special session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), held in Geneva from May 21 to 24, dis-

ussed whether currently existing procedures for the protection of trademarks against abusive domain name registrations should be expanded in the future to cover other types of identifier. Discussions based on the report of the Second WIPO Internet Domain Name Process concluded with a number of recommendations that will be considered and decided upon at the forthcoming WIPO General Assembly at the end of September.

The report dealt with identifiers such as the names of intergovernmental organizations (IGOs), the names of persons, international non-proprietary names of pharmaceutical substances (INNs), geographical indications, country names and trade names. It noted that while there is clear evidence of abuse of these identifiers in the domain name system (DNS), the international legal framework is not sufficiently well developed for the introduction of new protective measures for all of them. At this second of two special sessions requested by WIPO Member States to study the report, the SCT focused mainly on determining, from among all identifiers covered by it, which warrant protection at the present stage in the DNS and how such protection should be instituted.

Recommendations

Many of the SCT's members favored protection of *INNs* against registration as domain names in order to protect the integrity of the INN system. While they decided not to recommend a specific form of protection at the present stage, the SCT's members agreed that WIPO should, in cooperation with the World Health Organization (WHO), continue to monitor the situation and, if necessary, bring any material change to the attention of Member States.

Views were divided as to whether the Uniform Dispute Resolution Policy (UDRP) should be modified to accommodate *trade names*. One group of countries wished to treat trade names in the same manner as trademarks; others felt that there was no internationally accepted legal basis to underpin the extension. The SCT decided that Member States should keep the matter under review and raise it again for further discussion if warranted.

The special session recommended that no action be taken regarding *personal names*.

The SCT determined that it would not take definitive decisions with respect to the protection of *geographical indications* in the DNS. Some members considered that the issue needs urgent attention, while others contended that a number of fundamental questions concerning the protection of geographical indications need to be resolved before the question of their protection in the DNS could be discussed.



WIPO Assistant Director General Francis Gurry and the UN Under-Secretary General for Legal Affairs and Legal Counsel, Mr. Hans Corell



Finally, the special session recommended that the WIPO General Assembly revert the issue of the protection of geographical indications in the DNS to the regular session of the SCT to determine how it should be dealt with.

Mr. Hans Corell, Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations, made a statement on behalf of the Legal Advisers of the United Nations system to introduce discussions on the protection of the *names and acronyms of IGOs*. He presented evidence of the abuse of the names and acronyms of IGOs in the DNS and proposed measures for dealing with the problem. All but one of the members of the SCT supported a recommendation to protect the names and acronyms

of IGOs through a modification of the UDRP in cases where their registration or use as domain names is inconsistent with applicable treaty provisions, including Article *6ter* of the Paris Convention. Furthermore, the SCT recommended that the protection system to be established for these names should respect the privileges and immunities that are accorded to IGOs under international law.



BETTER PROTECTION FOR BROADCASTING ORGANIZATIONS?



Measures to update the rights of broadcasting organizations, along with the question of protection for non-original databases, topped the agenda of a meeting of the WIPO Standing Committee on Copyright and Related Rights (SCCR). Representatives from 77 Member States, including the European Community, eight intergovernmental organizations and 41 non-governmental organizations attended the meeting, which took place in Geneva from May 13 to 17. The talks were intensive and characterized by open dialogue between the various stakeholders, including government policymakers and representatives of broadcasting organizations and related industries such as the music and film industries.

The Committee generally agreed on the need to define and clarify certain terms and definitions such as "broadcasting organization," "broadcasting," "broadcast," "transmission," "rebroadcast," "signal," "pre-broadcast signal," "real-time streaming" and "web-casting" in view of the impact of new technologies and the need to balance the different interests of all stakeholders with those of the general public. Currently, the 1961 Rome Convention on the Protection of Performers, Producers of Phonograms and Broadcasting Organizations deals with the intellectual property rights of broadcasting organizations. The adoption in 1996 of the WIPO Performances and Phonograms Treaty (WPPT) modernized and updated the standards applicable to the two first categories of rightholders, but did not cover the rights of broadcasting organizations.

Rapid technological developments have however spawned new modes of transmission, from analogue to digital, and have generated an enormous range of new choices for consumers in the form of hundreds of channels, both interactive and otherwise, as well as new kinds of information and entertainment services provided by traditional broadcasters. At the same time the Internet is fast becoming an alternative means of distributing content that is protected by copyright or related rights.

These developments require that the scope and definition of protection for broadcasts be thoroughly reviewed and adapted to the operational realities of the 21st century. A growing signal piracy problem in many parts of the world, particularly of pre-broadcast signals, has also generated a need to discuss the nature and scope of protection for broadcasts. A technical background paper prepared by WIPO, describing the technological changes affecting the activities of broadcasting organizations since 1961, was presented to the Committee to clarify many technical issues. The SCCR will pursue these discussions at its next meeting in November 2002.

Non-Original Databases

The Committee also discussed the protection of non-original databases. Collections of data such as telephone directories, the compilation of which is not considered sufficiently original to qualify for copyright protection, may still require some protection because they can be very expensive to assemble, yet easy to copy and disseminate, especially over the Internet. The Committee considered five studies, commissioned by WIPO, on the economic and social impact of such protection in developing countries and countries in transition. The Committee will also continue to examine this issue at its next session.



WCT and WPPT

A seminar entitled "The WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT): Opportunities and Challenges" was held on the sidelines of the meeting. Experts from business circles, governmental and non-governmental organizations and academics exchanged views on the opportunities offered by the Internet for creators, industry and consumers alike, as well as the challenges and problems raised. The participants also considered the impact of the Internet on government policy, and the implementation of the two WIPO Internet Treaties.

The seminar was broadcast over the Internet and can be accessed, along with the technical background paper on changes affecting broadcasting organizations since 1961 and the five studies on database protection, on WIPO's website (www.wipo.int).



WPPT ENTERS INTO FORCE

The WIPO Phonograms and Performances Treaty (WPPT), one of two key treaties that adapt copyright law to the digital age, entered into force on May 20. The first of these so-called "Internet treaties," the WIPO Copyright Treaty (WCT), entered into force on March 6. The treaties set out the legal framework within which to safeguard the interests of creators in cyberspace and open new horizons for composers, artists, writers and others to use the Internet with confidence to create, distribute and control the use of their works within the digital environment.

"This is a milestone in the history of copyright law," said WIPO Director General Kamil Idris. He underlined the importance of the new standards provided for in the WCT and the WPPT in creating an environment to foster the future development of the Internet, electronic commerce and the culture and information industries. The Director General noted that "the full benefit of these treaties will hinge on their widespread adoption by countries in all regions of the world," and urged more countries to ratify them. The number of countries having ratified the WCT and WPPT currently stands at 35 and 34 respectively.



PATENTS: TAPPING THE POTENTIAL OF INNOVATIVE NEW PRODUCTS

IP AND
BUSINESS

"Just as energy is the basis of life itself, and ideas the source of innovation, so is innovation the vital spark of all man-made change, improvement and progress."

Theodore Levitt,
editor of *The Harvard Business Review*

The pace of innovation and progress has accelerated to the point that we find ourselves surrounded by new products and services and we can no longer keep up with all the developments and innovations in our marketplace. However, generating innovations is one thing, preventing others from free riding on the fruits of one's innovative output is an entirely different matter. No one will spend time, money and effort on innovating if someone else can immediately copy his invention. That is why a report entitled *The Role of Intellectual Property in Innovation* by the Prime Minister's Science and Engineering Council in Australia stated the following:

"The protection afforded by intellectual property laws is very important to those businesses investing in R&D in order to bring new products into the marketplace. Without this barrier, innovation is like a crop in an unfenced field, free to be grazed by competitors who have made no contribution to its cultivation."

The rewards of successfully commercializing an innovation can be enormous, provided that the new or original knowledge embodied in a product is not freely copied by unscrupulous competitors. The patent system plays a key role in achieving this objective. It lays down the rules of the game and

helps reduce uncertainty in a marketplace that would otherwise be fatal to investment decisions and competitiveness.

Patent owners can stop others from using their ideas, or permit such use on payment of a one-time fee or a recurring royalty. Thus patents, for a limited time, give the right to prevent imitators, who have taken none of the risks and made little investment, from copying the research and development results of innovators.

Patent Protection

Simply put, the patent system imparts certain characteristics of tangible property to an invention, thereby enabling it, or new products made by using it, to be controlled, exploited, or sold in the marketplace. It creates quasi-property or a "commodity" out of new and useful knowledge, and thereby facilitates market transactions of various kinds involving a new product embodying it, the invention itself or the entity owning the patent. A patent prevents others from making, using, selling or exporting an invention, and from using a patented process, generally for up to 20 years. In exchange for that period of exclusivity, the owner of the patent has to disclose the invention fully in his patent application.

Patent Information

The vast majority of patents are legally expired, are past their period of protection, yet contain very useful and valuable information. Patents are classified in distinct categories, making it relatively easy to retrieve relevant information from the collection of some 40 million patent documents granted or registered worldwide. Therefore efforts and limited resources need



not be wasted on "reinventing". Timely and thorough searches should be made of patent literature at every key decision stage when taking a new idea to the market. Unknowingly infringing someone else's patent can be a very costly mistake that could ruin an otherwise sound and well managed business.


Patent information searches were originally confined to defining "prior art," as a patent is granted for an invention that provides a novel and non-obvious solution to

a technical problem. A search of patents still in force may reveal whether someone else has already claimed the supposedly new idea, or parts of it. The novelty of a patent is determined on a worldwide basis, and requires the examining patent office to search all relevant scientific and technical literature, including relevant patent literature.

Businesses worldwide also refer to the information contained in patent documents when deciding whether to file a patent application; they will also use it as a tool of competitive intelligence, for mapping technology trends, for steering their invention work around patents held by others, for avoiding infringement of patents owned by others, for finding new sources of technology and new business partners, especially in export markets, for pooling patents, for cross-licensing patents, for making strategic alliances and above all **for accessing the incredible amount of very useful technical information that is in the public domain without anyone's prior permission and without having to pay any fee or royalty.**

Disclosure

A tricky question that will repeatedly need an answer is whether to keep the invention secret for as long as may be useful or to seek a patent. In many cases, an invention has to be kept secret, in other words undisclosed, until a provi-



Courtesy of Novartis A.G.

"Patents are equally vital for SMEs. It is one of their only possibilities to secure a market for their innovations. Thus, very successful mid-sized companies like Amgen and Genentec started life as very small companies with a promising project, and patent protection therefor. Without the patent protection they would not have been able to establish their product on the market and, equally important, nor would they have been able to find licensees to market it around the world."

Brian Yorke, Head,
Corporate Intellectual Property, Novartis International AG

sional or regular patent application has been duly filed. Some forms of communication that may not be considered disclosure are:

- ⇒ speaking on site with colleagues/employees of the same organization as the inventor;
- ⇒ meeting with others under circumstances of acknowledged confidentiality (preferably in writing);
- ⇒ theses held under moratorium;
- ⇒ papers submitted for publication and grant applications provided that the recipients and reviewers are under the obligation to observe confidentiality.

In most countries the patent is granted to the first applicant who files the patent application, with the notable exception of the United States of America, which grants a patent to the one who is the first to invent. It is not always easy, therefore, to determine the best time to file a patent application. This decision gets further complicated if a business has a direct or indirect interest in markets abroad. Although most patent offices do allow the inventor to file a patent application, most applications are drafted and filed by a patent agent or attorney, who has the requisite technical background in addition to the legal knowledge of patent law

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and the practical experience and skill in drafting patent claims. A patent attorney can guide a business through the process, especially the most critical part of a patent application which defines the scope of the invention – called the claims – so that it can be assured of the broadest possible ownership of all parts of the idea.

Using Patents

Licensing of non-core patents can be big business in itself. IBM reaped more than US\$1 billion in licensing fees last year from 1,600 companies. Small businesses use their patents not only to hold off competitors, but also to attract investors. A strong patent position can be the most valuable asset of a small, technology-based company. Patents in such businesses are not only a source of underlying strength, but also a useful instrument for marketing new products and the new enterprise itself as a good candidate for acquisition by a larger company.

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 be on Copyright.

IP MANAGEMENT AND COMMERCIALIZATION

Monterrey, Mexico – recently recognized by Fortune Magazine as the “best city to do business in Latin America” – hosted a WIPO international workshop on the management and commercialization of inventions and technology from April 17 to 19. The workshop aimed to provide the private sector, academics and research institutions with information on the main tools and strategies for effective management of intellectual property rights and commercialization of technology.

The *Tec de Monterrey*, at the heart of Mexico’s university system which comprises 29 campuses in 26 cities, hosted the workshop, which was attended by over 350 participants from 14 different Latin American countries. The university, which is a leader in distance learning, used satellite transmission to broadcast the event to other locations in Mexico and to universities in Latin America. This allowed approximately 800 additional participants to attend and follow the workshop. The distance learning program of *Tec de Monterrey* has 1,280 locations in Mexico and 159 in eleven other countries in Latin America.

The workshop, organized jointly with the Mexican Institute of Industrial Property (IMPI) and the *Tec de Monterrey*, focused particularly on how to lend assistance to researchers, inventors and local industry. For that purpose speakers and experts



were invited from Brazil, Germany, Mexico, Uruguay and the United States of America to share experiences with the participants.

Further discussion on strategies centered on intellectual property policies needed in universities and research and development organizations to support the diligent use and management of intellectual property rights and the commercialization of research results and technology. Discussions followed on the assessment and valuation of inventions, licensing agreements for technology created through university research programs, intellectual property information services and the role of the Patent Cooperation Treaty (PCT) in supporting these strategies.

WIPO/WTO ARAB REGION CONFERENCE

A joint WIPO-WTO (World Trade Organization) conference for the Arab region on intellectual property and the Doha Ministerial Declaration attracted over 100 participants to Doha, Qatar, from April 28 to 30. The primary objectives of the conference, organized in cooperation with the Qatari Ministry of Economy and Commerce, was to discuss the results of the WTO Fourth Ministerial Meeting, held in Doha in November 2001, as well as to assess and evaluate the future technical assistance needs of Arab countries and study the most appropriate means of strengthening cooperation and coordination among the Arab countries in the field of intellectual property.

His Excellency Sheik Hamed Bin Faisal Al-Thani, Minister for Economy and Commerce, addressed the opening session of the conference. WIPO, WTO and special guest speakers addressed the following topics:

- ⇒ Laws, Regulations and Directives for Electronic Commerce;
- ⇒ Intellectual Property Litigation: Cases;
- ⇒ Issues at the Stake for the Arab Countries in the Area of Intellectual Property
- ⇒ The WIPO Industrial Property Related Treaties and the TRIPS Agreement
- ⇒ Protection of Geographical Indications under the WIPO Treaties;

- ⇒ The Work of WIPO and WTO on the Protection of Traditional Knowledge and Folklore;
- ⇒ WTO Dispute Settlement Mechanism: Cases in the Field of Intellectual Property;
- ⇒ The TRIPS Provisions on Patent Protection in Light of the Results of the Doha Ministerial Conference.

As this was the first joint initiative by WIPO and WTO for the Arab countries, the conference served as a forum for better understanding of the Doha Declaration and the latest developments in the field of intellectual property. The conference also highlighted the most appropriate means of providing the Arab countries with technical assistance in the areas they consider priorities.

The key areas identified for future development were traditional knowledge, electronic commerce, the use of the intellectual property system as a tool for economic development rather than as a set of international obligations, and the need for further human resource development in order to achieve scientific and technological advancements.

The conference also offered further insight into the functioning of the review process under the WTO TRIPS Council, which is of particular importance to the Arab countries, as most of them will shortly undergo review at WTO.



Participants from Saudi Arabia, Oman and Qatar



PROPOSALS ON TRADITIONAL KNOWLEDGE



*The Zambian
National Dance
Troupe*

Lusaka, Zambia, hosted in early May the final meeting in a series of three regional meetings to provide information on the work program of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), and to facilitate discussion thereof by government officials, traditional communities and other stakeholders from African States. The meetings aimed at strengthening the ability of the groups concerned to participate effectively in the work of the IGC, and to help them develop specific proposals and views regarding the work of the IGC.

The meeting in Lusaka was for English-speaking African States. The other two meetings were in Abidjan, Côte d'Ivoire, from April 8 to 10 for French-speaking African States and in São Luis de Maranhão, Brazil, from March 11 to 13 for Latin American States, in which six Portuguese-speaking African States also participated.

Each of the meetings addressed the agenda items of the IGC, particularly the issues that would be discussed during its third session, and produced a set of specific views and proposals. These were then merged into a single draft African position paper at an expert meeting in Addis Ababa, Ethiopia, organized by WIPO, the Organization of African Unity (OAU) and the Economic Commission for Africa (ECA).

To enable them to prepare for the meetings, all participants received, prior to the events, relevant IGC documents, as well as other reading material, including the fact-finding mission report and the main WIPO treaties. The meetings referred to previous statements and recommendations made to the first session of the IGC and to the resolution of the African regional consultation meeting on folklore held in 1999.

WIPO staff members acted as the secretariat of the meetings, providing technical information on the relevant issues and answering questions asked by the participants.

Latin American and Portuguese-speaking African Countries

Some 530 participants from Brazil and 13 other countries, mainly Latin American and Portuguese-speaking African countries, attended the São Luis de Maranhão, Brazil, seminar on the preservation, promotion and protection of folklore and traditional knowledge held from March 11 to 13. The seminar aimed to analyze the cultural, social and economic importance of the various traditional expressions of culture, and to promote their protection through appropriate use of the intellectual property system.

Presentations focused on issues such as expressions of folklore and copyright, handicraft and intellectual property, moral rights and the protection of the integrity of expressions of folklore, preservation of biodiversity and intellectual property and WIPO cooperation activities in connection with folklore, handicrafts and traditional knowledge. Participants from Angola, Brazil, Panama and Andean countries made special presentations on their experience and perspectives regarding the protection of folklore, handicraft and traditional knowledge. The seminar highlighted the challenges for developing countries in that area.

At the end of the meeting, the seminar participants approved a declaration with a number of recommendations on traditional knowledge.

The Two Meetings in Africa

The April meeting in Abidjan for the French-speaking African States, organized in cooperation with the African Intellectual Property Organization (OAPI) and the Government of Côte d'Ivoire, had some 49 participants from 20 countries in the Africa region. The Pan-African Association for the Arts and Ancestral Traditions (APA) also participated in the meeting.

Representatives of 20 African countries attended the Lusaka meeting, organized in cooperation with the Government of Zambia and the National Institute for Scientific and Industrial Research of Zambia. Participants were from national intellectual property offices, and other relevant offices, such as those dealing with culture and biological diversity. Three traditional leaders also participated in the meeting.

In both Abidjan and Lusaka, the meeting participants formed two groups, one dealing with genetic resources and associated tradi-



tional knowledge and the other with expressions of folklore, in order to develop specific proposals and views in line with the objectives of the meeting. As at the São Luis de Maranhão meeting, the proposals and views were reproduced in the statement adopted at the conclusion of the meeting.

Expert Meeting

The 37 participants in the expert meeting were from Cameroon, Cape Verde, Congo, Côte d'Ivoire, Ethiopia, Mozambique, Senegal, Uganda, South Africa and Zambia, and there were representatives of the Geneva-based African Group, the African Regional Industrial Property Organization (ARIPO), the ECA and the OAU. The participants included 12 of the participants from the previous three regional meetings.

As already noted, this meeting fused the statements issued by the regional meetings into a draft African position paper. The participants were experts from a variety of policy areas, which made for an extremely interesting and productive meeting. Chaired by the OAU and the ECA, it was able to adopt an African position paper. The paper is now in the hands of the African Group in Geneva, which may submit it to the third session of the IGC (June 13 to 21).

Proposals discussed

In order for the holders of traditional knowledge, folklore and crafts to benefit fully from the intellectual property system, participants discussed:

- ⇒ promotion, through cooperation between WIPO, national governments, the representatives of rights owners and bodies

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GENEVA'S 30TH INTERNATIONAL INVENTORS' EXHIBITION

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considered relevant by holding meetings, seminars and regional consultations to promote awareness, study and disclosure of the subjects relating to the protection of traditional knowledge, folklore and crafts;

- ⇒ the carrying out of comprehensive studies on the aforementioned intangible property and to promote in timely fashion the adoption of guidelines on the international legal protection considered to be most useful and appropriate;
- ⇒ the support of the efforts made by the IGC in the anticipation of achieving positive results which guarantee complete protection for the various forms of cultural heritage, in the interest of the peoples to whom they belong and of the whole of humanity.



Over 1000 inventions from 44 countries were exhibited at the 30th *Salon international des inventions de Genève*, held in May. The exhibition is one of the most important in the area of inventions and new techniques, and offers an excellent opportunity for inventors from all over the world to showcase their inventions and to contact business partners for joint ventures or licensing. Last year, the total turnover achieved during the exhibition was over US \$30 million. Many of the more than 22,000 inventions presented at the exhibition in the last 30 years have had huge international success.

WIPO Participation

WIPO has participated in the exhibition since 1979 and, over the years, has presented some 47 awards to its best inventors – selected by the *Salon's* own jury. The awards have gone to individuals, among them 19 women and four young inventors,

from some 29 countries with inventions covering a wide range of human endeavor. Furthermore, 33 of the winners were inventors from developing countries.

Below are a few examples of winners of the award at the Geneva *Salon* who have successfully commercialized their inventions, thereby changing and improving our daily lives:

- ⇒ Messrs. Sa Deug Kim and Yong Gu Park of the Republic of Korea received a WIPO award in 1980 for their electronic ballast for fluorescent lamps, which reduces the consumption of electricity by 30 percent;
- ⇒ Mrs. Yeun-May Choo of Malaysia was the winner of the WIPO award in 1994 for discovering a novel process for the production of carotene-enriched red palm oil, which is used today to extract valuable derivatives from palm oil;



WIPO award winner,
Mr. W.W. Alwis
of Sri Lanka

THE WIPO AWARDS FOR INVENTORS

WIPO launched its award program in 1979 as one of its activities aimed at stimulating inventive and innovative activity around the world and to improve the notoriety of inventors. The award recognizes the merits of inventors as creators and for their contributions to national wealth and development, particularly in developing countries. The WIPO Award consists of a gold-plated medal and a certificate, issued in the name of the winner and signed by the Director General; it is an honorary prize, but it is often accompanied by a symbolic amount in cash.

To date, 689 WIPO Awards have been bestowed on inventors and innovators from 87 countries, 55 of which were developing countries. Most of these were awarded at the request of international, national or regional organizations concerned with the promotion of inventive and innovative activities.

- ⇒ In 1996, Mr. Mustapha Dubies of Syria received a WIPO award for a hot-air generator for heating greenhouses which uses the residue from the manufacture of olive oil;
 - ⇒ Last year, Messrs. Jorge and Pablo Orihuela of Peru were the winners of the WIPO award for **ESCANIPLO**, a new user-friendly construction tool to be used to plumb, align and level brick settings as well as to calibrate mortar joints, thus doubling productivity and improving quality.
- This year WIPO shared a stand with the European Patent Office and various other national intellectual property offices. Many inventors visited the stand with questions on patent search services and the Patent Cooperation Treaty (PCT). WIPO presented awards to Mrs. Elana Ivanova of Russia for a series of ecological solutions and disinfectant compounds for medical use called Veltolen, Veltoccept, and Veltalex, and Mr. W.W. Alwis of Sri Lanka for a kerosene lamp with special safety features.

For many of these inventors, necessity indeed proved the mother of invention, lighting the flame of inspiration that led to their invention. Others spent years in research and development, testing and re-testing every new permutation of their invention to find the right solution. The WIPO Award has served to attract and upgrade public recognition for inventors and their work.



WIPO_{NET} TRAINING AND INSTALLATION ACCELERATE

Since the successful commissioning of the WIPO_{NET} Center in Geneva in September 2001, some 35 intellectual property offices that



The first Geneva WIPO_{NET} training workshop in April

previously had no Internet access have received the WIPO_{NET} Kit, which includes all the necessary computer equipment, software, and training necessary for Internet connectivity. The deployment process has begun in an additional 43 offices.

WIPO_{NET} Training

To use WIPO_{NET} efficiently, intellectual property offices require training and information about WIPO_{NET} services. Accordingly, each national intellectual property office appoints a staff member as the focal point for WIPO_{NET}, which will eventually link all WIPO Member States on a secure network.

Each focal point is responsible for the operations and use of the network within the office. These individuals serve as vital links between WIPO headquarters in Geneva and each intellectual property office. WIPO has created a program that provides training for all focal points,

which includes a manual, computer-based training materials and a helpdesk.

The manual leads the user through the various services offered under WIPO_{NET}, and is structured in such a way as to ensure that users receive only the sections of relevance to their office. The CD-ROM computer-based training divides each service into two sections, providing two training options as well as self-test exercises. A helpdesk will also be available on call to a local telephone number six days a week.

Each focal point attends a WIPO_{NET} training session. Training takes place in two or five-day sessions, the latter being for those focal points from intellectual property offices that have received the WIPO_{NET} Kit and who require wider training in its use. The training sessions emphasize the three different roles of the focal points, namely as WIPO_{NET} users, as trainers for their colleagues and as administrators for WIPO_{NET} at the intellectual property office.

Role of Focal Points

As a *user*, the focal point can access all system functions including the dispatch of secure e-mails, participation in discussion groups, access to information via the Internet and joining e-training courses such as those run by the WIPO Worldwide Academy.

The WIPO_{NET} training strategy is based on the "Train the Trainer" approach, whereby focal points receive training and are expected to act as *trainers* for WIPO_{NET} when

they return to their national intellectual property offices. This strategy optimizes regional training by focusing on selected individuals to help ensure that all staff are trained to use WIPO_{NET}.

The role of the focal point as *administrator* allows intellectual property offices to tailor WIPO_{NET} services to their specific needs, e.g. in the establishment of list servers or discussion groups. The administrator will also keep intellectual property office websites and user accounts up to date, maintain network security and integrity, and decentralize user help and maintenance functions.

The inaugural two-day WIPO_{NET} training course took place in Geneva on April 23 and 24 and was attended by focal points from eight offices. For more information on WIPO_{NET} visit the project website at www.wipo.net.



Installation of the WIPO_{NET} Kit in the Côte d'Ivoire intellectual property office



CALENDAR of meetings

JUNE 6 AND 7

(GENEVA)

Seminar on the Madrid System of International Registration of Marks

This Seminar, in French, aims to increase awareness and practical knowledge of the Madrid system amongst trademark agents who use or will use the system, whether in industry or in private practice. These Seminars are held regularly every year both in English and in French.

Invitations: Registration to participate in this Seminar is against payment of a fee.

JUNE 10 TO 14

(GENEVA)

Standing Committee on Information Technologies (SCIT) (Seventh Plenary session)

The Plenary will receive reports from its Working Groups on Standards and Documentation and Information Technology Projects and will continue its discussions, started in January 2001, on restructuring.

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

JUNE 13 TO 21

(GENEVA)

Intergovernmental Committee on Genetic Resources and Traditional Knowledge (Third session)

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

Invitations: As members, the Member States of WIPO and/or the Paris Union, and the European Community; as observers, 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.

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

JUNE 27 AND 28

(GENEVA)

WIPO Workshop for Mediators in Intellectual Property Disputes

An annual event for all parties interested in WIPO mediation procedures.

Invitations: Open to interested parties, against payment of a fee.

JULY 1 AND 2

(GENEVA)

WIPO Workshop for Mediators in Intellectual Property Disputes

An annual event for all parties interested in WIPO mediation procedures.

Invitations: Open to interested parties, against payment of a fee.

JULY 4 AND 5

(GENEVA)

Seminar on the Madrid System of International Registration of Marks

This Seminar, in English, aims to increase awareness and practical knowledge of the Madrid system amongst trademark agents who use or will use the system, whether in industry or in private practice. These Seminars are held regularly every year, both in English and in French.

Invitations: Registration to participate in this Seminar is against payment of a fee.

SEPTEMBER 9 TO 11

(GENEVA)

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.

SEPTEMBER 23 TO OCTOBER 1

(GENEVA)

Assemblies of the Member States of WIPO (Thirty-seventh series of meetings)

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

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

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