

WIPO



ACE/IP/1/3

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

ADVISORY COMMITTEE ON ENFORCEMENT OF INDUSTRIAL PROPERTY RIGHTS

First Session
Geneva, October 19 and 20, 2000

SUMMARY BY THE CHAIR *

Agenda Item 1: Opening of the session

1. The session was opened by Mr. Albert Tramposch, Director, Industrial Property Law Division, who welcomed the participants on behalf of WIPO.
2. The Advisory Committee discussed organizational and procedural matters, under Part II of document ACE/IP/1/2. As invited in paragraph 15 of document ACE/IP/1/2, the Advisory Committee adopted the special rules of procedure proposed in paragraph 5 of that document and noted the working arrangements described in paragraphs 6 to 14 of that document, with the understanding that the International Bureau would investigate the possibility of providing interpretation from and into six languages, that there would be a formal report at subsequent sessions circulated on the Electronic Forum, and that enforcement officials would continue to be invited to meetings of the Advisory Committee.

* The proposals contained in this Summary will be submitted to the Director General for consideration.

Agenda Item 2: Election of a Chair and two Vice-Chairs

3. The Advisory Committee unanimously elected Mr. Henry Olsson (Sweden) as Chair, and Mr. Mohd Roslan Bin Mahayuddin (Malaysia) and Mrs. Eunice W. Njuguna (Kenya) as Vice-Chairs. Mr. Alan Datri (WIPO) acted as Secretary to the Advisory Committee.
4. The Agenda (document ACE/IP/1/1) was adopted without modification.

Agenda Item 3: Discussion of enforcement issues to be addressed

5. After a number of delegations made general observations, the Chairman concluded that the delegations had expressed a positive attitude toward the formation of, and arrangements for, the Advisory Committee. He noted the desire of delegations that the work of the Committee be coordinated with the work of the Advisory Committee on Management and Enforcement of Copyright and Related Rights in Global Information Networks, and that the work of the Committee extend beyond the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).
6. The Advisory Committee noted the contents of document WIPO/TRIPS/2000/1.

Agenda Item 4: Proposals for future work

7. The Committee, taking note of the suggestions of the International Bureau contained in paragraph 20 of document ACE/IP/1/2, discussed its future work program.
8. In preparation for the second session of the ACE/IP, the Committee requested that the International Bureau, in cooperation with the relevant sectors within WIPO (in order of priority):
 - (a) Initiate studies, for consideration by the ACE/IP at its second session, that would:
 - (i) identify difficulties in enforcement of industrial property in all Member States (industrialized countries, developing countries and countries in transition), including difficulties in implementation of the provisions of the TRIPS Agreement on enforcement of industrial property and questions related to *ex officio* enforcement procedures;
 - (ii) identify effective or best practices for enforcement of industrial property in Member States, including effective practices for implementation of the provisions of the TRIPS Agreement on enforcement of industrial property, in particular, less costly and time-consuming practices for effectively enforcing rights;
 - (iii) identify existing requirements and needs for training and development of enforcement strategies for industrial property in Member States;
 - (iv) identify external resources for training and cooperation in enforcement of industrial property, including private sector resources and other multilateral and regional organizations;

for the purpose, *inter alia*, of the ACE/IP determining practical measures for effective enforcement of industrial property;

(b) initiate the creation of a list of agencies and contact points in Member States relating to enforcement of industrial property rights for the purposes of meetings of the Advisory Committee;

(c) investigate new possibilities for the ACE/IP to increase the awareness of the public, as well as administrative and judicial agencies, concerning enforcement of industrial property rights, including awareness of the health and safety aspects of effective enforcement; and

(d) prepare an issues paper, summarizing and elaborating the additional issues discussed at the first session of the ACE/IP, to allow the ACE/IP at its second session to plan its long-term future work.

9. The Advisory Committee requested that it meet twice in 2001, that it meet jointly with the Advisory Committee on Management and Enforcement of Copyright and Related Rights in Global Information Networks once in 2001, and that it meet at least twice a year thereafter, subject to available resources.

10. The International Bureau announced that the second session of the ACE/IP was tentatively scheduled for the week of June 25, 2001.

Agenda Item 5: Brief summary by the Chair

11. The Chair presented a draft Summary (document ACE/IP/1/3 Prov.) and received comments from the participants.

Agenda Item 6: Closing of the session

12. The Chair closed the first session of the Advisory Committee.

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