

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

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## **ASSEMBLIES OF THE MEMBER STATES OF WIPO**

### **Thirty-Third Series of Meetings Geneva, September 7 to 15, 1998**

#### **PROGRAM IMPLEMENTATION OVERVIEW — JUNE-JULY HIGHLIGHTS**

##### *Report of the Director General*

##### Introduction

1. This document supplements document A/33/2 “Program Implementation Overview: January 1 to May 31, 1998” with brief accounts of certain significant activities of program implementation in June and July.

##### Acquisition of New Building Lot - June 4, 1998

2. The purchase of a new plot of land, for 13.5 million Swiss francs, opposite the main WIPO building, was approved by the WIPO Budget and Premises Committees.

3. Additional premises are needed because of increased staffing levels to support the growing programs and initiatives. Action is now underway for concluding the purchase.

4. Proposals regarding construction of the new premises will be submitted to a joint session of the Budget and Premises Committees scheduled for September 3 and 4 this year.

### Cooperation with Tunisia - June 7 to 9, 1998

5. During his official visit to the country, the Director General met with its leaders led by the Prime Minister. They reviewed the considerable progress in the Tunisian intellectual property system and WIPO's cooperation with the country to improve the promotion and use of intellectual property. The Director General also discussed the promotion of the protection of Arab-African cultural heritage and folklore in Tunisia. Also emphasized was the importance of continuing to train qualified personnel and to develop human resources, including establishing closer relations between the national industrial property office and the various research and academic institutions.

### Committee of Experts on a Protocol Concerning Audiovisual Performance June 8 to 12, 1998

6. The Committee of Experts held its second session and examined proposals from several States and the European Communities concerning a protocol to the WIPO Performances and Phonograms Treaty (WPPT)—or, according to the proposals of some States, a separate treaty—on audiovisual performances (since the WPPT does not extend to such performances).

7. The Committee made significant progress in the preparation of such a new instrument, but on certain issues—such as national treatment, the transferability of economic rights and a possible presumption of transfer—further discussions are needed before recommendations might be made for the convocation of a diplomatic conference (foreseen to take place in 1999 under the present biennial program).

8. Prior to this session of the Committee of Experts, three consultations for countries of Africa, Latin America and the Caribbean, and Asia and the Pacific were held to examine the issues, and to coordinate and develop common approaches within the regional groups. These regional meetings discussed and analyzed the written proposals with the assistance of WIPO officials.

### Intellectual Property Training for Gulf Region - June 13 to September 3, 1998

9. The Postgraduate Diploma Training Program in Advanced Studies in Intellectual Property, jointly sponsored by WIPO in cooperation with the Gulf Institute of International Law (GIIL) began in Dubai on June 13. This is the first formal training program to be accredited by WIPO in cooperation with a specialized training institute. The program is aimed at government officials who oversee the implementation of intellectual property laws, but is also open to members of the private sector. It has two objectives:

- to enable participants acquire a more detailed knowledge of intellectual property to help them strengthen their national intellectual property systems, and
- to enable them to implement the legislative and administrative requirements for fulfilling the obligations of the Agreement on the Trade-Related Aspects of Intellectual Property Rights (TRIPS).

10. After completing the course, 25 fellows will be awarded a WIPO/GIIL Diploma of Advanced Studies in Intellectual Property, five of which are financed by WIPO.

The Standing Committee on the Law of Patents (SCP) - June 15 to 19, 1998

11. The Standing Committee on the Law of Patents (SCP) held its first session since it was established by the Assemblies of Member States in March 1998. The SCP will be a forum for discussion, coordination, and guidance concerning the progressive international development and the harmonization of patent laws and procedures.

12. During this first meeting, administrative and procedural matters were discussed and the Rules of Procedure were adopted. The Committee also approved the establishment of the SCP Electronic Forum, which will use the Internet to distribute draft and working documents and receive and distribute comments on the work being done.

13. It was also agreed that the SCP would consider in future sessions the following:

- patent formality harmonization,
- central recording of changes in patents and patent applications,
- disclosure of technical information on the Internet and its impact on patentability, and
- biotechnological inventions.

14. Two other issues were also suggested; substantive harmonization of patent laws and enforcement. It was agreed that the WIPO Secretariat would gather information about fee reduction in national patent offices.

15. Extensive discussions centered on the draft Patent Law Treaty, and substantial progress was made on the details of the proposed treaty, especially in the areas relating to extension of time limits, restoration of rights, and priority claims. Patent Law Treaty discussions will continue at an additional meeting of this first session, preferably in November 1998. Finally, the Committee agreed that in 1999 it would set dates for a Diplomatic Conference which could be held as early as the year 2000.

Appointment of Deputy Directors General and Directors - July 6 and 7, 1998

16. Two new Deputy Directors General and four new directors were appointed, following the 41st session of the Coordination Committee.

17. Mr. Roberto Castelo is the new Deputy Director General responsible for WIPO's Cooperation for Development program, as well as the Worldwide Academy and for the Promotion of Innovation program. He is a national of Brazil who joined WIPO in 1996 following 12 years in various United Nations organizations.

18. Mr. Shozo Uemura, a national of Japan, comes to WIPO from the Japanese Patent Office, where he was Director General of the Fourth Examination Department for International Affairs. In his new position as Deputy Director General, he will be responsible for the progressive development of international intellectual property law.

19. The Coordination Committee also approved the appointments of four new directors:

- Mr. Herman Ntchatcho (Cameroon), Human Resources Management
- Mr. Inayet Syed (Canada), Information Technology
- Mr. Richard Wilder, (United States of America), Non-Governmental Affairs
- Mr. Joachim Bilger (Germany), Controller

Standing Committee on Information Technologies (SCIT) – June 22 to 25, 1998

20. The Standing Committee held its first session since its establishment by the Assemblies of Member States in March 1998. The Standing Committee will deal with, *inter alia*, issues, facilitate coordination and provide guidance, concerning implementation of the WIPO global information network (WIPO<sub>NET</sub>), as well as the provision of intellectual property information services on this network through Intellectual Property Digital Libraries (IPDL). It discussed and adopted the Special Rules of Procedure and Working Methods. It also agreed on the work programs of its three Working Groups and decided to review, in future, the number of the Working Groups, and the duration of their meetings.

21. The Standing Committee further agreed to establish WIPO<sub>NET</sub> and authorized the Secretariat to issue an international tender for creating that network. However, Member States should be consulted when preparing the tender document. To this end the Secretariat would be assisted by a Task Force specially constituted for that purpose. The Task Force would consist of technical experts from members of the Standing Committee.

22. Furthermore, the Standing Committee agreed that the Secretariat would undertake further pilot projects aimed at expanding the functionality and content coverage of the WIPO IPDL.

The Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) - July 13 to 17, 1998

23. This new Standing Committee held its first session since being established by the Assemblies of Member States in March 1998. The SCT will provide a more effective and streamlined mechanism that will allow Member States to set priorities, allocate resources, and ensure the coordination and continuity of interrelated work in the international development of the laws of trademarks, industrial designs, and geographical indications.

24. During this session, the Rules of Procedure were adopted, and the SCT Electronic Forum was established to accelerate the discussion process via the Internet. It was decided that membership of the SCT should be extended to member States of the Paris Union not members of WIPO, and that observer status should be extended to member States of the United Nations which are not members of WIPO or the Paris Union. Furthermore, the European Communities would be a member without the right to vote.

25. The next SCT session will be held in January 1999, at which time the finalization of the provisions on well-known marks and questions concerning the use of trademarks on the Internet would be the first priority.

Cooperation with Morocco - July 12 to 14, 1998

26. As part of WIPO's Cooperation for Development Program, the Director General visited Morocco and opened the WIPO Seminar on Licensing and Transfer of Technology. Before the seminar, he was received by His Majesty the King Hassan II and the Prime Minister and other leaders of the country.

27. During his visits to Rabat and Casablanca, the Director General presented the 1998-99 work program of WIPO and stressed the economic, social, and cultural benefits of international and national intellectual property protection. He also commended Morocco for their numerous ongoing initiatives to promote the use of information technologies, professional training, and scientific research. He and the country's leaders explored ways of strengthening the existing close and fruitful cooperation between the two sides.

Summer Internship Program - July 15 to August 31, 1998

28. For the first time in its 28-year history, WIPO organized a Summer Internship Program as part of the training program of the WIPO Worldwide Academy. The program provided an opportunity for students and young professionals to experience the Organization's work and gain first-hand knowledge of current intellectual property issues. Twelve interns from Algeria, Chile, Côte d'Ivoire, Denmark, France, Israel, Peru, Saudi Arabia, Switzerland, the United Republic of Tanzania, and the United States of America were selected on the basis of their academic and other relevant qualifications.

WIPO/WTO Joint Initiative for Developing Countries - July 21, 1998

29. WIPO and the World Trade Organization (WTO) agreed to launch a joint initiative to provide technical cooperation to developing countries that must conform with the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) by January 1, 2000. The initiative will take place under the Agreement between the two Organizations which came into effect in January 1996.

30. The joint initiative will build on the existing cooperation between the two Organizations and their existing programs in this connection. The technical cooperation available includes assistance in preparing legislation, institution-building and enforcement. The task of conforming with the TRIPS Agreement provides an opportunity to use intellectual property protection to accelerate development. This initiative will not be at the expense of assistance given to other countries that are not bound by the deadline.

Roundtable on Intellectual Property and Indigenous Peoples - July 23 and 24, 1998

31. The Roundtable had the objective of facilitating an exchange of views on intellectual property and how its protection mechanisms could cover indigenous intellectual and cultural heritage. In attendance were indigenous communities from Africa, North and South America, Asia and Europe, and representatives of WIPO Member States as observers.

32. There is a considerable lack of awareness among indigenous peoples of the intellectual property system and of its potential to assist them and meet their concerns. The Roundtable marked the beginning of a useful dialogue among the parties concerned. Many participants suggested that WIPO organize similar Roundtable discussions on a regular basis.

### Internet Domain Names Process

33. In July WIPO began an international process to develop recommendations for the intellectual property issues associated with Internet domain names, including dispute resolution. The recommendations resulting from the WIPO Internet Domain Name Process, once approved, would be made available to the non-profit organization that is being formed to manage the technical and policy aspects of the Internet domain name system (DNS).

34. It is intended that the process will combine Internet-based consultations and consultations through conventional means to ensure the widest possible participation. A web site has been established to allow requests for comments to be posted and comments to be received from all interested parties. This web site is accessible at <http://wipo2.wipo.int> or at <http://www.wipo.int> and clicking on "Internet Domain Names." In addition, a series of face-to-face consultations will be organized in all regions of the world to facilitate discussion on the process.

35. A group of experts will assist the Secretariat in the formulation of its recommendations to the above-mentioned organization. This group will comprise representatives from all geographic areas, as well as special interest sectors, such as the trademark community, the Internet technical community, and public interest groups.

### Adherences to Treaties

36. During the period under review, 16 instruments of ratification or accession to 11 treaties were received. The treaties concerned and the number of new and total adherences in respect of each are as follows:

<u>Treaty</u>	<u>Accessions</u>	<u>Total</u>
WIPO Convention	2	171
Paris Convention	3	150
Berne Convention	2	131
Madrid (Marks) Agreement	1	57
Madrid (Protocol)	1	32
Locarno Agreement	1	33
Patent Cooperation Treaty	1	97
Trademark Law Treaty	2	20
Phonograms Convention	1	57
WIPO Copyright Treaty	1	3
WIPO Performances and Phonograms Treaty	1	2

*37. The WIPO General Assembly is invited to review and note the contents of this document.*

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