

WIPO



H/DC/13.

ORIGINAL: English

DATE: June 17, 1999

WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

**DIPLOMATIC CONFERENCE
FOR THE ADOPTION OF A NEW ACT OF THE HAGUE
AGREEMENT CONCERNING THE INTERNATIONAL DEPOSIT
OF INDUSTRIAL DESIGNS**

Geneva, June 16 to July 6, 1999

FIRST REPORT OF THE CREDENTIALS COMMITTEE

prepared by the Secretariat

1. The Credentials Committee ("the Committee"), established on June 16, 1999, by the Diplomatic Conference for the Adoption of a New Act of the Hague Agreement Concerning the International Deposit of Industrial Designs, met on June 17, 1999.
2. The delegations of the following States, elected members of the Committee by the Diplomatic Conference, attended the meeting: Canada, China, Germany, Indonesia, Jamaica, Lithuania and Uganda.
3. The President of the Committee, elected by the Diplomatic Conference, was Ms. Joyce C. Banya (Uganda). The Vice-Presidents, elected by the Diplomatic Conference, were Mr. Karl Flittner (Germany) and Mrs. Zhao Yangling (China).
4. In accordance with Rule 9(1) of the Rules of Procedure adopted by the Conference on June 16, 1999 (document H/DC/12; "the Rules of Procedure"), the Committee examined the credentials, full powers, letters or other documents of appointment presented for the purposes of Rules 6 and 7 by delegations of States members of the World Intellectual Property Organization ("WIPO"), participating in the Conference in accordance with Rule 2(1)(i) of the Rules of Procedure ("Ordinary Member Delegations"), by the Delegation of the European

Community, participating in the Conference in accordance with Rule 2(1)(ii) of the Rules of Procedure (“Special Member Delegation”), and by delegations of States members of the United Nations other than the States members of WIPO, participating in the Conference in accordance with Rule 2(1)(iii) of the Rules of Procedure (“Observer Delegations”), as well as by the representatives of intergovernmental and non-governmental organizations, participating in the Conference in accordance with Rule 2(1)(iv) of the Rules of Procedure (“Observer Organizations”).

5. On the basis of the information provided by the Secretariat as to the practice prevailing in other diplomatic conferences and in particular in diplomatic conferences convened by WIPO, the Committee decided to recommend to the Conference, meeting in Plenary, that the following criteria should be applied by the Committee in its examination of, and should govern the decision of the Conference on, the credentials, full powers, letters or other documents presented for the purposes of Rules 6 and 7 of the Rules of Procedure:

(i) as far as any State is concerned, its delegation’s credentials and full powers should be accepted if they were signed by that State’s Head of State, Head of Government or Minister for Foreign Affairs; credentials, but not full powers, should be accepted if they were contained in a *note verbale* or letter of that State’s Permanent Representative in Geneva or in a *note verbale* of that State’s Ministry of Foreign Affairs or its Permanent Mission in Geneva and should not otherwise be accepted; in particular, a communication emanating from a Minister other than the Minister for Foreign Affairs, or from an official other than the Permanent Representative or Chargé d’affaires a.i. in Geneva, should not be treated as credentials;

(ii) as far as any Organization is concerned, its representative’s letter or other document of appointment should be accepted if it was signed by the Head (Director General, Secretary General or President) or Deputy Head or official responsible for external affairs of the Organization;

(iii) facsimile and telex communications should be accepted if, as to their source, the requirements stated in points (i) and (ii) were fulfilled.

6. Pending a final decision by the Conference, meeting in Plenary, on the said criteria, the Committee decided to apply those criteria to the documents received by it.

7. Accordingly, the Committee found in order

(a) as far as *Ordinary Member Delegations* are concerned,

(i) the *credentials* and *full powers* (that is, credentials for participating in the Conference and signing the Final Act of the Conference, and full powers to sign the new Act of the Hague Agreement to be adopted by the Diplomatic Conference) of the delegations of the following nine States:

Algeria
Bangladesh
Burkina Faso
Germany
Italy

Romania
Slovenia
The former Yugoslav
Republic of Macedonia
United Kingdom

(ii) the *credentials* without full powers (that is, credentials for participating in the Conference and signing the Final Act of the Conference) of the delegations of the following 47 States:

Angola	Latvia
Argentina	Liberia
Belgium	Libyan Arab Jamahiriya
Bosnia and Herzegovina	Lithuania
Bulgaria	Madagascar
Canada	Malta
Chad	Mauritania
Croatia	Morocco
Czech Republic	Netherlands
Ecuador	New Zealand
Egypt	Norway
Finland	Panama
France	Philippines
Gabon	Portugal
Ghana	Republic of Korea
Greece	Russian Federation
Haiti	Senegal
Iceland	Slovakia
India	Spain
Indonesia	Sudan
Ireland	Switzerland
Jamaica	Uganda
Japan	United Republic of Tanzania
Kenya	

(b) as far as *Special Member Delegations* are concerned, the *credentials* and *full powers* of the Delegation of the European Community (1).

(c) as far as *Observer Delegations* are concerned, the *credentials* of the delegations of the following three States:

Djibouti	Solomon Islands
Iran (Islamic Republic of)	

(d) as far as *Observer Organizations* are concerned, the *letters or documents of appointment* of representatives of the following Observer Organizations (listed in the alphabetical order of the name of the organization according to its name in French if it exists or, if it does not exist, according to its name in another language):

(i) *intergovernmental organizations*: Benelux Designs Office (BBDM), League of Arab States (LAS), Organization of the Islamic Conference (OIC), World Trade Organization (WTO) (4);

(ii) *non-governmental organizations*: American Bar Association – Section of Intellectual Property Law (ABA), Asian Patent Attorneys Association (APAA), European Communities Trade Mark Association (ECTA), Association of Swedish Patent Attorneys (SPOF), International Association for the Protection of Industrial Property (AIPPI), International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP), Centre for International Industrial Property Studies (CEIPI), Federal Chamber of Patent Agents (FCPA), Germany, Committee of National Institutes of Patent Agents (CNIPA), International Council of Graphic Design Associations (ICOGRADA), International Council of Societies of Industrial Design (ICSID), International Federation of Industrial Property Attorneys (FICPI), Swiss Textile Federation (TVS), Max-Planck-Institute for Foreign and International Patent, Copyright and Competition Law (MPI), Japan Design Protection Association (JDPA), Japan Intellectual Property Association (JIPA), Japan Patent Attorneys Association (JPAA), International League of Competition Law (LIDC), Organisation européenne de l’habillement et du textile (EURATEX), Union of Industrial and Employers’ Confederations of Europe (UNICE), Union of European Practitioners in Industrial Property (UEPIP) (21).

8. The Committee recommends to the Conference, meeting in Plenary, to accept the credentials and full powers of the delegations mentioned in paragraph 7(a)(i) and 7(b), above, the credentials of the delegations mentioned in paragraph 7(a)(ii), above, the credentials of the delegations mentioned in paragraph 7(c), above, and the letters or documents of appointment of the representatives of the organizations mentioned in paragraph 7(d), above.

9. The Committee expressed the wish that the Secretariat should bring Rules 6 (“Credentials and Full Powers”), 7 (“Letters of Appointment”), 8 (“Presentation of Credentials, etc.”) and 10 (“Provisional Participation”) of the Rules of Procedure to the attention of Member Delegations or Observer Delegations not having presented credentials or full powers and of the representatives of Observer Organizations not having presented letters or other documents of appointment.

10. The Committee decided that a report on its meeting should be prepared by the Secretariat and issued as its report, to be presented by the President of the Committee to the Conference, meeting in Plenary.

11. The Committee decided that it would re-convene to examine any further communications concerning Ordinary Member Delegations, Special Member Delegations, Observer Delegations, or Observer Organizations which might be received by the Secretariat after the close of its meeting.

[End of document]