

Geneva, July-September 2002

IP Assets Development and Management



Promoting Africa's Music Industry



IP and Business: The Value of Collective Marks



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2	▶ IP Assets Development and Management – A Key Element of Economic Development
6	▶ IP and Business
6	6 The value of collective and certification marks for small players
10	▶ An Anti-Piracy Program for Africa's Music Industry
14	▶ WIPO's Mediation Services
16	▶ Committee Meetings
16	16 PCT Reform Moves One Step Forward
18	18 Intellectual Property and Traditional Knowledge
19	19 Efforts to Harmonize Trademark Law Move Forward
20	20 Business Solutions for the Global IP Community
21	▶ Promoting the Madrid System in Korea
22	▶ News Roundup
22	22 Director General Meets President of Ukraine
23	23 Innovation Promotion in Arab Countries
23	23 Delegation of Sudanese Judges Visits WIPO
24	24 Consultation with SAARC
24	24 Discussions with German Officials
24	24 Cooperation with AOAD
25	25 Journalists Attend WIPO Seminar
25	25 Domain Name Database Goes Live
26	▶ Calendar of Meetings
27	▶ New Products

EDITOR'S NOTE:

This combined July-September issue of the WIPO Magazine represents a continuing effort on behalf of WIPO to provide readers with an improving balance of news about the Organization, feature stories on its activities, and analysis of trends and developments in the intellectual property arena. We hope you enjoy the expanded contents of this issue and, as always, welcome your feedback. Please send any comments to wipomagazine@wipo.int.

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.



Geneva,
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IP ASSETS DEVELOPMENT AND MANAGEMENT— A KEY ELEMENT OF ECONOMIC DEVELOPMENT

Why IP Asset Development and Management?

Over the last decade, the development and management of intellectual property (IP) has become a primary concern of private enter-



prise, especially in the fast growing areas of technology and cultural industries. The field of Intellectual Asset Management – sometimes called “IAM” – has become a professional discipline taught by business schools, and offered as a service by accounting, consulting, and law firms. In the private sector, complex systems have been developed for auditing IP assets, including computer software and patented business methods. Major corporations

worldwide have established expert offices responsible for IAM. Intellectual property has become widely perceived as an important economic asset, the value of which can be enhanced by proactive and strategic policies.

At the macro-economic level, there is growing recognition that we are in an era in which intangible assets, including human capital and IP, are often the most valuable elements in national and regional economies. For this reason, policy makers in governments, universities, and research institutions wish to implement proactive IP policies to encourage the development, accumulation and use of IP assets as a key tool in economic policy. Just as there are established techniques to enhance the IP portfolios of enterprises, there is a growing recognition that proactive governmental policies can enhance the human capital and IP portfolios of nations.

“There is an infinite source of richness in knowledge, and those who have encouraged and promoted the exchange of ideas and information were in the center of modern economic and social development,” said President Ion Iliescu of Romania, a member of the WIPO Policy Advisory Commission. *“Intellectual property represents the heart of com-*

mercial strategies as is proven by its increasing part of the fixed assets in the value of enterprises.”

Adds William Coughlin, President of Ford Global Technologies, Intellectual Property Counsel for Ford Motor Company, and Honorary Chair of the U.S.-based National Knowledge & Intellectual Property Task Force: *“IP is the core competency for wealth creation. The linkage between IP and value is intense and immediate, and the effect on business is much more visible than it was just a few years ago. IP can be converted into and deployed as an intangible asset much more quickly than the development of a new product.”*

How do IP Assets Help Economic Growth?

IP Assets stimulate economic growth in several ways. One of the most important ways is that companies gain royalty revenues from licensing their intellectual property assets to other parties. Worldwide earnings from licensing IP assets are estimated at over US\$100 billion. IBM gained more than US\$ 1.7 billion in licensing royalties in fiscal year 2000. Licensing of IP can also help companies lower their costs or gain access to goods, thereby increasing their profitability. It is reported that Dell Computer Corporation used its portfolio of

What are IP Assets?

Intellectual property (IP) assets are collections of intellectual property – patents, trademarks, copyright works, industrial designs, geographical indications, trade secrets, and other types of intellectual property – that, along with human capital, have economic value because of their ability to enhance the value and return from products and technologies.

Human capital refers to the value of the human mind – whether it is a productive and skilled work force or a generation of scholars and researchers. Intellectual property is part of the larger economic context of human capital, in which legally protected intangibles, such as patents, works of authorship, and trademarks play a key role but are alone insufficient to generate economic growth.

Without the complement of intellectual property, human capital is of limited economic value because it is by its nature non-proprietary – human talent cannot be owned – and has no legal status. Without human capital, intellectual property does not come into being and cannot evolve and develop. The combination of intellectual property and human capital is a potent economic force in today’s knowledge-based economy.

patents in 1999 as collateral in a US\$16 billion cross-licensing agreement with IBM that provides Dell with lower cost computer components.

Universities have also used IP assets to support their budgets and to sustain continued education and research. U.S. and Canadian universities and research institutions reported license income received in the fiscal year 2000 of US\$1.26 billion. The dramatic growth in university IP licensing is illustrated by Stanford University which in 1995 set up a one-person pilot technology licensing program generating US\$ 55,000 from a mere three technologies. The

program has blossomed into a 20-person Office of Technology Licensing, managing more than 1,100 inventions licensed to companies all over the world producing royalty income for 2001 totaling US\$41 million.

Many small and medium-sized enterprises (SMEs) worldwide are also successfully using IP. Developing countries are increasingly seeing the potential in indigenous development and accumulation of IP assets in key areas that can help businesses participate in technology transfer agreements, attract joint ventures, and expand into new regional markets. One example is in Brazil, where Biobrás, originally a

small university research laboratory, has become a major owner and worldwide licensor of IP assets related to diabetes treatment.

IP Assets increase corporate valuation in merger and acquisition contexts. When companies merge, intellectual property such as patents, trademarks and copyrights add significantly to a company’s actual and perceived value.

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Who Benefits? Employees, Enterprises, Nations

By developing and managing IP assets, companies can provide an incentive for talented employees to stay in the enterprise and in the country, thus reducing the brain drain often caused in developing



countries by the exodus of researchers to wealthier countries. This can be achieved by offering innovative employees direct rewards through bonus awards, sharing of IP rights, and ownership of corporate equity.

National pride, culture, and overall economic health are promoted by the development of IP assets, as citizens gain a sense of the accomplishments of their countries in key areas of research and development.

A number of countries have enacted legislation and established policies to encourage the

development of IP Assets, and to provide rewards for those involved in their creation. A few examples:

- China in 1999 passed legislation that allowed universities to establish science and technology research centers, and to encourage professors and researchers at the universities to join industrial parks focused on high technology for commercializing the results of scientific research.

- Japan, in 1998, enacted the Technology Licensing Office law, which provides TLOs with funds to help promote technology transfer between universities and the private sector. These TLOs can receive up to US\$300,000, for work contributing to technology transfer; and patent applications fees.

- Indonesia has created a network for R&D centers supported by IP outreach offices throughout the nation. Some of these centers have become self-supporting in part because of the revenues generated by their IP Assets.

- Cuba has implemented policies to promote IP development in research centers, including outreach programs and funding for researchers who use the IP system to protect their research results.

- India's Council for Scientific and Industrial Research (CSIR) funds and promotes the development and intellectual property protection of Indian technologies in key areas, sustaining a network of 40 laboratories and 22,000 research personnel and providing training, grants and awards.

What can Policymakers do to Promote the Development and Management of National IP Assets?

Every country will have its own specific needs and requirements in terms of intellectual property asset development and management. While these needs and priorities vary, there are strategic national and regional policies that appear effective in terms of supporting the development, management and use of intellectual property for economic growth.

Some countries are adopting written IP asset strategic plans. Such plans may include IP audits, goal-setting and measurement, the identification of "clusters" or target areas for IP asset development, funding of research and development and "harvesting" of resulting IP, coordination of education and economic policies and planning with IP policies and planning, tax and other financial incentives for intellectual proper-

ty development, and measures to make IP ownership realistically affordable to SMEs and non-profit research institutions, including public-private venture funds and patent application funds.

Singapore has focused on building up the capabilities of SMEs and investing selectively in priority areas, such as information technology, biotechnology, and life sciences research. The government also emphasizes education of its workforce to upgrade skills and knowledge. These measures were intended to reduce the economy's vulnerability to external shocks related to electronics exports and to continue its transformation from a manufacturing to a knowledge and skills intensive economy. In 2001 Singapore established an Economic Review Committee to conduct a thorough analysis of Singapore's areas of comparative advantage and to work out a comprehensive development package to include IP Assets.

Malaysia has created several venture capital funds for technology development, including *The Technology Acquisition Fund (TAF)*, *The Commercialization of R&D Fund (CRDF)* and the *Malaysia Venture Capital Management Fund*. The last of these focuses on "spearheading the country's change towards a complete

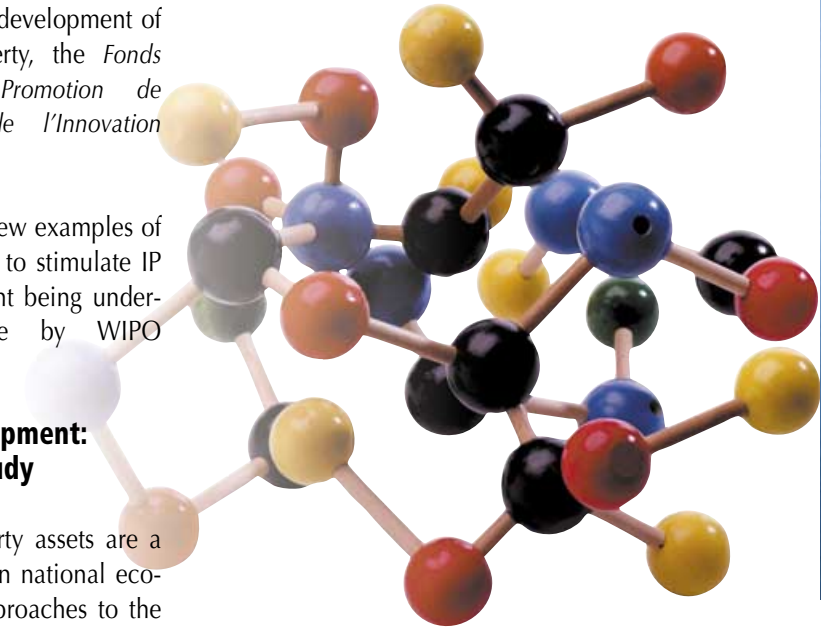
knowledge-based economy before 2020."

The *Organisation Africaine pour la Propriété Intellectuelle (OAPI)* has just this year created a venture fund to stimulate development of intellectual property, the *Fonds d'Aide à la Promotion de l'Invention et de l'Innovation (FAPI)*.

These are only a few examples of proactive policies to stimulate IP Asset Development being undertaken worldwide by WIPO Member States.

IP Asset Development: An Ongoing Study

Intellectual property assets are a vital component in national economic policy. Approaches to the subject reflect national priorities and policies, and there is no single correct approach. Future articles in the WIPO Magazine will explore what Member States are doing in the fast growing field of IP asset management and development.



THE VALUE OF COLLECTIVE AND CERTIFICATION MARKS FOR SMALL PLAYERS

Obtaining consumer recognition and customer loyalty is an arduous task for small and medium-sized enterprises (SMEs). Regardless of the quality of the goods, gaining access to retail stores, local markets and distribution networks and making products known among consumers requires a significant investment that may exceed the budget of many firms. Given the small scale of production, many SMEs will find it difficult to develop a powerful marketing campaign that will enable them to position their products and create a reputation for their goods that will attract consumers. So what options do they have?

"If you can't beat them, join them" the old saying goes. And there is much wisdom in those words. *"One of the greatest challenges for small and medium-sized enterprises is not so much their size but their isolation,"* says Luis Alonso García from the Peruvian Institute for the Defense of Competition and the Protection of Intellectual Property (INDECOPI). What Alonso García is pointing to are the difficulties faced by SMEs acting *individually* to gain recognition for their products in the marketplace.

Working *collectively*, SMEs can benefit from the advantages of being relatively small while at the same time taking advantage of collective strengths. For example, smaller companies operate without large bureaucracies and have much more flexibility to adapt to market conditions. Working collectively, they can also benefit from economies of scale and broader brand name recognition in the same manner as larger companies. SMEs in many countries are aware of these benefits and have traditionally grouped into federations or associations organized either geographically or on the basis of industrial sectors.

CERTIFICATION MARKS



The Max Havelaar certification mark is owned by the Max Havelaar Foundation. The Max Havelaar Foundation does not sell products itself. Each producer or importer of coffee, chocolate, tea, honey, bananas or oranges can be considered as a potential license holder. They have to comply with certain conditions of trade and be prepared to submit themselves to control.



Tooth-friendly action: this picture of a tooth which appears on the packaging of foodstuffs certifies that its ingredients do not produce cavities and thus are not bad for your teeth.



The Woolmark symbol is the registered trade (certification) mark of the Woolmark Company. The Woolmark is a quality assurance symbol denoting that the products on which it is applied, are made from 100% new wool and comply with strict performance specifications set down by The Woolmark Company. It is registered in over 140 countries and is licensed to manufacturers who are able to meet these quality standards in 67 countries.

How can the intellectual property system help?

Collective Marks

Under the intellectual property law of most countries, there are provisions on the protection of **collective marks**. These are usually defined as signs that distinguish the geographical origin, material, mode of manufacture or other common characteristics of goods or services of different enterprises using the collective mark. The owner may be either an association of which those enterprises are members or any other entity, including a public institution or a cooperative. A well-known example of a collective mark is INTERFLORA, which is used worldwide by a flower ordering service.

The owner of the collective mark is responsible for ensuring compliance with certain standards – usually fixed in the regulations concerning the use of the collective mark – by its members. Thus, the function of the collective mark is to inform the public about certain particular features of the product for which the collective mark is used. Most countries

require that a copy of the regulations that will govern its use accompany an application for a collective mark.

Collective marks are often used to promote products which are characteristic of a given region. In such cases, the creation of a collective mark has not only helped to market such products domestically and occasionally internationally, but has also provided a framework for cooperation between local producers. The creation of the collective mark, in fact, must go hand in hand with the development of certain standards and criteria and a common strategy. In this sense, collective marks can become powerful tools for local development.

Products from a distinct geographical origin may be marketed under collective marks and, in many countries, under geographical indications. In these countries, protection of geographical indications is generally available for indications – the registration of which may or may not be required – which identify a good as originating from a country or a region or locality therein, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin. **Geographical indications** for certain products, mainly for wines and spirits,

enjoy a more far-reaching protection than geographical indications for other products and products marketed under a collective mark.

Certification Marks

A number of countries also provide for the protection of **certification marks**. These are usually given for compliance with defined standards, but are not confined to any membership. They may be used by anyone who can certify that the products involved meet certain established standards. Famous certification marks include WOOLMARK, which certifies that the goods on which it is used are made of 100% wool and LABEL ROUGE used for high quality agricultural products in France.

In many countries, the main difference between collective marks and certification marks is that the former may only be used by a specific group of enterprises, for example members of an association, while certification marks may be used by anybody who complies with the standards defined by the owner of the certification mark. An important requirement for certification marks is that the entity which applies for registration is considered competent to certify the products concerned.

Combining Marks

Associations of SMEs may, therefore, register **collective marks** in order to jointly market the products of a group of SMEs and enhance product recognition or use **certification marks** to certify that their goods comply with a pre-established set of standards. Collective and certification marks may both be used together with the individual trademark of the producer of a given good. This allows companies to differentiate their own products from those of competitors, while at the same time benefiting from the confidence of the consumers in products or services offered under the collective/certification mark. The label used as a collective or certification mark will be evidence that the company's products meet the specific standards required for the use of the collective or certification mark.

Collective and certification marks may therefore represent useful instruments for SMEs assisting them to overcome some of the challenges associated with their small size and isolation in the market place. National industrial property offices will be able to provide more information on the procedures for the registration and use of collective and certification marks.

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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 "Practical IP Issues in Developing a Business Plan" [for an Enterprise].

>>> **Two case studies from Peru:**

Chirimoya Cumbe - The Value of a Name

Mr. Matildo Pérez, a resident of a village community in the heights of Lima, one day decided to apply personally to INDECOPI for registration of the trademark "Chirimoya Cumbe." Chirimoya is a fruit that grows in the Andean region of Peru and Ecuador and Cumbe is the name of a valley in Peru where the Chirimoya grows. He filed his application and, in spite of the unusual circumstances of the case, it followed its course, like any of the 45,000 filings that INDECOPI handles every year.

His application was refused due to the fact that exclusive rights in generic names cannot be granted to a single person. After that Mr. Matildo showed up again, this time with a power of attorney and a delegation headed by the Deputy Mayor of Cumbe, seeking an appointment with the Head of the Distinctive Signs Office of INDECOPI.

On reading the power of attorney, the INDECOPI official smiled with satisfaction: the people of Cumbe, gathered together on the main square, had empowered Mr. Matildo Pérez to register the trademark. It seemed utterly incredible: the community had understood fully that securing registration for the mark gave them exclusive rights in the use of the Cumbe name. However, as the official told them, "Chirimoya Cumbe" is in fact an appellation of origin, not a trademark. To be more precise, the second is an appellation of Peruvian origin, because the valley of Cumbe is a geographical area that gives certain distinctive properties to the Chirimoya. At the outset they were delighted with this idea, and went back to their village.

The following week, however, they were once again at the office: *"We do not want an appellation of origin; our village does not want one because it is said that with appellations of origin the State is the owner, and it is the State that authorizes use, and that is why we are saying no. We do not want the State to be the owner of the 'Cumbe' name, because we have been working with it for a great many years. Since the time of our grandparents all have been investing a great deal of effort, and we are not prepared to ask you for permission to use our 'Cumbe' trademark."* After an arduous and creative search for solutions, it was suggested that what should be registered was a "collective" mark, the owners of which would be the people of Cumbe and it would be used according to rules that they themselves would lay down.

Today the name "Chirimoya Cumbe" has its own characteristic logo and, more importantly, is registered in the name of the village of Cumbe (in Class 31 of the International classification), and the latter are working to gain a competitive edge over their rivals in Lima's wholesale fruit market. In that way, thanks to the persistence and drive of Mr. Matildo, and his ability to make use of the intellectual property protection system, his village has increased the value of its individuality, its knowledge and its tradition of excellence.

The owner of the collective mark registration is the village of Santo Toribio de Cumbe, composed of 106 residents duly recorded in the population census. The rules for the use of the mark relate to the proper handling of the Chirimoya product, which is produced in the valley of the same name (Cumbe), the climatic conditions of which give the product its special characteristics.

APDL Cajamarca Peru – Dairy by-products

Cajamarca is a department of Peru located more than 3,000 meters above sea level. Owing to its geographical location and natural attributes its livestock produces a very rich high quality milk. The region is well known for its cheeses, yogurt, blancmanges, butter and other products and the name Cajamarca is associated with that activity. The products are sold in the city, in mini-markets and through traveling salespeople. The products are of very high quality and have an established reputation.

That reputation is causing producers from other cities in the country to make use of the Cajamarca name to market their own products, thereby improperly making use of the reputation of the genuine Cajamarca products, and in many cases detracting from the quality associated with the name.

Following an intense campaign in the area it was possible to bring together 80 producers of milk derivatives whose common objectives are the following:

- ▶ to be able to launch their product in Lima (the ideal market) and to market it in the main distribution network;
- ▶ to eventually be able to export;
- ▶ to preserve the quality associated with the origin (Cajamarca) and to prevent others from taking advantage of the name;
- ▶ to operate under the collective mark scheme.

Eventually, 37 producers registered the collective mark as an association of producers, and they are now working on the marketing aspects of the product launch. In addition they have involved themselves in joint work on product quality and homogenization aspects.

The producers have already realized how much industrial property has helped them; they have involved themselves in the subject and the strategy they have adopted is making them work together on quality and homogenization matters.

Successful experiments with collective marks have not only enabled smaller businesses to reduce their marketing costs, but also made them more competitive. Through this tool, SMEs have managed to protect and differentiate their goods at a low cost, which in turn has given them the benefits of economies of scale and also increased their clients' faith in their products.

Given that the cost of investing in the development of a mark, and that of establishing a marketing and advertising campaign, can be high for an SME, collective marks have become a cost-saving device which at the same time serves to distinguish products originating in Peru, and emphasize characteristics specific to the areas in which the products are made.

Source of both cases: Luis Alonso García Muñoz-Najar "La promoción de las marcas y otros signos distintivos para competir en el mercado"

AN ANTI-PIRACY PROGRAM FOR AFRICA'S MUSIC INDUSTRY

Piracy and counterfeiting is a multi-billion dollar business and a problem around the world. In the



United Kingdom alone it is estimated that counterfeiting costs industry some £8.5 billion a year. Counterfeiting also costs in the loss of jobs and incomes and by putting poor quality – sometimes dangerous – goods into the market place. Many countries have devoted significant efforts to building awareness that copying or possessing illegally copied materials is a crime. However, every year millions of dollars worth of counterfeit material is seized at border crossings around the world.

The music industry is especially plagued by this problem. Modern technology has provided the means to make low-cost, quality copies at an ever accelerating speed. Markets are often flooded with counterfeit CDs and tapes within days – if not hours – of new releases becoming available. The loss of revenue is felt throughout the industry, but hits up-and-coming musicians hardest as it becomes increasingly difficult for them to make a living from their talent. The situation can be particularly severe in developing countries.

“My first cassette was counterfeit-ed, my twelfth, all of them,” said Ami Korta, a singer from Mali. *“They are killing us. We also have to pay our bills, our taxes. All we are asking is that they pay for the real copies.”*

Companies are affected as well. *“We had to shut down for a while because of counterfeiters,”* said record producer Djibril Kane of Mali K7. *“One year in the first trimester we sold almost 200,000 cassettes, by the fourth we were down to 40,000. We only had two days to sell new releases before the illegal copies flooded the market.”*

The problem affects legitimate distribution of foreign music as well, hampering trade and cultural exchange. *“We used to sign distribution agreements with foreign artists, promote their music and sell them nationally, but we pay millions of francs for those rights,”* said Fouseni Traore of Seydoni Productions in Burkina Faso. *“While the counterfeiters just buy one of our cassettes, or not even that, they buy it in a neighboring country, make copies without paying for the rights, and sell them very cheaply. Then we cannot sell our cassettes.”*

A number of developing countries have turned to WIPO in search of a solution, as counterfeiting is quickly eroding local talent and industry. A means to safeguard the market and give creators the recompense they deserve, and thus stimulate them to keep creating, is urgently needed.

The Banderole Program

WIPO first conducted a feasibility study on the possible introduction of a hologram marking system for the protection of music sound carriers at the request of Barbados, Jamaica, and Trinidad and Tobago in 1998. The study revealed that broad-based support and cooperation among various stakeholders and interest groups would be essential to the successful implementation of such a program. There were clear incentives: such a marking system would benefit the state by increasing tax revenue and giving enforcement agencies a means to identify counterfeit goods, the music producers by giving them a return on investment, and the creators by permitting them to earn a living from their works.

The study generated much interest from African countries, many of which called on WIPO for assistance in drawing up a specific plan for this purpose. In-depth analysis of proposals in two sub-regional meetings in Africa yielded the Banderole Program, aimed at introducing a system which would enable national copyright administrations and law enforcement agencies to differentiate genuine from pirated sound and audiovisual recordings, by way of a banderole.

The “banderole” could be either a band around the unopened CD or cassette package or a sticker containing a hologram on the CD or tape itself, or a combination of both.

Mr. Gwalugano Ayub, a Tanzanian recording artist, expressed high hopes for the program. *“I expect that there will be good control of musical works which will result in the decline of piracy and improvement of the standard of musical works,”* he said. *“The present situation is too bad as there is rampant piracy and musicians are highly exploited in Tanzania. The program will benefit both musicians and music dealers.”*

Setting up for success

To stimulate a sense of ownership for the project, all interest groups had to be identified and included from the start, convinced of the need for copyright protection, and in agreement on the means and ways to combat piracy in the music industry. The stakeholders in each country included:

- the national copyright office;
- the police force;
- the internal revenue service and customs service;
- the audiovisual industry;
- the musicians’ unions;

- the producers’ associations;
- copyright collective management societies;
- the government departments responsible for arts and culture; and,
- the national broadcasting commission.

National working groups were organized with the participation of all stakeholders. These groups worked to steer project implementation and program administration, train law enforcement agencies and stakeholders, set up the legal framework within which to operate the program, and identify suitable anti-piracy devices. The participants decided that it would be more effective and prudent to first develop the program on a pilot basis in three countries. Experience gained from the pilot project could then be used to determine how to proceed with the program in other territories, including a possible regional approach.

The countries selected were Kenya, Tanzania and Uganda, which is a member of the East African Community (EAC). The EAC is most likely to treat intellectual property as a Community matter, so although activities in Uganda have not yet started, it is an important partner in this venture.

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Kenya's Nears Completion

The pilot project in Kenya got under way in 2001 despite some early difficulties. *"The main problem seems to be with the stakeholders, some of whom do not seem to understand the importance of the authentication device and have failed to identify with the whole concept,"* said Mr. Murakaru Wairegi of the Kenya Revenue Authority. *"Given the necessary support, especially from the stakeholders within the industry, the system is bound to work. It has succeeded in other countries, why not Kenya?"*

The program, which Kenya expects to launch before the end of the year, is now approaching completion. The working group has agreed that the security device should be a combination of a band and a hologram sticker, on all sound and audiovisual recordings, and that the Kenya Revenue Authority is likely to be the appropriate body to issue the device.

Mr. Japheth Kassanga, a music producer in Kenya, expressed his conviction that the system would be successful if administered by the government authorities such as the Kenya Revenue Authority and The Copyright Office. *"It should not be left to the stakeholders such as producers and musicians, as this will create problems in the administration (of the program),"* he said. *"But these parties should play a supportive role."*

Mr. Kassanga said he believes that *"the system seems to be the best in the fight against piracy."* He noted that sensitization and awareness building would be essential to encourage and stimulate musicians and producers to register their works.

Tanzania's Project Under Way

In Tanzania the project was temporarily delayed, because a new copyright law had just been passed and required the establishment of a proper administrative body. Tanzania's national working group, with the full support of the government, has committed itself to meeting all the requirements of the program, which they will launch by the middle of next year.

"It is our belief that, once in operation, (the project) will reduce the amount of pirated materials in Tanzania," said SSP Maximus Ubisimbali, a police officer involved in enforcement. To date the National Working Group has made plans to introduce a security device public through the press. Music producer Felician Mutakyawa noted, *"Since the sensitization of the program started, piracy has declined to some extent, though mainly small time music dealers are involved, but very few big timers."* He highlighted the need for further promotion and building awareness with musicians.

Training

Training is paramount to the success of the program. The Copyright Society of Malawi (COSOMA) and the Copyright Office of Ghana have been instrumental in providing systematic, practical training for the staff of copyright offices and other officials involved in the administration of the Banderole Program. So far, approximately 30 customs and police officials and 11 producers of sound recordings have benefited from the sensitization programs.

The Future of the Program

Benin, Burkina Faso, Côte d'Ivoire, Mali, Mauritius, Senegal, Togo, Uganda and Zambia have already launched their own anti-piracy projects, but are expected to be included in the Banderole Program in the near future. In addition to Kenya and Tanzania, Mozambique is presently participating in the program.

WIPO and the participating Member States are committed to ensuring that the Banderole Program will help create a positive environment for the music and audiovisual industries to develop, through an efficient and effective copyright protection system. ◆



WIPO'S MEDIATION SERVICES: FROM TRAINING TO DISPUTE RESOLUTION

Many intellectual property disputes have characteristics that favor the use of mediation. Where such dis-



putes arise in the context of existing business relationships, such as those created by licensing, franchise or distributorship agreements, research and development contracts, manufacturing arrangements, or publishing, sound recording or film production contracts, mediation offers a non-confrontational procedure for dispute resolution, which can be crucial to the maintenance or further development of the business relationship.

Realizing the cost-effective and low-risk character of mediation, more and more intellectual property lawyers and businesses are exploring the inclusion of mediation in their licensing and other contracts as a pre-condition to resort to arbitration or litigation. At the same time, in an effort to stimulate early settlement of cases, legal

authorities in different jurisdictions are adopting mediation programs as a requirement for court access.

Training: WIPO Mediation Workshops

Many intellectual property professionals have participated in the Workshops for Mediators in Intellectual Property Disputes organized by the WIPO Arbitration and Mediation Center during the past seven years. These workshops are designed for lawyers, business executives, patent and trademark attorneys and others wishing to familiarize themselves with the mediation process and to receive training as mediators. WIPO held the most recent workshops during the summer months.

"It is an authentic opportunity to be face to face with the best professionals mediation has to offer," said Mr. Pedro W. Buchanan, Solis & Pelletier, S.C., Mexico, of WIPO's mediation workshop. *"Participation in the mediation workshop has also improved my qualifications and has broadened my professional knowledge and opportunities in the mediation field."*

The workshops consist of an intensive two-day training course under the guidance of Professor Robert H. Mnookin, Samuel Williston Professor of Law at Harvard Law School, and Professor Gary J. Friedman,

Founder/Director of The Center for Mediation in Law at Mill Valley, U.S.A. The program covers the techniques of mediation with simulated mediation exercises in the intellectual property field. Professor Mnookin teaches and writes on the subject of dispute resolution, and has applied his interdisciplinary approach in conflict resolution to a number of commercial disputes.

Tim Frain, Vice President-Senior IPR Counsel of Nokia, United Kingdom said of the course: *"I would highly recommend this workshop to my colleagues. It provides an opportunity to learn and practice mediation skills in a safe environment with like-minded professionals from all around the world, facilitated by renowned experts in the field."*

Mediation

Mediation is an extension of direct negotiations between the parties to a dispute, conducted with the aid of a neutral intermediary, the mediator. It is the preferred mode of dispute resolution in many of the most important markets of Asia, as well as an increasingly popular method of dispute settlement in the United States and Europe.

Dispute Resolution Services

The procedures made available by the WIPO Arbitration and Mediation Center offer new enforcement options for intellectual property rights' holders. Transactions such as cross-border licenses increasingly demand the kind of international, neutral and efficient dispute resolution solutions that are available from WIPO. The Center assists parties by administering procedures under the WIPO rules and by appointing neutrals from its database of intellectual property specialists.

WIPO-appointed mediators have assisted parties in the creative and forward-looking resolution of complex multi-jurisdictional disputes. An example concerning a high-tech patent is given in the box.

The Center's mediation workshops further contribute to the increased prominence of WIPO dispute resolution procedures tailored to the needs of intellectual property owners and users around the world. WIPO's mediation services include:

- identifying and appointing mediators in WIPO cases and administering such cases;
- advice on drafting mediation clauses;
- drafting tailor-made mediation schemes;
- providing advanced training in mediation for specialized industries;
- providing assistance in identifying mediators for non-WIPO cases.

Patent Mediation

A technology consulting company holding patents in various countries on three continents and a major manufacturer recently submitted a case to mediation under the WIPO Rules.

The consulting company had disclosed a patented invention to the manufacturer in the context of a consulting contract. The contract neither transferred nor licensed any rights to the manufacturer. When the manufacturer started selling products, which the consulting company alleged included the patented invention, the consulting company threatened to file patent infringement court proceedings in all jurisdictions in which the consulting company was holding patents. The parties started negotiating a patent license with the help of external experts but failed to agree on the royalty, as the multi-million dollar damages sought by the consulting company significantly exceeded the amount the manufacturer was willing to offer.

The WIPO Arbitration and Mediation Center suggested to the parties potential mediators with specific expertise in patents and the relevant technology. The parties chose one of those mediators, who conducted a two-day meeting in which the parties reached a settlement that not only covered the royalty issue, but also included agreement on potential consulting contracts.

The mediation was instrumental in transforming a hostile situation – in which the parties were preparing to engage in prolonged and potentially expensive litigation – into one in which they were able to conclude an arrangement which suited the business interests of both parties and ensured the profitable use of the technology in the service of those interests.

(The names and locations of the parties and the technology area involved are confidential information that cannot be disclosed by WIPO.)



PCT REFORM MOVES ONE STEP FORWARD

The reform of the Patent Cooperation Treaty (PCT) system moved one step forward when members of the Committee on Reform of the PCT, meeting in Geneva from July 1 to 5, approved a set of proposed amendments of the PCT Regulations designed to further simplify and streamline PCT procedures, with a view to their submission to the Assembly of the International PCT Union for adoption in the fall.

PCT Reform Process

Since its adoption in Washington in 1970, the PCT has had great success in achieving its objectives. In particular, it has succeeded in simplifying and rendering more economical the obtaining of protection for inventions throughout the world. Having been in practical operation for 24 years, the PCT has enjoyed significant growth, witnessed by its 116 Contracting States and the nearly 104,000 international applications filed last year.

An important factor in the PCT's success has been the constant evolution of the system, in which particular regard has always been paid to the needs of both applicants and offices. The Treaty itself was amended in 1979 and subsequently modified in 1984 and 2001. In addition, PCT proce-

dures are revised on an ongoing basis by amendment of the Regulations and the Administrative Instructions.

Efforts aiming at a more substantial reform of the PCT began in October 2000 when the Assembly of the PCT Union endorsed an initiative by the United States of America for a concerted effort to reform the Treaty. A special body, the Committee on Reform of the PCT, was set up by the Assembly of the PCT Union to consider proposals for reform of the PCT. In two sessions, held in Geneva in November 2001 and July 2002, respectively, the Committee set out the general objectives of PCT reform and, based on preparatory work carried out by a special Working Group, agreed on a set of proposed amendments of the PCT Regulations, with a view to their submission to the Assembly of the PCT Union for adoption in October of this year. The principal features of these proposals are outlined in the following paragraphs.

Enhanced International Search and Preliminary Examination System

The proposed enhanced international search and preliminary examination system is an important first step towards a more

extensive rationalization of the PCT international search and international preliminary examination procedures, with an ultimate view of achieving greater convergence of the international and national procedures.

The main feature of the proposed new system is that one of the main elements of the present international preliminary examination procedure under Chapter II of the Treaty, namely, the establishment of an examiner's opinion, would in effect be advanced and incorporated into the international search procedure under Chapter I of the Treaty. Under the new system, the International Searching Authority (ISA) would be responsible for establishing a preliminary and non-binding written opinion on the questions of whether the claimed invention appears to be novel, to involve an inventive step and to be industrially applicable. That written opinion of the ISA would be used for the purposes both of Chapter I and, if the applicant files a demand for international preliminary examination, of Chapter II, thus combining the international search and international preliminary examination procedures to a much greater extent than is the case at present.

Overhaul of the designation system

The proposal to overhaul the PCT designation system would make the operation of that system more automatic and seamless and bring it into line with the way in which most applicants and offices today perceive and use it. By filing an international application, the applicant would obtain an automatic and all-inclusive coverage of all designations available under the Treaty, including all kinds of protection as well as both national and regional patent protection, without needing, at the time of filing the application, to designate individual Contracting States, to choose certain kinds of protection or to indicate expressly whether national or regional protection is sought. Such matters would be left to be dealt with in the national phase.

Alignment of PCT requirements with those of the Patent Law Treaty (PLT)

Proposals relating to the language of the international application and translations, to the reinstatement of rights after failure to comply with requirements for entering the national phase within the applicable time limit, and to the availability of priority documents from a digital library, would align

PCT requirements with those of the Patent Law Treaty (PLT).

Entry into Force; Transitional Arrangements

The proposals outlined above will be submitted to the Assembly of the PCT Union for adoption in the fall of this year, together with proposals concerning proposed dates of entry into force and proposed transitional arrangements in relation to international applications which are pending at the dates of entry into force of those amendments. It is proposed that the proposed amendments relating to the language of the international application and translations and to the missed time limit for entering the national phase should enter into force, if possible, on January 1, 2003; proposed amendments relating to the enhanced international search and preliminary examination system, the overhaul of the designation system, and the availability of priority documents from digital libraries are proposed to enter into force on January 1, 2004.

Further Work

The Committee also agreed on proposals for further work to reform the PCT system. It agreed to recommend to the PCT Assembly that two sessions of the

Working Group on Reform of the PCT should be convened between the September 2002 and September 2003 sessions of the Assembly of the PCT Union to



consider issues of two kinds. First, those proposals for reform that had already been submitted to the Committee or the Working Group, but not yet considered in detail, should be reviewed. Second, consideration should be given to options for revising the Treaty itself. ♦

INTELLECTUAL PROPERTY AND TRADITIONAL KNOWLEDGE

The WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) concluded its third session in Geneva on June 21 with Member States giving a clear affirmation of the work of WIPO in this field, and approving a rich and varied work program, at both a policy and a practical level.

the traditional knowledge from which the inventions have been derived is taken into account. A well-known example involves the patenting of the use of turmeric for wound healing. The patent was revoked when the patented invention was compared with evidence in ancient Indian documents that demonstrated that the claimed invention was neither novel nor inventive. Another example would be the use of traditional cultural expressions, such as music, art, textile designs, crafts and names and symbols, by the entertainment, tourist and fashion industries.

A Wide-Ranging, Technical Debate

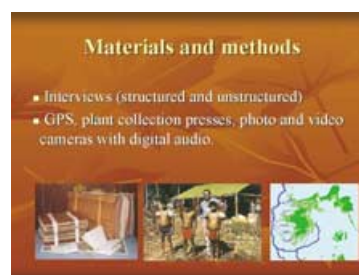
The debate at the third session of the IGC was the most technically detailed and wide-ranging to date. At a policy level, almost every category of intellectual property was discussed in some degree of detail, as well as *sui generis* protection of traditional knowledge-related database initiatives, and specific *sui generis* forms of protection relating to traditional knowledge and folklore. At a functional level, the session made considerable progress, and included live demonstrations of national and local traditional knowledge database initiatives by China, India and Venezuela and a North American indigenous community.

In addition, the IGC considered and approved the following practical items:

- The establishment of a searchable electronic database of contractual practices and clauses relating to intellectual property, access to genetic resources and benefit-sharing;
- The commissioning of a technical study on methods by which laws could require patent applicants to disclose details such as the source of genetic resources or any traditional knowledge, innovations and practices used in a claimed invention, and evidence that the material was obtained with prior informed consent;
- The launch of a Portal of Traditional Knowledge Databases as a pilot project to advance the study of intellectual property aspects of traditional knowledge databases, and to improve access to details of disclosed traditional knowledge for patent examiners;
- The establishment of a program of cooperation on documentation of traditional knowledge in the public domain, including an intellectual property toolkit to give practical advice to those who might wish to consider the intellectual property implications of the documentation of traditional knowledge;

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BioZulua is a multimedia database on traditional knowledge developed in Venezuela by the Foundation for the Development of Physical, Mathematic and Natural Sciences (FUDECI), Venezuelan Ministry of Science and Technology.



The interaction between the intellectual property system and genetic resources, traditional knowledge and folklore (or expressions of traditional cultures) has emerged as an increasingly important agenda item in policy areas as diverse as food and agriculture, biological diversity, human rights, cultural policy and trade and economic development.

One example of such interaction relates to the considerable concern in recent years that patents have been granted for certain inventions that have not met the fundamental requirements of patentability, when

EFFORTS TO HARMONIZE TRADEMARK LAW MOVE FORWARD

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- A program of enhanced legal-technical assistance to help States and regional organizations strengthen and implement national systems for the protection of expressions of folklore, including the publication of a practical "How To" guide for policy makers and legal draftspersons containing best practices and guidelines; and
- An examination of the role of customary laws and protocols in the protection of expressions of folklore, and the relationship between customary law and existing intellectual property systems.

For further, more detailed information or a briefing on the work of the IGC, contact the Traditional Knowledge Division of WIPO by e-mail at: grtkf@wipo.int.

The WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), meeting in Geneva from May 27 to 31, advanced in its discussions on a comprehensive program of harmonization of laws for the protection of marks. The SCT also identified areas for further discussion on common principles to facilitate the protection of geographical indications, and decided that it would address certain questions relating to the protection of industrial designs.

SCT members committed themselves to working towards further simplification and streamlining of procedures concerning formal requirements for the registration of trademarks and other related procedures, such as the provisions regarding the electronic filing of communications with intellectual property offices (IPOs). Delegates also initiated discussions on further harmonization of substantive trademark law, addressing questions such as the definition of a mark, non-traditional marks – smell marks, sound marks, holograms and three-dimensional marks – grounds for refusal of trademark rights, and rights conferred by registration. As a result of the legal security achieved by the adoption of common approaches, users of the many different trademark systems that exist worldwide will benefit from significant time and cost savings.

Although WIPO's involvement in the protection of geographical indications is long-standing, this is the first time that the subject has been discussed in such depth in the context of the SCT. The protection of geographical indications promises to generate significant benefits for local producers, small and medium-sized enterprises (SMEs) and indigenous groups.

BUSINESS SOLUTIONS FOR THE GLOBAL IP COMMUNITY

The Standing Committee on Information Technologies (SCIT), which met in Geneva in June, reviewed ongoing work in the area of standards and documentation associated with the recording, storage, exchange and retrieval of patent and other intellectual property information. The Committee also reviewed the work of a number of on-going information technology projects:

WIPO NET: Participants were given an overview of the project which is designed to facilitate the free-flow of intellectual property information through the establishment of a global intellectual property information network linking all intellectual property offices of WIPO Member States. To date, some 37 intellectual property offices have been connected to the network and an additional 70 offices are due to come on line in the coming months.

Madrid Electronic Data Exchange: At present some 20 trademark offices are receiving information relating to trademark application electronically and two offices both receive and dispatch such data electronically. Committee members expressed great interest in this facility and a number of offices are expected to start using it in the near future.

The Use of Natural Language in the Area of Patent Searching – a European Union (EU) project known as e-Patent – which facilitates patent searches in multiple languages: this software allows users to enter search criteria or keywords, then translates it into the language of the online database in which the search request is submitted. Currently translation functionality exists for English and French, and work is under way to introduce German and Spanish.

Projects such as WIPO NET, IMPACT, PCT-SAFE and others promise multiple benefits both in terms of demystifying intellectual property and in promoting widespread use of the IP system. They provide an opportunity for WIPO and its Member States to capitalize on rapid technological developments by establishing an environment that will enhance understanding of the importance, value and utility of the international intellectual property system, as well as its contribution to social well-being and economic development.

The ICT Program

The WIPO Information Communication and Technology (ICT) Program is responsible for delivering on the Organization's commitment to enhance the use of the

global intellectual property system by providing technical expertise and assistance in areas of legal advice, infrastructure development, capacity building and training.

WIPO presented an overview of the Organization's ICT efforts to the Standing Committee. The program will provide global access to information and services in an integrated, secure and flexible environment. It is designed to meet a number of immediate challenges, such as those created by a traditional reliance on paper in intellectual property processes. The program will also provide consumers with significant value-added data, which has previously proven costly to convert from paper.

WIPO plans to develop and implement a number of complementary systems that will form an integrated electronic business solution for the Organization's activities. The benefits of such an approach would include streamlined information retrieval and services, built-in flexibility, reductions in the cost of intellectual property protection, and overall encouragement of innovation and use of the IP system at national and international levels.



PROMOTING THE MADRID SYSTEM IN KOREA

Promotion of the Madrid and The Hague systems of international registration of marks and industrial designs in developing countries and countries in transition has received special attention since the creation of a new division for that specific purpose last year; the Developing Countries (Madrid and Hague Systems) Division. The emphasis is on expanding those countries' level of participation in the two systems and increasing the use of the systems within them. The Division has conducted a number of visits, seminars and workshops that are starting to yield results.

The Republic of Korea plans to accede to the Madrid Protocol by early next year. In this context, WIPO organized a roving seminar on the Madrid system aimed at awareness-building among potential users of the system and staff of the Korean Intellectual Property Office (KIPO). Organized in cooperation with KIPO, the roving seminar was held in Seoul and Daejeon in the first week of June.



Seminar session
in Korea

The seminar provided pertinent and straightforward information for the soon-to-be users of the system – officials, intellectual property practitioners, university professors, managers as well as trademark owners. The themes covered included:

- ▶ Recent developments in trademark protection at the international, regional and national levels;
- ▶ The Madrid Agreement and the Madrid Protocol Concerning the International Registration of Marks: main features and advantages;
- ▶ The successful use of trademarks – creation, development, management and marketing;
- ▶ The experience of China and Japan in preparing for accession to and implementation of the Madrid System;
- ▶ Managing an international registration;
- ▶ A user's view: the experience of a European trademark owner using the Madrid System;
- ▶ The Gazette; ROMARIN; the Internet.

The panel discussions focussed on the role of the intellectual property office and the policy and institutional considerations for effective use of the Madrid system, and also on the advantages for trademark owners. Participants commented that they found the seminar timely, useful and interesting, and that they hoped more such seminars would be organized for a wider audience from the user community.



DIRECTOR GENERAL MEETS PRESIDENT OF UKRAINE



Traditional festivities in Ukraine

The central theme of discussions between WIPO Director General Kamil Idris and Ukrainian President Leonid Kuchma during an official visit to Kiev on May 28 and 29 was the importance of the intellectual property system to development and prosperity. President Kuchma expressed the Ukrainian Government's firm commitment to adopting a comprehensive series of measures to upgrade the national intellectual property system, which includes improving domestic legislation and the active implementation of rigorous enforcement mechanisms to combat counterfeiting and piracy.

At his meeting with President Kuchma, Dr. Idris pledged WIPO's full support for Ukrainian efforts to strengthen the national intellectual property system, including enforcement, through the training of judges, customs authorities and other concerned parties. He said that Ukraine has much to gain from effective use of the intellectual property system and stressed the need to raise public awareness of the value and role of the intellectual property system. He stressed that this is a key means of converting the wealth of knowledge and technical expertise in Ukraine into concrete economic growth, higher levels of employment and improved living standards.

Cooperation Agreement

Dr. Idris also met with Prime Minister Anatoliy Kinakh, who reiterated his Government's commitment to strengthening intellectual property protection. In the course of this meeting a cooperation agreement was signed by the Director General and the Ukrainian Vice-Prime Minister, Mr. Volodymyr Seminozhenko.



Innovation Promotion in Arab Countries

On the initiative of the Ajman University of Science and Technology, based in the United Arab Emirates, a group of experts met under the auspices of WIPO on June 10 and 11 to discuss possible joint projects aimed at promoting innovation and creativity in the Arab world through effective use of the intellectual property system.

Opening the meeting of experts, WIPO Director General Kamil Idris highlighted the importance of such an initiative. He said that developing economies that have experienced phenomenal growth in industries such as software and entertainment owe this success to optimal use of the intellectual property system. He noted that the desire to invent and innovate has always driven progress, and said the intellectual property system – which captures the value of creativity and innovation – has

helped to secure the commercial viability of innumerable industries employing millions of people and generating revenue essential to the economic well-being of nations.

The President of Ajman University, Dr. Saeed Abdullah Salman, stressed the need to create "a comprehensive innovation environment" to improve the welfare of future generations. Dr. Salman said there is a lack of awareness about the benefits of the intellectual property system in the Arab countries. He noted that supporting innovation is good for all humanity, because it promotes economic development and the welfare of all peoples.

Memorandum of Understanding

WIPO and Ajman University signed a memorandum of understanding



outlining a series of joint intellectual property-related activities, including WIPO assistance to the University for introducing intellectual property courses designed for students of technical and scientific backgrounds. Activities will also focus on raising awareness of the link between effective intellectual property protection and economic, cultural and technological development.



Delegation of Sudanese Judges Visits WIPO

The President of the Supreme Court of Sudan, Mr. Jalal Al-Din Mohamed Othman, led a delegation of justices of the Supreme Court to WIPO for talks from July 22 to 26 with WIPO Director General Kamil Idris and other senior officials of the Organization. The delegation was briefed on WIPO's activities and the importance of intellectual property for wealth creation and development.

The judges expressed keen interest in the activities of WIPO and appreciation for the wide range of programs organized in Sudan, including assistance for the recent establishment of a court specialized in disputes relating to trade and intellectual property. The court, the first of its kind in the region, is expected to expand its

activities to train and raise awareness among judges and magistrates in both the African and Arab regions. Dr. Idris expressed WIPO's support for further assistance in the development of human resources, technical and legislative advice, and provision of information products.

The Director General urged the delegation to take a more active role in promoting an intellectual property consciousness and raising awareness of the importance of intellectual property to development. He welcomed Sudan's leadership in establishing a regional center for the resolution of intellectual property-related disputes.



Consultation with SAARC



Ambassador Shambhu Ram Simkhada of Nepal, Ambassador Hardeep Puri of India, Ambassador Abdul Basit of Pakistan, Ambassador Toufiq Ali of Bangladesh, Ambassador Prasad Kariyawasam of Sri Lanka, and Ambassador Bap Kesang of Bhutan

The role of intellectual property in promoting economic growth and development was the focus of discussions at the Second WIPO-South Asian Association for Regional

Cooperation (SAARC) Consultation Meeting, held at WIPO headquarters in Geneva on June 25. The Ambassadors and Heads of the Permanent Missions of SAARC countries represented in Geneva attended the meeting, which was co-chaired by Ambassador Shambhu Ram Simkhada of Nepal and WIPO Director General Kamil Idris.

The individual SAARC members – Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka – acknowledged that their countries are benefiting from the intellectual property programs being implemented in cooperation with WIPO.

They noted that further programs addressing shared areas of concern could also be undertaken at the sub-regional level. A number of priority areas identified for the implementation of such programs included traditional knowledge, small and medium-sized enterprises, electronic commerce, collective copyright management, enforcement and public awareness campaigns. The SAARC countries also expressed interest in undertaking programs in the area of the protection of digital images of museum holdings and access to them through WIPONET.

Discussions with German Officials

WIPO Director General Kamil Idris met with high-level officials of the German Federal Government and Parliament in Berlin on June 19 to discuss further areas of cooperation in promoting awareness of the critical role that intellectual property plays in stimulating economic growth and cultural development. Germany has a long-standing tradition of effective use of the tools of the intellectual property system, such as patents, trademarks and copyright, for the purpose of wealth creation and development.

Cooperation with AOAD



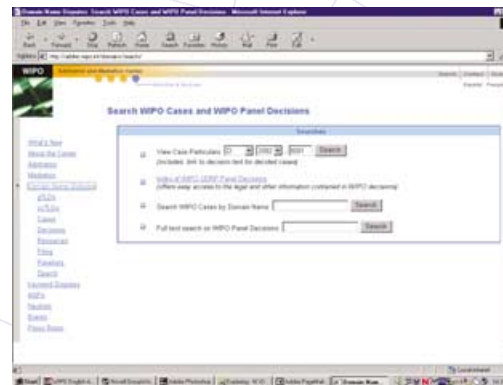
WIPO Director General Kamil Idris and the Director General of the Arab Organization for Agricultural Development (AOAD), Dr. Salem Al-Louzi, signed a memorandum of understanding on June 3. The agreement calls for exchanges of information, the conduct of studies, and the organization of training courses, seminars and workshops and other research activities in the field of protection of intellectual property rights. WIPO will cooperate with the International Union for the Protection of New Varieties of Plants (UPOV) on issues in the agreement that concern plant variety protection.

Journalists Attend Seminar



A group of 19 journalists attended a seminar at WIPO headquarters from July 8 to 11 to brief them on the key role of intellectual property in promoting development and wealth creation. The journalists came from Africa, the Arab countries, Asia and the Pacific region, Latin America and Eastern Europe. The seminar included a series of briefings on various aspects of intellectual property and WIPO's services to Member States and the private sector. It also included a visit to Procter & Gamble's European headquarters in Geneva to illustrate the importance of intellectual property to a consumer goods company.

Domain Name Database Goes Live



A database containing detailed information on thousands of cases of cybersquatting handled by the WIPO Arbitration and Mediation Center went online on July 5 (<http://arbiter.wipo.int/domains/search/>). The database is the first to be made available by a UDRP dispute resolution service provider and was launched as part of WIPO's continued efforts to further enhance the quality and transparency of the UDRP process. It is

designed to provide rapid and easy access to information on domain name cases handled by WIPO and serve as a useful archive. As such, it will assist parties in preparing submissions for mediation and panels in rendering their decisions. The database will also provide the public with easier access to the vast store of data relating to the cases and the growing body of jurisprudence under the UDRP.

CALENDAR of meetings

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.

OCTOBER 21 TO NOVEMBER GENEVA

Committee of Experts Under the Locarno Agreement Concerning the International Classification for Industrial Designs (Eighth session)

The Committee of Experts will decide on the adoption of proposals for amendments and additions to the current (seventh) edition of the Locarno Classification, which should enter into force on January 1, 2004, with the authentic English and French version of the new (eighth) edition of the Classification.

Invitations: As members, the States members of the Locarno Union; as observers, all Member States of the Paris Union which are not members of the Committee and certain organizations.

OCTOBER 28 TO NOVEMBER 1 GENEVA

The Permanent Committee on Cooperation for Development Related to Intellectual Property (PCIPD)

The Permanent Committee will evaluate the implementation of cooperation for development activities since January 2001 and consider the strategic direction of the Program for the upcoming biennium.

Invitations: As members, the States members of WIPO; as observers, certain organizations

NOVEMBER 4 TO 8 GENEVA

Standing Committee on Copyright and Related Rights

The Committee will continue its discussions on the protection of broadcasting and of non-original databases. It will also discuss its future work-plan.

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

NOVEMBER 11 & 12 GENEVA

WIPO Workshop for Arbitrators

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

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

NOVEMBER 11 TO 15 GENEVA

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

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

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

NOVEMBER 13 GENEVA

Domain Name Panelist Meeting

The meeting is being held to provide panelists with information on the latest developments in the Internet dispute resolution cases and procedures.

Invitations: Restricted to WIPO domain name panelists.

NOVEMBER 14 & 15 GENEVA

WIPO Workshop on Domain Name Dispute Resolution

An event for all parties interested in WIPO Internet domain name resolution.

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

NOVEMBER 25 TO 29 GENEVA

Standing Committee on the Law of Patents (Eighth 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.

DECEMBER 2 TO 6 GENEVA

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

The Working Group will continue its work in the revision of WIPO standards and will receive reports from the different SDWG task forces that have been established for that purpose.

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

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Russian 839(R)
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Basic Facts about the PCT
Arabic 433(A), English 433(E),
French 433(F), German 433(G),
Spanish 433 (S)
Free of charge

Madrid Agreement Concerning the International Registration of Marks; Protocol; and Regulations as in force April 1, 2002
Chinese 204(C), Italian 204(I),
Portuguese 204(P), Russian 204 (R), Spanish 204(S)
20 Swiss francs (plus shipping and handling)





The Madrid Agreement for the International Registration of Marks

English 492(E)
Free of charge



The Hague Agreement Concerning the International Deposit of Industrial Designs (Regulations and Administrative Instructions as in force on January 1, 2002)

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