

Committee on WIPO Standards (CWS)

First Session

Geneva, October 25 to 29, 2010

ORGANIZATIONAL MATTERS AND SPECIAL RULES OF PROCEDURE

prepared by the Secretariat

INTRODUCTION

1. The WIPO General Assembly, at its thirty-eighth session, held in September 2009, approved the creation of the Committee on WIPO Standards (CWS). The CWS is to replace the Standards and Documentation Working Group (SDWG) of the Standing Committee on Information Technologies (SCIT). The SCIT working methods and procedures are to be applied *mutatis mutandis* to the CWS. In principle, the CWS is to be convened once a year. (See document WO/GA/38/10 and paragraphs 236 to 249 of document WO/GA/38/20.)
2. Subsequent to the creation of the CWS by the General Assembly, the SCIT was discontinued on January 1, 2010. On this date, the SDWG was replaced with the CWS.

COMMITTEE ON WIPO STANDARDS

3. As a follow-up to the above-decision by the General Assembly and within the framework of the new Strategic Goal IV, concerning “coordination and development of global IP infrastructure”, the CWS will continue to work on the revision and development of WIPO Standards relating to intellectual property information. The CWS will, in effect, perform the same work as the former SDWG, but under a different name.
4. The Annex to the present document proposes, for consideration of the CWS, further details on its mandate and working methods, as well as organizational and procedural matters related to this Committee.

5. Issues concerning pending tasks of the SDWG and of the future work program of the CWS are addressed under another agenda item of the current first session of the CWS. The detailed proposals for tasks that should be included in the work program are provided in working document CWS/1/9.

6. *The CWS is invited to note the contents of this document and adopt the Organizational Matters and Special Rules of Procedure that are reproduced in the Annex to this document.*

[Annex follows]

ORGANIZATIONAL MATTERS AND SPECIAL RULES OF PROCEDURE OF THE COMMITTEE ON WIPO STANDARDS (CWS)

1. Subject to the following Organizational Matters and Special Rules of Procedure, the General Rules of Procedure of WIPO will apply to the Committee on WIPO Standards (CWS).
2. The CWS will report to the General Assembly of WIPO at least once every two years.
3. Recommendations and proposals from the CWS may be passed either to the WIPO General Assembly, Program and Budget Committee, or directly to the Director General, as needed.
4. The CWS will establish its work program, priorities and working methods.
5. The decisions adopted by the CWS will not be mandatory, but formulated as recommendations directed to States, in particular to their national or regional industrial property offices, to the International Bureau of WIPO, to international organizations, and to any other national or international institution interested in industrial property information matters.
6. The CWS may establish or dissolve task forces, keeping always their number to a minimum. Task forces will deal with specific tasks as required and be subject to the rules provided in paragraphs 27 to 33, below.

MEMBERSHIP

7. All WIPO Member States as well as member States of the Paris Union or Berne Union that are not Member States of WIPO will be members of the CWS. In addition, the African Intellectual Property Organization (OAPI), the African Regional Intellectual Property Organization (ARIPO), the Benelux Office for Intellectual Property (BOIP), the Eurasian Patent Organization (EAPO), the European Patent Organization (EPO), the Nordic Patent Institute (NPI), the Patent Office of the Cooperation Council for the Arab States of the Gulf (GCC) and the European Union will be members of the CWS, provided that they will not have the right to vote.
8. The Director General of WIPO may and, if so requested by the CWS, will invite, as observers, interested intergovernmental organizations (other than member organizations mentioned above) and interested international and national non-governmental organizations, as well as organizations providing information services in the field of intellectual property information, which are not accredited with observer status at WIPO meetings. Observers will not have the right to vote.

MANDATE

9. As proposed and agreed at the General Assembly (see WO/GA/38/10 and paragraphs 236-249 of WO/GA/38/20) the mandate of the CWS will be to provide a forum to work on the revision, development and implementation of WIPO standards relating to intellectual property information.
10. This mandate was further clarified by the Director General: "The CWS deals with technical standards for matters such as the numbering of industrial property applications, for data exchange or for computer languages or formats", and does not deal with legal norms.

11. Furthermore, according to the General Assembly's report (see paragraph 238 of WO/GA/38/20), one delegation suggested that the mandate of the CWS should also include follow-up of the implementation of WIPO Standards, the provision of technical advice and assistance for capacity building, the support of IP Offices in undertaking projects regarding dissemination of IP information and the provision of IP services to SMEs.

SESSIONS

12. The CWS will meet once a year in ordinary session and will receive annual progress reports from its subsidiary bodies.

OFFICERS

13. The CWS will have a Chair and two Vice-Chairs and will elect them for a term of two consecutive ordinary sessions. Any outgoing Chair or Vice-Chair may be immediately re-elected to office.

MEETING DOCUMENTATION

14. Meeting documentation will be published on the website of WIPO and, upon request, provided on paper. The letter of invitation and the draft agenda will be distributed on paper and published on the website of WIPO.

PROJECT TASK INITIATION

15. Tasks will be created by the CWS.
16. Consideration of a new proposal, subject or activity, including requests for the revision of existing WIPO Standards or the preparation of new standards, may be initiated by any member, observer, task force or by the International Bureau by submission of a written project brief to the Secretariat. The project brief should include a clear description of the problem or specific need to be addressed, and indicate how it was determined. The project brief should also provide the objectives of the task, options for solution and the expected benefits.
17. The Secretariat will present the requests and project briefs received to the first available session of the CWS for consideration. The CWS will determine whether each specific request falls within its mandate and how to proceed with that request. The CWS will also decide the appropriate subsequent action, including whether there is a need for creating a task and a task force to handle the task.
18. On each request adopted as a task for inclusion in the work program, the CWS will determine the corresponding task description and the priority to be given to the task, including, as far as possible, the proposed action(s) and time frame(s).
19. If the task should not be assigned to a specific task force, the CWS would assign a leader for the task.

WORKING METHODS

20. The CWS and, in particular, its task forces will base their working methods on the intensive use of electronic means set up by the Secretariat. This will ensure the flexibility required to allow a maximum number of interested members and observers worldwide to take part in the discussions and consider issues within a short period of time.

21. The CWS may establish a mechanism for reaching an agreement by electronic means, which may be delegated to its task forces as required.
22. The adoption of the report of a CWS session may take place through e-forums that would be especially set up for this purpose by the Secretariat. If it should not be possible to reach an agreement on the report via the e-forum, then the adoption of the said report would be included in the agenda of the next session of the CWS.
23. The report of a CWS session will reflect only the conclusions of the CWS (decisions, recommendations, opinions, etc.) and will not, in particular, reflect the statements made by any participant, except where a reservation in relation to any specific conclusion of the CWS is expressed or repeated after the conclusion is reached.

TASK FORCES

24. To allow for consideration of a specific issue, a task force will be constituted on the following basis:
 - (a) a request for the creation of a task force may be initiated either by a member or the International Bureau;
 - (b) a clear mandate for the task force must be agreed by the CWS in advance of its first discussions; such a document will include:
 - the task(s) to be handled by the task force;
 - the designation of a task force leader;
 - an indication of the professional/technical competencies needed by delegates participating in the task force discussions; and
 - (c) task forces will report to the CWS
25. The Secretariat will set up and maintain an e-forum for each task force, and provide the task force leader with assistance to carry out the work of the task force.
26. Invitations to members and observers to nominate their representatives to participate in the work of the task force will particularly include an indication of the professional/technical competencies required.
27. The status of observer in a task force e-forum will be granted to the external contractors of an industrial property office if the request comes directly from a member.
28. Task forces will carry out their work in a dynamic and flexible environment. Electronic working via e-forums will be their normal work framework, but they may also hold meetings as needed. Agreements reached by a task force at a meeting will require subsequent confirmation via the e-forum in order to allow those task force members who could not attend the meeting to express their views.
29. The task force leader will be responsible for initiating and conducting the task force discussions, reporting to the CWS on the agreements reached by the task force and presenting, through the Secretariat, the corresponding proposals for consideration by the CWS.
30. The CWS will consider, revise, and take appropriate decisions on the recommendations of a task force, or refer the recommendation back to the task force for further consideration.

[End of Annex and of document]