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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

ASSEMBLIES OF THE MEMBER STATES OF WIPO

Thirty-Ninth Series of Meetings
Geneva, September 22 to October 1, 2003

GENERAL REPORT

adopted by the Assemblies

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INTRODUCTION

1. This General Report records the deliberations and decisions of the following 18 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, thirtieth (16th ordinary) session
- (2) WIPO Conference, twenty-first (16th ordinary) session
- (3) WIPO Coordination Committee, fifty-first (34th ordinary) session
- (4) Paris Union Assembly, thirty-fourth (16th ordinary) session
- (5) Paris Union Executive Committee, fortieth (39th ordinary) session
- (6) Berne Union Assembly, thirtieth (16th ordinary) session
- (7) Berne Union Executive Committee, forty-sixth (34th ordinary) session
- (8) Madrid Union Assembly, thirty-fifth (15th ordinary) session
- (9) Hague Union Assembly, twenty-second (14th ordinary) session
- (10) Nice Union Assembly, twenty-second (16th ordinary) session
- (11) Lisbon Union Assembly, nineteenth (15th ordinary) session
- (12) Locarno Union Assembly, twenty-second (15th ordinary) session
- (13) IPC [International Patent Classification] Union Assembly, twenty-first (14th ordinary) session
- (14) PCT [Patent Cooperation Treaty] Union Assembly, thirty-second (14th ordinary) session
- (15) Budapest Union Assembly, nineteenth (12th ordinary) session
- (16) Vienna Union Assembly, fifteenth (12th ordinary) session
- (17) WCT [WIPO Copyright Treaty] Assembly, second (1st ordinary) session
- (18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, second (1st ordinary) session

meeting in Geneva from September 22 to October 1, 2003, where the deliberations took place, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies convened (hereinafter referred to as “the joint meeting(s)” and “the Assemblies of the Member States,” respectively).

2. In addition to this General Report, separate Reports have been drawn up on the sessions of the General Assembly (WO/GA/30/8), WIPO Conference (WO/CF/21/2), WIPO Coordination Committee (WO/CC/51/3), Paris Union Assembly (P/A/34/1), Paris Union Executive Committee (P/EC/40/1), Berne Union Assembly (B/A/30/1), Berne Union Executive Committee (B/EC/46/1), Madrid Union Assembly (MM/A/35/2), Hague Union Assembly (H/A/22/2), Nice Union Assembly (N/A/22/1), Lisbon Union Assembly (LI/A/19/1), Locarno Union Assembly (LO/A/22/1), IPC Union Assembly (IPC/A/21/2), PCT Union Assembly (PCT/A/32/8), Budapest Union Assembly (BP/A/19/1), Vienna Union Assembly (VA/A/15/1), WIPO Copyright Treaty Assembly (WCT/A/2/1) and the WIPO Performances and Phonograms Treaty Assembly (WPPT/A/2/1).

3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions as of September 22, 2003, is set forth in document A/39/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/39/1) were presided over by the following Chairs:

Items 1, 2, 3, 4, 5, 7, 8, 10, 11, 12, 13, 17, 18, 20, 23 and 26	Mr. Bernard Kessedjian (France), re-elected Chair of the General Assembly
Item 6	Mr. Ian Heath (Australia), Chair of the PCT Union Assembly
Items 9, 19 and 21	Mr. Luiz Otávio Beaklini (Brazil), Chair of the WIPO Conference
Item 14	Mr. Li Dongsheng (China), Vice-Chair of the Madrid Union Assembly
Item 15	Mr. Malem Tidzani (Gabon), Chair of the Hague Union Assembly
Item 16	Ms. Elza Marcelino de Castro (Brazil), Chair of the IPC Union Assembly
Items 22 and 24	Mr. Dimiter Tzantchev (Bulgaria), Chair of the WIPO Coordination Committee
Item 25	The Chair (or, in his absence, a Vice-Chair, or, in the absence of the Chair and both Vice-Chairs, an <i>ad hoc</i> Chair) of one of the 18 Governing Bodies concerned, that is for the General Report, the Report of the WIPO General Assembly and the Reports of the Paris Union Assembly, the Paris Union Executive Committee, the Berne Union Assembly, the Berne Union Executive Committee, the Assemblies of the Nice Union, Lisbon Union, Locarno Union, Budapest Union, Vienna Union, WIPO Copyright Treaty, and the WIPO Performances and Phonograms Treaty Assembly, Ambassador Bernard Kessedjian (France); the Report of the WIPO Conference, Mr. Luiz Otávio Beaklini (Brazil); the Report of the Coordination Committee, Mr. Dimiter Tzantchev (Bulgaria); the Report of the Madrid Union Assembly, Mrs. María de los Angeles Sánchez Torrez (Cuba); the Report of the Hague Union Assembly, Mr. Malem Tidzani (Gabon); the Report of the IPC Union Assembly, Mr. Sanjay Venugopal (Canada)

and the Report of the PCT Union Assembly,
Mr. Bisereko Kyomuhendo (Uganda).

5. An index of interventions by Delegations of States and Representatives of intergovernmental and non-governmental organizations mentioned in this report will be reproduced as an Annex to the final version of the present report. The Agenda, as adopted, and the list of participants will appear in documents A/39/1 and A/39/INF/3 respectively.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The thirty-ninth series of meetings of the Assemblies and other bodies of the Member States of WIPO was convened by the Director General of WIPO, Dr. Kamil Idris (hereinafter referred to as “the Director General”).

7. The sessions of the Assemblies and other bodies of the Member States of WIPO were opened in a joint meeting of all the 18 Assemblies and other bodies concerned by the re-elected Chair of the General Assembly, Mr. Bernard Kessedjian (France), who made the following statement:

“I am delighted to be here with you for this 39th session of the Assemblies of Member States of WIPO. Progress made in the course of the past year gives us an adequate example of the productive way in which we are working. At our preceding session we welcomed the re-election of our friend, and eminent Director General, and we also welcomed the establishment of a new team around him.

“Allow me once again to extend my congratulations to the Director General and to all of his team. Since September 2002, WIPO has strengthened the global system governing intellectual property and it has done that throughout the world and in all areas. With that in mind we must lay particular emphasis upon the efforts made by the Secretariat to modernize and to upgrade and we must also laud progress made in particular in certain areas, namely, cooperation for development, gradual development of a code of law, reform of the PCT and development of registration services under the aegis of our director General. WIPO has shown itself to be resolute in seeking to tackle all subjects no matter how complicated. Indeed it has been willing to tackle extremely complicated, innovative and new subjects. I very much hope that our efforts to find a solution particularly in areas of folklore, traditional knowledge and genetic resources will bring us to a solution that is fair, reasonable and innovative.

“Similarly I would like to draw attention to work that has been done, work that indeed I myself have done with my friend Ambassador Sha, and as we prepared for the Beijing Summit and the work that we did in preparing for that Summit. I am sure it has made a contribution to progressing the way in which we think about issues and has also helped to bring our positions closer together. Like all of you, I feel very frustrated about the fact that this promise was not able to become a reality. Nonetheless I remain convinced that we will be able to take up from where we left off and move forward once

again. We constantly seek to recognize and to promote creativity and innovation and that indeed is the hallmark of all that has been done by WIPO since it was established and this is an area that is increasingly at the heart of our society's concerns. We are all pursuing common goals, and seeking to promote common interests. All creators, researchers, all of those who have knowledge or *savoir faire* of any kind have something to gain by developing a protective legal framework particularly those who are most vulnerable, that then is a shared concern and that is the driving force behind all that is done by this Organization and in that way WIPO has proven that it has a global, a universal vocation. I would like once again then to thank and to commend the Secretariat for the work that they did during the previous session of our Assemblies of the Member States of WIPO. I would also like to thank our Director General and to wish him good luck for his new term of office. A term of office that we know will benefit all of us."

ITEM 2 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDA

8. After due consideration, each of the Assemblies and other bodies concerned adopted the agenda as proposed in document A/39/1 Prov.3 (hereinafter referred to in this document and in the documents listed in paragraph 2 above as the "Consolidated Agenda").

ITEM 3 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS

9. Discussions were based on document A/39/INF/1 Rev.

10. Following informal consultations among the Group Coordinators, the WIPO General Assembly elected the following officers on September 22, 2003:

Chair: Bernard KESSEDJIAN (France)

Vice-Chair: Dorothy ANGOTE (Mrs.) (Kenya)

Vice-Chair: WANG Jingchuan (China)

11. The re-elected Chair of the General Assembly, Ambassador Bernard Kessedjian (France), said that he was delighted to see that there was unanimity on the election of officers. He thanked all Groups, and addressed special thanks to the Delegation of Zambia, which, speaking on behalf of the African Group, had proposed him for the post of Chair. The Chair also extended his thanks and congratulations on behalf of the Assembly, to Mrs. Dorothy Angote (Kenya) and Mr. Wang Jingchuan (China), for agreeing to serve as Vice-Chairs.

12. The Chair recalled that in the year that had elapsed since the last series of Assemblies, several meetings had been held with the Group Coordinators. Those meetings had proven to be extremely productive, and it had been a pleasure to see that all Groups, through their Coordinators, wanted to work together in order to progress, and that they had always

succeeded in finding solutions to the difficulties that had arisen. The Chair observed that the meetings had a large number of items on the agenda, and he therefore called on the delegates to work on all agenda items constructively and positively, as they had done in the past.

13. Informal consultations among the Group Coordinators were undertaken by the re-elected Chair of the WIPO General Assembly, Ambassador Bernard Kessedjian (France), in respect of the election of the officers of the other 17 Assemblies and other bodies, resulting in a proposal for the election of officers that was presented by Ambassador Bernard Kessedjian (France).

14. The list of the officers for the Assemblies and other bodies appears in document A/39/INF/4.

ITEM 4 OF THE CONSOLIDATED AGENDA:

PROGRAM PERFORMANCE REPORT FOR 2002; PROGRAM IMPLEMENTATION OVERVIEW JANUARY 1 TO JUNE 30, 2003

15. Discussions were based on documents A/39/7 and A/39/8, respectively.

16. In taking up the Agenda item the Chair noted that the progress made during the year provided an illustration of the fruitful nature of the Assembly's work. He further underlined the efforts made by WIPO to strengthen the IP system worldwide and to modernize the International Bureau. The Chair reminded those Delegations which did not wish to take the floor that written statements could be submitted, which would be recorded in the Assembly's report as if they had been given during the meetings.

17. In introducing this Agenda Item, the Secretariat recalled that an important aspect of a results-based management system, introduced at WIPO in 1998, was the reporting to Member States, through Program Performance Reports, aimed at providing an analytical, objective and transparent assessment of the attainment of Objectives and the achievement of Expected Results. Performance assessment had progressed considerably since 1998, as it could be seen through the improvements of the Program Performance Reports periodically submitted to the attention of the Assemblies. This was a continuous learning process, aimed at improving the quality and usefulness of the information provided to Member States, in line with the Director General's policy of full transparency and accountability. The Program Performance Report for 2002 (A/39/7) presented a detailed account of program performance during 2002, and followed the structure of the 2002-2003 Program and Budget, as approved by Member States. Further refinements had been incorporated to improve its presentation at the sub-program level, enhancing readability of the assessments. The Report contained a short introduction, followed by highlights of the most important achievements of the Organization achieved in accordance with the strategic direction outlined in the Director General's medium-term plan: *Vision and Strategic Direction of WIPO*. This was followed by an in-depth analysis of the Organization's performance in 2002, with introductory text at the Main Program level, followed by evaluative assessments for each Sub-program, along with the relevant result tables containing information on Objectives, Results and Performance Indicators. With reference to the Program Implementation

Overview - January 1 to June 30, 2002 (A/39/8), the Secretariat stated that it was also based on the structure of the Program and Budget for the 2002-2003 biennium. It should be noted that this overview was not intended to assess performance, but to give indications as to the overall direction of the Organization during the period under review. Finally, the Secretariat thanked those Delegations that had submitted their written interventions prior to the start of the Assemblies.

18. The Delegations and Representatives of the following 106 States, six intergovernmental organizations and one non-governmental organization made statements concerning Agenda Item 4: Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Brazil, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, China, Congo, Costa Rica, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominica, Egypt, El Salvador, Ethiopia, Finland, Georgia, Germany, Ghana, Grenada, Guinea-Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Zambia, African Intellectual Property Organization (OAPI), African Regional Industrial Property Organization (ARIPO), African Union (AU), Commission of the European Communities (CEC), Community of Portuguese-speaking Countries (CPLP), *Organisation internationale de la Francophonie (OIF)*, World Association for Small & Medium Enterprises (WASME).

19. The Delegation of Zambia, speaking on behalf of the African Group, noted that the Group had studied both document A/39/7 "Program Performance report for 2002" and document A/39/8 "Program Implementation Overview, January 1 to June 30, 2003," and was pleased with the overall work of the Secretariat. It welcomed the progress made towards the achievement of the biennium objectives and expected results, and commended WIPO for its hard work in this regard. The Delegation underscored that the Group supported the creation of an IP culture in which integrating the "development dimension" would be important, and in which tangible benefits derived from IP would serve as an incentive for such a culture. Development dimension would mean mainstreaming elements that had been identified by the Group, such as, for example, the issue of flexibility regarding public health into the main issues of WIPO's work program. The Group expressed particular happiness with respect to the achievements of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), and endorsed WIPO's website program covering those issues, as well as the results achieved to-date by the IGC. The Group was of the view that the IGC should also have the mandate of norm setting, and urged that the necessary resources for the IGC to carry out its work should be made available for it. The Group supported WIPO's activities relative to capacity building, legislative advice, policy exploration and related activities that had been undertaken to date at the local and national levels, and expressed its wish that such activities would continue. In that connection, the Delegation stressed that capacity building, law making, etc., at the local and national levels were not only useful in their own right, but also that those activities provided lessons and built consensus for the development of regional and international systems. The Delegation

expressed the Group's appreciation for the important role of enforcement as an integral part of the overall IP landscape, and noted that the manifestation of tangible economic benefits from IP were key incentives and motivations for enforcement of IPRs; enforcement would be more appreciated if it moved along with actual social, cultural, economic development, and served to improve living standards for people. The Group had a special interest in the cooperation for development activities of WIPO; those activities had resulted in, *inter alia*, creating a positive awareness about IP among various stakeholders in its countries, as well as the development of human resources knowledgeable in IP issues. The Delegation encouraged the Secretariat to continue to focus on LDCs, which it described as the group most marginalized in IP issues, and called upon the Director General to strengthen WIPO's LDC unit in terms of human and financial resources. The Group welcomed the automation process of the IPOs in some African countries, and requested the Organization to expand on this undertaking as soon as possible so that more countries could be modernized. The Delegation noted and welcomed the positive cooperation between WIPO and the WTO, particularly with respect to assistance to African countries in the area of the TRIPS Agreement. The Delegation expressed the Group's appreciation of the role of the Secretariat in assisting some of its countries in building capacity for IP in SMEs, and as well, the work undertaken regarding WIPONET. The Delegation stressed the importance in the cooperation between WIPO and the WTO in the implementation of the obligations under paragraph 6 of the Doha Mandate on the TRIPS Agreement and Public Health. The WWA was very important to the Group. The Delegation felt that the achievements of the WWA spoke for themselves, and as a result, knowledge and awareness of IP issues in its countries had increased. The Group was of the opinion that the establishment of the WWA was one innovation that had produced and continued to produce tangible results in terms of the development of human resources, the single most important objective of any organization that wanted to survive. The excellent work of the WWA was assisting African countries and other developing countries to build capacity in issues of IP in order for them to reap the benefits. Further to that point, the Delegation underscored that for its countries to fully utilize the services of WIPO, such as the PCT and the Madrid System effectively, education and training were necessary. Thus, the Delegation called upon the Assemblies to increase the funding for such an important institution in order for it to meet the demand for training of nationals from developing and African countries. The Africa Group welcomed the report contained in document A/39/7 and approved its contents, and as requested in document A/39/8, happily took note of those results.

20. On behalf of the Group of Countries of Latin America and the Caribbean (GRULAC), the Delegation of Costa Rica congratulated the Director General and his team of staff on the high quality of the documentation provided for the meeting. It was, however, regrettable that the documentation had not been available in Spanish for a period sufficient for the national authorities to be able to examine it in the respective countries. GRULAC expressed satisfaction at the results obtained by the Organization during the current year and, in particular, reiterated its appreciation and gratitude for the different initiatives undertaken during the Director General's first term in office, especially those which had served as tools for the economic, social and cultural development of developing countries. In relation to the working documents A/39/7 and A/39/8, the Delegation recognized the important work done in the context of daily activities and new initiatives developed by WIPO in the current biennium. Notable developments were highlighted on the subject of intellectual property, not only within WIPO but also in other important fora, along with the current state of the international debate on intellectual property. Intellectual property had been the focus of growing attention on the part of the international community in recent months. Important developments such as the historic adoption, within the World Trade Organization (WTO) of the Doha Declaration on the TRIPS Agreement and Public Health, had moved the subject of

intellectual property into a prominent place on the international agenda. GRULAC recognized that the intellectual property system could play an important role in the economic, social, cultural and technological development of the region, provided that the problems and challenges faced by nations were sufficiently familiar and appropriately dealt with. The main challenges facing WIPO were to guarantee the complete implementation of the development dimension in all the activities and proposals designed to promote the exploration of intellectual property. On the basis of that understanding, GRULAC supported the efforts made by WIPO to develop an intellectual property culture and the work that had been done to promote the public disclosure of intellectual property in all spheres of society. In that regard, the celebration of World Intellectual Property Day would continue to be undertaken jointly by the members of GRULAC. The Delegation highlighted that a balance should always be achieved between the rights and interests of holders on the one hand, and users on the other. GRULAC attached particular importance to the promotion of the cooperation for development program, not only through the constant support for national offices but also by strengthening the technical and human capacity in the different sectors of society. In that connection, it thanked the Organization for the projects undertaken during the current period. Emphasis was placed on the activities intended to facilitate the task of those responsible for taking political decisions in developing countries. GRULAC supported the initiatives designed to contribute to the formulation of policies and strategies relating to intellectual property, in order to stimulate local innovation, the technological development of indigenous communities, and the creation and use of intellectual property assets. The work done within that context by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore was recognized; as was the interest of reaching an agreement on the work of that Committee for a new mandate, with a view to promoting appropriate protection standards. In a different vein, the Delegation referred to the debate on the streamlining and rationalization of the procedures for obtaining and maintaining a trademark as a key point of the work of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications. It referred also to the work done by the Enforcement Advisory Committee, which should be directed toward technical assistance and cooperation. The establishment of standards should be excluded at all times from its tasks and functions. Note was taken of the establishment of an electronic forum for intellectual property issues and strategy as a mechanism for exchanging information in that sphere. It was important to clarify that such an area of work should have only the resources that were strictly necessary for the limited mandate granted to be fulfilled. In relation to the Standing Committee on Copyright and Related Rights, GRULAC shared the concern with studying the methods of protection for the rights of broadcasting organizations via the Internet. However, it did not believe that the time was right to include Internet broadcasts in a future international treaty. Votes had been taken on an international consensus concerning the aims and rights which should be included in that treaty and, in particular, on the need to hold a diplomatic conference to promote the new international instrument. The Delegation pointed out that GRULAC, especially the Central American and Caribbean region, continued to be under-represented in terms of the number of posts it held in the Organization, not only at a technical, but also at a political and a decision-making level. The Organization had not yet achieved appropriate representation or equitable geographical distribution. Mention was also made of two points of concern: the timetable for meetings and the fixing of mechanisms for rotation of the chairmanship of the three main bodies within the Organization. On the first point, it said that many meetings coincided with other meetings, particularly within the sphere of WTO. As regards the second point, the permanent rotation of the chairmanship of the three main bodies was proposed; the General Assembly, Coordination Committee and Program and Budget Committee. In conclusion, the Delegation highlighted the satisfactory results and the stimulation of activities designed to promote the economic, social and cultural

development of nations. The Organization should promote intellectual property in an effective form conducive to development, and GRULAC therefore urged the Organization to adopt the measures necessary to achieve effectiveness in the implementation of the development dimension in all its activities.

21. The Delegation of the Philippines, speaking on behalf of the Asian Group, commended the Director General for leading WIPO to another fruitful year and reiterated its congratulations for his re-election. His outstanding leadership and sterling management skills had transformed WIPO into a dynamic, responsive and forward-looking Organization. WIPO also owed much of its success to the outstanding performance of the highly professional men and women comprising the Secretariat. The Delegation noted that the Asia Pacific region was a wide region that encompassed 60% of the world's population; it was also a complex region that had diverse social, political and legal systems. However, while Asia represented one of the most dynamic and promising regions in the world, it was also an area whose economy was characterized by contrasting levels of development. In that context, the Delegation stated that the Asian Group highly appreciated the special attention that the Director General had given to WIPO's cooperation for development programs, and that it was grateful to the Asia Pacific Bureau for its valuable work in providing the region with countries specific and needs-oriented technical assistance. Further, it acknowledged the numerous expert missions, human resource development projects and legal technical advice received from WIPO, including the 54 regional, subregional and national meetings and training courses that WIPO had organized for the region in 2002, which had benefited more than 3,000 participants who now comprised a large reservoir of IP experts in that region. While WIPO had been instrumental in providing much needed technical assistance to the Asia Pacific region, the Group believed that a great deal of work still needed to be done, and therefore strongly urged WIPO to further strengthen cooperation for development activities, particularly training programs and assistance in modernization of IP administration. The priority given by WIPO to cooperation for development programs should also have a concomitant funding increase to ensure success. The Group therefore supported the implementation of on-going WIPO programs to modernize the Asia Pacific region's IP infrastructure, such as, for example, the IP office automation program, and WIPONET. The Group was confident that those projects would some day provide an effective networking structure between IP Offices of Member States and WIPO. The Delegation pointed to the WIPO Worldwide Academy as the pillar of WIPO's capacity building and human resource development program; the tremendous impact of the WWA was seen in the thousands of policy makers, legislators, lawyers and diplomats, among others, who had benefited from the WWA's professional training, policy development and distance learning programs. The Delegation noted the encouraging success of the PCT; the extensive use of the PCT was due mainly to its simple, efficient and cost-effective filing procedures, which, in the Group's opinion, would bode well for the PCT's future if WIPO would continue to enhance such user friendly features. Thus, the Group supported such steps that would further enhance the PCT's efficiency and cost effectiveness through advanced technology and rationalization of procedures, and in that light, congratulated WIPO for achieving another technological breakthrough by recently registering the first electronic patent filing done under the PCT-SAFE Project. The Delegation underscored that the Asian Region possessed a rich legacy of genetic resources, traditional knowledge and folklore, and valued the importance of those resources, not only through the utilization to the best advantage of its people, but also in terms of sharing their benefits in a fair and equitable manner with the larger international community. The Group therefore appreciated the importance of the Intergovernmental Committee for Genetic Resources, Traditional Knowledge and Folklore (IGC) and wished for its work to continue. The Delegation mentioned that the first WIPO conference on Genetic Resources, Traditional

Knowledge and Folklore had been held in a Member State of the Asian Group, Oman, in 2000. The Delegation emphasized the important role that SMEs played in Asian countries. Being major sources of innovation and technological development, SMEs comprised the backbone of most Asian economies. Unfortunately, the Delegation stressed, IP was still underutilized by Asian SMEs, and therefore supported WIPO's initiative to empower SMEs by promoting their greater use of IP. The Group expressed its belief that WIPO's programs should also be focussed towards the strategic goal of economic development in order to ensure an equitable balance between the development dimension and the interests of all IP Stakeholders. For WIPO's strategic goal and vision to be translated into positive development, the Group urged that WIPO's programs should move beyond just creating awareness, to tangible deliverables that would provide developing countries with the infrastructure and advice commensurate with their level of development and which were in harmony with their development goals. Such programs, therefore, should be demand driven to advance the economic well-being of developing countries. The Delegation emphasized that IP protection from the developing countries perspective was not a mere legal right, but, as the Director General had put it, was a tool for economic development: there could not be a one-size-fits-all approach to pursue development objectives. Rather, each country must be able to use the full set of flexibilities that were consistent with its international obligations to achieve such objectives. Finally, the Group would like to see these thoughts reflected in the strategic overview of the Director General's vision for the next biennium. The Delegation, speaking on its own behalf, concluded by noting that, in addition to the foregoing positions of the Asian Group, the Philippines wished to see the continuation of WIPO's work in the area of enforcement, the empowerment of the academic community, and close coordination with the Intellectual Property Office of the Philippines (IPOPIL), which was the national office that had the legal mandate to coordinate policies and programs with both the public and private sectors in intellectual property protection and enforcement.

22. The Delegation of Portugal, speaking on behalf of the countries of Group B, expressed the Group's gratitude to the Chinese authorities for all the work done and resources spent in respect to the preparation of the WIPO Summit on Intellectual Property and the Knowledge Economy, which occupied Member States and the Secretariat during several months, since the 2002 session of the Assemblies; however, unexpected and uncontrollable circumstances prevented that event from taking place. The Delegation extended congratulations to the Director General for his re-election, for the period December 2003 to 2009. It recognized with appreciation the efficiency with which he had organized WIPO's work during his first term of office, as well as the importance of the reform strategy he had established for the Organization so that IP would serve in a better manner the cause of economic growth and sustainable development. Group B appreciated WIPO's performance and activities, ranging widely from rule making, information technology to cooperation for development. Faced with emerging new global challenges and recognizing that the excellent performance should be credited to WIPO's leadership, the Delegation stressed that Group B was willing to continue to actively and constructively participate in all WIPO activities and to strengthen further cooperative relationships with WIPO. Furthermore, the Delegation extended the Group's congratulations to the recent appointment or re-appointment of the Director General's senior management team, and the Group's thanks to the staff of the Secretariat for their commitment, dedication and professionalism, affirming the Group's confidence in the Director General's choices about the distribution of responsibilities between the members of his team that would be communicated soon. The Group held firmly the belief that the creation, development and production of IP have played a fundamental role in rapid technological progress, in improvements in the human condition, and in the diffusion of art and culture across the globe. Assuring the benefits of IP required improving global

understanding of IP concepts, the establishment and reinforcement of the framework of appropriate national and international law, and effective international cooperation, all areas in which WIPO was active and influential. Towards that end, the Group was satisfied with the undertakings and achievements to date of WIPO in those areas under the leadership of the Director General. Despite being an integral part of the United Nations System, WIPO was in many respects a unique organization. The membership in WIPO's Unions and Treaties continued to increase, such that the membership of the WIPO Treaty, currently at 179 States, approached the membership of the United Nations Treaty. Since intellectual property issues had global scope, it was therefore appropriate that the membership of WIPO be comprehensive and that all Member States be ready to assume their responsibilities in accomplishing their missions. At the same time, WIPO provided important services, particularly registrations through the Patent Cooperation Treaty, the Hague Union and the Madrid Union, and mediation and arbitration services. Clients of those services, stakeholders in WIPO activities, provided more than 90% of its revenues, including significant revenues spent, for example, to finance international conferences, to provide support for many delegates to WIPO's bodies, and to underwrite programs of international technical assistance. Those activities and others were investments in encouraging and enhancing the international IP system. Stakeholders were not owners, but rather were those firms and individuals whose interests were directly affected by the activities of WIPO. By far, the greatest number of those stakeholders were nationals of Group B Member States. On their behalf, and in recognition of Member States' own fiscal responsibilities, Group B took a keen interest in all administrative questions at WIPO, including the budget, financial management, premises decisions and the effective elaboration and evaluation of its programs. The Delegation commended the Director General and his able team on both the Program Performance Report, and the Program Implementation Overview, which demonstrated in a most transparent way the achievements and shortcomings of the implementation of the present program and budget. The Delegation pointed out that the Member States were about to decide on a new program and budget, and noted that this time, the decision would not be an easy one because, due to the global economic slowdown, the number of new registrations had decreased to a certain extent, which affected the income projection of the Organization. The Delegation thanked the Secretariat for its acceptance of the establishment of an international mechanism of follow-up to ensure the advisable and necessary on-going control by WIPO Member States of the execution of the budget, taking into consideration the evolution of real revenues and expenses through the present and next biennium. In particular, Member States needed to monitor whether WIPO's income grew at the levels predicted by the Secretariat. Consequently, the Delegation noted that the Group would expect the Secretariat to periodically provide WIPO Member States with updated information on PCT revenues, reserves and technical and financial status reports on all building projects. The Delegation offered the Group's thanks to WIPO for the communication of the interim audit report of the construction project, and looked forward to receiving further information on the commitment of the Secretariat regarding the implementation of all the recommendations of the Swiss Federal Audit Office. Regarding human resources, the Delegation pointed out that the revised Program and Budget no longer proposed an increase in the recruitment of staff members. Nevertheless, the Group remained concerned about the inflation in the number of D and P level posts. Moreover, the Group encouraged the Secretariat to provide figures concerning staffing with short-term contracts, and to study the balance between the number of permanent staff and non-permanent staff. As far as WIPO's legal structures were concerned, including the international conventions administered by WIPO, the present Assembly would be approving some changes in the framework of a Constitutional reform, which the Group welcomed. At the same time, the Group hoped that it would be possible, in the long run, to agree on even further reaching results. The development of legal structures of WIPO was viewed by the Group as an

incremental process; in times of decreasing resources, the Organization should have a sound legal structure. Moreover, in a knowledge-based society with its research and development-driven industry, the importance of WIPO as the guardian of global legislation and harmonized practices had increased dramatically. Group B therefore regarded the continuing development of the legal framework for the international protection of IP to be of paramount importance. Three decades ago, the Member States of WIPO adopted the Patent Cooperation Treaty (PCT), which provided a separate framework of formality standards for international patent applications. By incorporating the formal requirements of that Treaty into the Patent Law Treaty, WIPO had made a big step forward in achieving a converging treatment of formalities with respect to both international and national/regional patent applications. However, at a time where political and legal boundaries no longer constituted an obstacle to the global circulation, and also the worldwide infringement, of IPRs, harmonizing formalities would not be enough. The Delegation encouraged WIPO to pursue the project that aimed at achieving agreement on a substantive harmonization of patent law, labeled the Substantive Patent Law Treaty (SPLT). Further harmonization of substantive patent law was a crucial precondition for the full mutual exploitation of the work done by other Offices, and in reducing the burden on applicants seeking worldwide patent protection. While thanking the Secretariat for the information provided with respect to investment expenditures, particularly expenditures relating to information technology (IT) and “projects” in that area, the Delegation expressed the Group’s concerns with respect to the amounts already invested in two major projects, namely, WIPONET and IMPACT, when comparing the amounts forecasted in 1998 with the current level of progress of those two projects. The Delegation pointed out that WIPO had been traditionally active in the field of marks, industrial designs and geographical indications. A number of amendments to the Common Regulations under the Madrid Agreement and Protocol had recently come into force. Those amendments had introduced several important changes in the international procedure. Further changes would be raised by the Group, such as the possible inclusion of Spanish as an additional language, and also certain modifications necessary to allow the accession of the European Community Marks to the Madrid System for the International Registration of Marks. As regards the operation of the Madrid System, the total number of transactions under that system in 2002 continued to increase for the fifth consecutive year, such that, at the end of 2002, the International Register contained already a total of some 400,000 registrations in force, which was roughly equivalent to over 4.5 million national registrations. A further increase in the use of the system was to be expected, after the accession of the United States of America, which would come into force in November 2003. The Delegation underscored that the legal framework for the protection of IP must be constantly updated and revised to keep pace with technological and market advances. In that context, the Group considered the WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty to be of utmost importance to meet the challenges of the digital millennium. As those treaties strike a good balance between the protection and exploitation of intellectual property, the Group was pleased that both of them had come into force. With regard to new IP related issues, such as the protection of traditional knowledge, including folklore, the Group appreciated the work done to date in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). The discussions in the IGC had led to a number of very useful practical results. However, the Group was of the opinion that a lot more remained to be done in that field. Therefore, in the Group’s perspective, the format of the IGC within WIPO should remain that of a special intergovernmental committee with a fixed term, operating according to the same rules and procedures as the existing committee. The term of the IGC should be extended for two years to keep with WIPO’s biennium budget cycle, with the possibility of renewal, as necessary. Regarding the mandate, in the Group’s view, the IGC should continue to engage itself in the examination and discussion of the IP

issues that arise in the context of access to genetic resources and benefit sharing, the protection of traditional knowledge, and the protection of folklore and traditional cultural expressions. The Delegation observed that the third session of the Permanent Committee on Cooperation for Development Related to Intellectual Property, which took place from October 28 to November 1, 2002, and which was composed of plenary sessions and a forum, provided an opportunity for Member States to review the WIPO cooperation for development activities, and as well, to exchange views on issues of strategic importance for the future, such as, for instance: (a) competitiveness and transfer of technology as relevant IP policies for small and medium size enterprises; (b) strategic directions for the WIPO Worldwide Academy; (c) future challenges on the context of the information technology opportunities; and (d) collective management as a tool for supporting creators. The outcome of the Permanent Committee was duly reflected on the proposed Program and Budget for 2004-2005, currently under consideration. The Delegation emphasized that key results were achieved in cooperation for development and in human resource development, including through the WIPO Worldwide Academy. The Delegation expressed the thanks of the Group to the Swiss authorities for their willingness to continue to assume the task of auditor of the accounts of WIPO, of the Unions administered by WIPO, and of the accounts of technical assistance projects executed by WIPO and financed, in particular, by UNDP, up to and including the year 2007. In renewing the designation of the Swiss Government as auditor of the accounts for the said period, WIPO Member States were not only recognizing the competence and the excellence of the work done to date by Switzerland, but also the assurance of a transparent, reliable and independent mechanism of external control in accordance with the competent provision of the WIPO Convention. The Delegation noted that the Group B countries were well aware of the important tasks that lay ahead, and in that connection gave the Group's assurance that it would work in the spirit of collegiality, mutual respect and devotion to WIPO ideals, not only during the current Assemblies, but also in all endeavors associated with the Organization and in support of the goals of reinforcing and extending understanding and respect for IP.

23. The Delegation of Romania, speaking on behalf of the Group of Central European and Baltic States, expressed the Group's appreciation on the way in which WIPO had conducted its policy agenda and carried out its planned activities. The Organization had put forward and implemented projects and initiatives which, on one side had met the needs and the expectations of the Member States, and on the other side, had streamlined WIPO's transition from a regulatory body into an Organization with an integrated vision where IP was seen as a tool for development. The Delegation highlighted the personal contribution of the Director General to the dynamic performance of the Organization, and observed that the vision of the Director General presented at the 14th extraordinary session of the General Assembly would allow WIPO to take up new challenges and to pursue an even more ambitious agenda. Taking into consideration the role of IP in the knowledge-based economy, the Delegation emphasized that WIPO was constantly called upon to extend its contribution in a world of increased complexity. The range of issues on WIPO's agenda reflected its commitment and ability to assist countries in their social and economic development; in recent years, WIPO had gained much visibility in the multi-lateral system and enhanced its role. The Group encouraged the Director General to continue those endeavors and to further improve WIPO's record during his second term of office. The Delegation observed that over the period under examination, significant attention had been given to issues that were of particular interest and concern to the countries in the Group: the modernization of the IP systems, as well as their use for economic and social development, had been well addressed, taking duly into account the existing realities and sensitivities. The Delegation underscored that the countries of the Group had embarked upon new fields and forms of cooperation:

under the current policy framework and working modalities, they could pursue even better such goals as, for example, further development of their IP systems, active participation in the international cooperation, enhancement of both the international IP system and benefit sharing from the existing regimes, raising the level of awareness in society on the importance of IP, and contributing to the development of the IP system within the Organization itself. The Group hoped that its countries would further receive appropriate attention and assistance in the future, but also believed that a more balanced regional representation was required through various bodies of WIPO. The specific needs and also the unique experience of the Group's region could be better taken advantage of with an enhanced participation of their representatives, especially in the WIPO Senior Management Team and the WWA. The Delegation noted that WIPO had responded adequately to the concerns of the Members States of its region, by providing assistance for the modernization of IP systems, with the aim of creating sustainable national IP institutions, as well as for the assistance to bring the relevant legislation into conformity with international obligations. Various activities had been carried out with the objective to strengthen the capacity of the national IP systems to ensure efficient participation in the international registration regimes and to facilitate accession to the WIPO-administered treaties. The countries of the Group had continued the process of accession to the WIPO administered treaties, and were party to most of those treaties. As emphasized in the new paradigm proposed by the Director General for WIPO's future activities, IP is a powerful tool for development and wealth creation, and in that regard, the Delegation noted the importance of activities linked to the economic use of IP and the empowerment of SMEs in order to enhance their competitiveness through the effective use of the IP system. In the Central European and Baltic States region, SMEs continued to be the most dynamic economic sectors and the source of innovation and technological development. The Delegation emphasized the importance of the WWA for human resources development, whose activities had gained more and more attention and enjoyed global support in that region. The challenges facing intellectual property in the 21st century required intensified cooperation with all key players in the international arena: the States, the private sector and the international and non-governmental organizations. The Group encouraged the Director General to continue applying an all inclusive approach, taking into account the means and the interests of all constituents, and confirmed that it was determined to bring out its own specific contributions to this effect.

24. The Delegation of Kazakhstan, speaking on behalf of the Group of countries of Central Asia, Caucasus and Eastern Europe, expressed the appreciation of the Group for the Director General's leadership and vision during his first term of office, and confirmed the Group's support for the efforts of the Director General and the Secretariat to strengthen the IP system and the Organization. The Delegation observed with pleasure that a staff from its region had been appointed to support the Director General in his work. The Delegation noted that the Organization was unique within the United Nations system, and had made a great contribution to the economic and social development of its Member States. For the countries of the Group's region, IP was a very important factor in respect to developing, promoting and speeding up market reforms. Since those countries still had economies in transition to a market economy system, the IP system in the region was still under development; however, it was developing quite quickly, thanks to a great extent, to the assistance and support given by WIPO, and it was hoped that such cooperation would increase. Kazakhstan had recently become a Contracting Party to several WIPO treaties, including the Nice Agreement on the International Classification of Goods and Services, the Madrid Agreement on the International Registration of Marks, the Locarno Agreement on Industrial Designs and the Strasbourg Agreement on International Classifications. Many countries in the region had acceded to many WIPO treaties, which was another step towards strengthening the IP systems

and developing society. The Delegation drew attention to an issue which had been raised in many instances, namely the use of the Russian language in WIPO meetings, since the Russian language was used widely in at least 12 States, and the Group would be very appreciative if the Secretariat would take this particular aspect of its work duly into account. The Group also felt that cooperation for development was an extremely important issue when it came to training officials in the region. The Delegation requested that the Secretariat treat the advisory and technical assistance provided to the countries of the region as a matter of absolute priority. The Delegation also requested that the presence of the region in WIPO meetings be increased, so as to more substantially contribute to the work of the Organization. Referring to an issue raised by GRULAC, namely, the rotation of the Chairs of the three major bodies of WIPO (i.e., the General Assembly, the Program and Budget Committee and the Coordination Committee), the Delegation noted that that was an important issue to the Group, and expressed its hope that it would be considered in a spirit of mutual understanding, which permanently prevails in WIPO.

25. The Delegation of China thanked the Director General and the Secretariat for the elaborate preparation of the Assemblies, and expressed its belief that, in the coming year, WIPO would surely play a bigger role and make even more outstanding achievements. The Delegation noted that, in the past year, with the support of the Chinese government, China's IP development had witnessed important progress. In 2002, the State Intellectual Property Office received 252,631 patent applications; among them, 80,232 inventions, 93,139 utility models and 79,260 industrial designs. In the same period, the Trademark Office of the State Administration for Industry and Commerce had received 371,936 applications for product trademarks and service trademarks, an increase of 37.5% over 2001; 223,793 trademarks were examined, and 212,533 were approved. In 2002, copyright administration authorities at various levels had received 6,408 cases and, among them, 6,100 were settled, which accounts for 95% of the total; punishment was implemented in 5,250 of those cases. In terms of patent legislation, the Delegation reported that in 2003 China had published "Implementation Regulations of Compulsory Licensing of Patents," whose main purpose was to standardize the examination approval of the application of the compulsory licensing of patent rights, standardize the examination approval of requests for deciding the royalties of compulsory licensing, and to standardize the examination and approval of terminating the request for compulsory licensing so that patent law and its implementation rules could be streamlined and made more effective. In the area of trademarks, China introduced the "Implementation Regulations of the Trademark Law" in September 2002. The protection systems for geographical indications and famous trademarks were improved. Additionally, the Delegation noted that regulations for registration and management of collective trademarks and certification marks, regulations for the identification and protection of famous trademarks, and implementation regulations for the international trademark registration under the Madrid Agreement, were all adopted or improved. For Copyright, from September 2002 to September 2003, China had revised and published "Regulations for the protection of computer software" and "Implementation regulations for the copyright law," and had formulated and promulgated regulations for the protection of folklore, regulations for collective management organizations, regulations for the protection of communication rights over information networks, and regulations for the payment of statutory licensing of broadcasting organizations. The Delegation expressed its high appreciation of WIPO's efforts in improving the international patent system, and in popularizing the use of IP, in exploring the relationship among IP, genetic resources, traditional knowledge and folklore; its effort in promoting PCT reform; its effort in revising IPC; and in further enhancing the international patent system, the development agenda, etc. The Delegation believed that the objective of these initiatives should be conducive to the development of IP systems of all countries in the

world and to economic, scientific and technological development. The Delegation supported the extension of the tenure of the Intergovernmental Committee on IP and Genetic Resources, Traditional Knowledge and Folklore. The Delegation noted that experts and scholars from Arab, Asian, Latin American and African countries had carried out in-depth research concerning the influence of the international patent system on developing countries, and had come out with systematic and comprehensive reports and suggestions. The Delegation highly appreciated the attention and fast response the Secretariat had given to areas of concern for Member States, and approved what was pointed out by experts in their reports, namely that the international patent system in the future should address the special needs of developing countries, as well as deal with issues relevant to developing countries, such as the protection of traditional knowledge. A robust international patent system should be able to meet a variety of needs and support the significant participation of all Member States when trying to meet its objectives. The Delegation expressed its hope and belief that with the concerted efforts of WIPO and its Member States it would be possible to eventually set up an international IP system which was more user-friendly, simpler and at the same time took into account the needs of countries in different stages of development. Towards that end, China was willing to further its cooperation with WIPO and its Member States, and make its due contribution for the further development of IP. The Delegation further informed that the Hong Kong Special Administrative Region (Hong Kong SAR) had been presented with many challenges on the economic and public health front during the past year, and that it was bouncing back. It noted that activities in the IP sector were on the increase again. In that regard, Hong Kong adopted in April 2003 a new trademarks ordinance which had enabled it to streamline procedures, offering clients greater flexibility, lower cost for trademark registration, and the ability to carry out all major trademark registration functions by e-commerce with effect from the beginning of 2004. Similar e-commerce functions would become available for patents and registered designs during 2004. During the period, the IPO had played a key role in mediating between the book publishing industry and the educational sector to clarify the scope of permitted copying of copyright works for teaching purposes. The negotiation with the book publishing sector had been a success, but further discussions relating to works in digital format did not meet the same degree of success, and it was hoped that there could be stronger dialogue at the international level to help remove the educational sector's uncertainty about copying and distributing copyright works through the Internet. The Delegation looked forward to cooperating with WIPO in achieving these objectives, and expressed its gratefulness to WIPO and the Director General for their continuing assistance and support.

26. The Delegation of Italy made its statement on behalf of the European Community and its Member States, as well as of the 10 acceding countries to the Union. It congratulated the Director General upon his re-election and expressed its appreciation for the work already accomplished by the Organization and for the dynamic, transparent and efficient way in which its activities were managed. The Delegation acknowledged that the performance of WIPO had established it as one of the leading UN specialized agencies in the knowledge driven economy and said it felt confident that with the valuable assistance of the recently elected senior management and all the staff of WIPO, the Director General would intensify the organization's drive to create an IP culture balancing the right of the creators and owners of innovative and creative works with the broader public interest. The Delegation observed that IP was an issue of ever-increasing prominence on international agenda, as it had become a key element of national industrial and economic policy and one of the central tools of worldwide cooperation and policy harmonization to encourage creativity and intellectual diversity. The task of WIPO's Member States was to consider whether and how IPRs could play a role in helping the world to reduce poverty, to combat disease, to enhance easier access

to education and public health and to contribute to sustainable development. By stimulating inventions and new technologies, WIPO could help to increase agricultural and industrial production, promote domestic and foreign investment and facilitate technology transfer. The Delegation also noted that the adoption by the WTO of the Doha Declaration on the TRIPS Agreement and Public Health and the decision on the implementation of Paragraph 6 of the Doha Declaration were important recent evolutions which would have to be reflected in WIPO's program of technical assistance for the coming years. The Delegation also stated that, because of the increasing recognition of its economic value, IP was becoming a major element in corporate business management. Therefore it believed that IP assets should be developed strategically to promote competition and create profitable business opportunities. In this context, it added that the success of a country meeting these challenges would depend on its ability to develop, utilize and protect its national creativity and innovation and expressed the view that the next WIPO medium-term plan 2006-2009 should continue to reflect the central role of IP as a tool for development, economic growth and wealth creation for all. It equally believed that the relationship between publicly-funded and university-based research and IP could be a dynamic one and that the R&D carried out by these institutions could result in inventions and generate revenue through licensing. It recalled that, in developing countries, research programs were mainly funded by the public sector or the universities but this funding was still insufficient. For this reason it trusted that investments and licensing ventures would be encouraged by WIPO through, for example, strengthening the International Patent System. The Delegation further said that the European Union was pleased to announce that an agreement had been reached amongst its Member countries which would allow the European Union to accede to the Madrid Protocol and to establish a link between the Community Trademark and the Madrid System. It wished to stress its appreciation for the establishment of the WIPO's Advisory Committee on Enforcement and for the careful consideration accorded to this important matter, being aware that those countries where counterfeiting and piracy take place suffer losses at many levels. It also pointed out that enforcement mechanisms help protecting the vital interests of rightholders as well as of the general public and, in this connection, it stated that the European Union was also playing a more active role in enforcing the IP protection system by adopting new legal measures against piracy and counterfeiting. As regards to WIPO's Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore, the Delegation expressed its satisfaction for the substantial progress made by the Committee and the fact that this body addressed both policy and practical linkages between the IP system and the concerns and needs of holders of traditional knowledge and culture. The Delegation also emphasized the active role played by the WIPO Standing Committee on Trademarks, Industrial Design and Geographical Indications and the important work it had done so far. In this context, it stressed that geographical indications were an issue of ever-increasing prominence on the international agenda and wished to express the full support of the European Union in WIPO's future work in this field. It also announced that Italy was ready and keen to host the next session of the WIPO Worldwide Symposium on Geographical Indications, in 2005. In conclusion, the Delegation recognized the efficiency of WIPO in organizing its work, the importance of the Organization's reform strategy and the initiatives undertaken to strengthen the enforcement system. It said that it was confident that the work carried out within the programs of the WIPO World Academy, the Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore, the Small and Medium-sized Enterprise, WIPONET, IMPACT, the Intellectual Property Digital Libraries (IPDLs) and the Office-Automation Assistance, would bring far-reaching benefits to all Members States and especially to the developing countries.

27. The Delegation of Nepal, speaking on behalf of the Member States of the South Asian Association for Regional Cooperation (SAARC), associated itself with the statement made on behalf of the Asian Group, and congratulated the Director General on his re-election, noting its appreciation of his leadership and the cooperation extended by WIPO in assisting countries in the SAARC region to establish modern IP infrastructures. The Delegation noted that SAARC would like to see an enhanced future level of such activities in the region. It reiterated the importance attached by SAARC to the on-going cooperation with WIPO, while it recalled the decisions taken at the SAARC-WIPO Regional Forum for IP Cooperation, in Bhutan, in October 2002, regarding the need for modernization of the overall IP system in the region. The Delegation urged the Secretariat to insure that the Forum's decisions were gradually implemented in an effective manner. Regarding WIPO's medium-term plan, the Delegation expressed its support for WIPO's main objective: the promotion of IP protection and cooperation by creating an adequate environment and infrastructure, and by assisting developing countries in building capacities to ensure their greater access to, and use of, the IP system. The Delegation also noted that this should be the guiding principle and the standard against which progress during the Assemblies could be measured. It noted with satisfaction the contents of the Program Performance Report and the Program Implementation Overview. While it welcomed the efforts made by the Secretariat in the SAARC region, it stressed the need to expand the scope of activities in order to ensure greater benefits to the common people. It noted that the balance between the IP protection and the service to the public at large needed to be carefully maintained. The Delegation stated that SMEs could play an important role in the progress and prosperity in developing countries and LDCs, and that SMEs were becoming a driving force in the SAARC region as well, although their innovation and creativity had not been fully explored. Furthermore, many countries in the SAARC region were seeking protection for their inventions, brands and designs, and were making efforts to take full advantage of the IP system. The Delegation underlined that WIPO had a role to play in creating new mechanisms to support these endeavors, and it pointed out that the SAARC region was well placed to take advantage of the cooperation provided by WIPO. It also expressed its appreciation of the WIPONET Project and noted with satisfaction that the Project had already started in most of the countries in the region. Also, the Delegation highlighted the important role of the WIPO Worldwide Academy in providing teaching, training and research services, as well as for creating a forum for policy debate for decision-makers in the region, to analyze the importance and implications of the emerging IP system. The Delegation also noted that the SAARC region was rich in genetic resources, TK and expression of folklore, constituting important elements in the region's cultural heritage, which it stated should not only be protected but also be made productive to the people. It expressed its confidence that WIPO would continue to give priority to the protection of TK, genetic resources and folklore, and it welcomed the expansion of the scope of WIPO's program to cover these areas. In conclusion, the Delegation voiced its belief that knowledge was at the core of development and that capacity building in developing countries was therefore indispensable for sustainable development around the world. In this context, the Delegation hoped to see WIPO take an active part in promoting the development cooperation dimension of IP and in narrowing down existing disparities, and it assured the Assemblies of SAARC's continuous collaboration in order to achieve equitable progress and prosperity for all, through the protection and promotion of the IP system.

28. The Delegation of Egypt associated itself with the statement made on behalf of the African Group and expressed its appreciation for the achievements under the first mandate of the Director General. The Delegation stated that the prolific discussions in the IP community demonstrated, on one hand, the advantages of IP protection and, on the other, the cost and implications of such protection, particularly for developing countries, in such fields as

environment and public health. The main upcoming challenge was, in the view of the Delegation, to promote the development dimension of IP, by bringing forward concerns and priorities of developing countries, which constituted a main partner in the international debate on such questions. This promotion should not be limited to providing further technical assistance to developing countries, but should aim at maximizing the benefits for those countries by making use of the flexibility available under IP norms. Furthermore, balanced standards should be set which were taking into account the differences in levels of development and social conditions. The Delegation intended to pursue the promotion of the development dimension in various WIPO activities, believing that the purpose of creating an IP culture depended closely on the success accomplished in promoting the development dimension of the IP system as a whole. The Delegation welcomed both documents under discussion, and it encouraged the Secretariat to continue efforts in developing appropriate indicators to measure the performance level of the Organization. The Delegation also expressed its satisfaction with the coming completion of IT projects, particularly, WIPONET, and hoped that, as a result, developing countries would soon be able to face the challenges of the digital environment. The Delegation highlighted main national developments in the field of IP: legislation had been completed with the publication in 2003 of the Implementing Regulations for Law No. 82 on the Protection of IP, taking fully into account Egypt's international obligations under the TRIPS Agreement; and, the procedure for the ratification of the PCT had been completed and the Treaty had entered into force on September 6, 2003. The Delegation emphasized the importance attached by the Government of Egypt to the PCT, which constituted a pillar for the international patent system, and expressed its intention to apply the PCT system in an efficient manner. In that context, the Delegation thanked WIPO for the assistance provided during the accession process, the enhanced cooperation between WIPO and the Arab countries, as well as WIPO's rapid response to requests for assistance. The Delegation looked forward to further cooperation for the modernization of Egyptian institutions working in the field of IP, through staff training, modernizing working methods, and providing state-of-the-art IT equipment. Finally, the Delegation stressed the importance of expanding the participation of experts from developing countries in WIPO meetings to enable such countries to keep abreast of issues under discussion. It also mentioned the importance attached to providing documents for technical meetings in Arabic, which would contribute to enhance the participation by Arab countries in such meetings. The Delegation reiterated its wishes of success for WIPO in its endeavor to promote IP protection as a tool to create prosperity for all countries and nations.

29. The Delegation of Malaysia associated itself with the statement made on behalf of the Asian Group. It acknowledged the significant achievements made by WIPO in 2002 and in the first half of 2003, and commended the Director General and WIPO for the efforts in promoting IP. It expressed its confidence that under the Director General's leadership, WIPO would continue to make progress and to grow stronger. The Delegation reiterated the importance attached by Malaysia to IP, being one of the key factors contributing towards economic development of the country. In this regard, various efforts had been undertaken to promote and protect IP in Malaysia, including the establishment, on March 3, 2003, of the Intellectual Property Cooperation of Malaysia, aiming at providing more effective and efficient IP services. The Delegation furthermore noted that Malaysia was moving towards a knowledge economy, and that it was in the process of adopting a national IP policy with the objective to harness IP as the new mover for economic growth and as an economic tool to enhance Malaysia's long-term competitiveness. The goals of the National Intellectual Property Policy (NIPP) were: to develop a sophisticated IP industry; to maximize IP value by developing an IP ecosystem as a key business infrastructure; to develop a critical mass of IP intensive ventures and enterprises that use Malaysia as a strategic base to manage the entire

IP value chain; to focus on upstream IP generation activities; to build new IP management capabilities in the public and private sector; and, finally to set higher standards for IP protection and enforcement. The Delegation also announced that Malaysia would accede to the PCT by the end of 2003, and that in order to comply with the various provisions of the PCT, the Parliament of Malaysia had recently approved the necessary amendments to the Malaysian Patent Act. The Delegation expressed its confidence that Malaysia's membership of the PCT would provide better access to the national patent systems in the PCT Member States. The Delegation concluded by re-affirming its commitment towards promoting and protecting IP, and reiterated its commitment to working closely with WIPO to this end.

30. The Delegation of Benin, speaking on behalf of the Group of Least Developed Countries (LDCs), praised the Director General's efforts and assured him of the Group's support in his responsibilities. It declared itself pleased with the results achieved for the benefit of LDCs, and laid stress on the need for progressive and continuous reinforcement of the human and institutional resources of LDCs, notably through improved technical cooperation. It considered that it was essential for the commitments made by the international community at a number of international conferences, notably the Third United Nations Conference on LDCs, held in Brussels in May 2001, to be taken up. It was particularly appreciative of the progress made by WIPO for the benefit of LDCs, namely in the drafting and distribution of the document "Intellectual Property Profile for the LDCs," the installation of WIPONET in a number of countries, the training of executive staff by the WIPO Worldwide Academy in the various aspects of intellectual property, the creation of societies for the collective management of copyright, the organization by WIPO in 2002, together with WTO, of two regional workshops in Dar-es-Salaam (Tanzania) and in Dhaka (Bangladesh) to prepare for the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights. The Delegation was also pleased with the conversion of the Least Developed Countries Unit into a Division, and wished that the new structure might be given sufficient human and material resources. It welcomed the important decision taken to implement the TRIPS Agreement and Public Health, adopted in August 2003 in the course of the trade negotiations of the World Trade Organization (WTO), and emphasized WIPO's important contribution in that area. It encouraged the Organization to intensify its cooperation with the WTO on one hand and with the countries concerned on the other, in order that LDC populations might genuinely and rapidly benefit from the advantages deriving from that decision with regard to access to medicines and drugs, which were essential to the fight against diseases such as AIDS, tuberculosis, malaria, etc. It then invited the Member States to pay particular attention to the following issues: judicious technical cooperation through the sharing of experience among States and assistance in the field of technology transfer to help LDCs break out of the poverty cycle, establish their own infrastructures and build up their human, institutional and technological resources. With regard to questions concerning genetic resources, traditional knowledge and folklore, the Delegation of Benin stressed the need to achieve some codification of the field through the drafting and rapid implementation of relevant legal instruments based on equitable, consensual standards that took due account of the interests of all the members of WIPO, especially the most vulnerable among them, namely the LDCs. The Delegation ended by saying that optimism should remain the order of the day, but subject to commitment to concerted, dynamic action and to an innovative approach.

31. The Delegation of Sri Lanka associated itself with the statements made by the Philippines and Nepal on behalf of the Asian Group and SAARC, respectively. The Delegation warmly congratulated the Director General on his re-election, and wished him all

the success in his future endeavors. His dynamic and visionary leadership had transformed WIPO into a vibrant, forward-looking and results-oriented Organization, with an inclusive, consensual management culture, which would successfully face the challenges brought on by the current global environment. The Director General had enabled WIPO to cater to the various and diverse needs of the Member States, and Sri Lanka was committed to extending its fullest cooperation to him. A careful and well-defined vision, clear target-setting, transparency, management skill and efficient implementation of programs were all instrumental to these achievements. What had been achieved, and what was programmed for the future clearly demonstrated that the Organization was heading in the right direction. The Delegation was extremely pleased to refer to the positive and result-oriented assistance and cooperation extended to developing countries, including Sri Lanka. Efficient and far-sighted programming and budgeting immensely contributed to the success of this program. Such assistance and cooperation should continue and be further expanded, covering areas such as: creating and strengthening IP culture, helping the stakeholders in protecting and using IP as economic assets, addressing the human resource issues and furthering efforts to make the global protection systems more user-friendly and cost effective. The Delegation shared its view that WIPO's program on the social dimension of intellectual property needed more focussed attention. More effort should be made in the direction of strengthening the protection of traditional knowledge, expressions of folklore, genetic resources and benefit-sharing arrangements. In this respect Sri Lanka expected that the work of the IGC would continue with a view to formulating and drafting a possible global framework. Sri Lanka was in the process of implementing a multi-faceted program of activities relating to intellectual property. A new legal regime was recently introduced, aligning Sri Lanka more closely with its international obligations, including the TRIPS Agreement and the Trademark Law Treaty. Sri Lanka was seriously considering becoming party to the WIPO Internet Treaties and the Madrid Protocol. Other areas receiving attention were: public outreach, human resources development, user-friendly IP-administrative systems including automation, use of intellectual property by SMEs for their competitive advantage, collective management of copyright and related rights, as well as cost-effective and time-saving enforcement mechanisms. A program was underway to promote the creative activities among various sectors of the population, including students. The Delegation expressed its gratitude to the Director General and his staff for the assistance, cooperation and encouragement received, and expected that these would continue and be further strengthened in the time to come. The Delegation noted that regional and sub-regional cooperation on intellectual property was another area of importance to Sri Lanka. The Asia Pacific region and sub-region groups such as the SAARC and BIMSTEC held immense potential for cooperation in intellectual property matters and, in this respect, the guidance and assistance extended by WIPO was extremely encouraging and far-reaching. The Delegation informed that at the recently concluded WIPO Round Table Meeting of the Heads of Intellectual Property Offices of the Asia and Pacific in Colombo, Sri Lanka, it was proposed to make Sri Lanka a regional hub for intellectual property activities. In conclusion, the Delegation wished every success to the Director General and his staff in their future activities and endeavors.

32. The Delegation of India congratulated the Director General on his re-election, noting that under his leadership WIPO had taken significant strides in the areas of IP, and it expressed its confidence that the future direction of WIPO would include a further focusing on the issues critical to IP culture worldwide. The Delegation associated itself with the statement made on behalf of the Asian Group, and gave its full support to initiatives providing vision, leadership and strategic direction to WIPO and enabling its consolidation as a forward-looking, transparent Organization which is not only responsive to the varied requirements of the Member States, but also effective in consensus building. India's support

had emerged from an increasingly broad-based recognition that IP was integral to any viable strategy for economic development and progress. The Delegation also expressed its belief that WIPO had a major responsibility in catalyzing, facilitating, and supporting IP-related initiatives of its members, especially those from the developing countries. The post WTO/TRIPS era had raised several concerns, and WTO Member States, who were also WIPO members, had a valid expectation that WIPO would proactively address those concerns and provide pragmatic solutions. The Delegation also noted the Director General's special efforts in streamlining work in WIPO by initiating constitutional reforms, new construction programs and other staff welfare measures. The Delegation expressed its concern regarding a shift in emphasis from development and co-operation activities, and was of the opinion that WIPO should continue its own rich legacy of concentrating on co-operation and developmental activities. Regarding the Program Performance Report for 2002, the Delegation noted its appreciation with the emphasis given to the digital agenda, development cooperation activities, SMEs, global IP issues relating to TK, folklore and bio-diversity, patent and PCT reforms, and support to infrastructure development. The Delegation in particular underlined its appreciation for WIPO's assistance, through its NFAP, regarding modernization of patent, trademark and industrial design offices, the geographical indications registry and the provision of WIPONET to the Indian Copyright Office. Furthermore the Delegation highlighted the steps taken by the Government of India regarding IP infrastructure and its commitment of nearly \$27 million to meet the challenges posed by the enactment of new IP laws and imperatives of modernization. It noted the benefits received from WIPO advice and IP Australia in orienting the Indian IP infrastructure to achieve international standards, and stated that these initiatives should be complemented by increased WIPO support. It also noted that India had benefited substantially from WIPO's cooperation activities and that developing countries looked up to WIPO for a strategic direction in different fields of IP. It highlighted WIPO's efforts in enhancing the awareness among SMEs about the important role of IP in enhancing their competitiveness, and informed the Assemblies about initiatives taken in India, in particular, the organization of a second Seminar-cum-Video Conference for SMEs on IP, in Delhi, in late 2003, which would simultaneously be telecast at different regional centers throughout India, as well as through the educational channel "Gyan Darshan", in association with WIPO. The Delegation also noted that becoming a member of the Budapest Treaty would help scientists, not only in India, but also in the neighboring countries and that WIPO training programs would go a long way in further strengthening India's efforts in this direction. It further stated that the Government of India had set up a Copyright Enforcement Advisory Council, an inter-ministerial group with representatives from enforcement agencies and the industry, to periodically review progress regarding the Copyright Act. Also, in 2002, India had signed a Framework Agreement for Cooperation with the WIPO Worldwide Academy and steps had been taken to create linkages between Indian organizations, such as the Indira Gandhi National Open University (IGNOU), and WIPO in order to promote IP education. As a result, a diploma course on IP, through distance learning, is expected to be launched in January 2004 by IGNOU-WIPO, which would be open to participants from other Asian and African countries as well. The Delegation also highlighted India's scheme of IP Education Research and Public Outreach (IPERPO), under which, 100% assistance was being given to universities and other organizations for promoting IPRs, besides creating general awareness about IP issues through various programs. Last year 52 such programs had been conducted. Furthermore, the Government of India, in collaboration with WIPO, had organized the Asia-Pacific Regional Seminar on IP and Genetic Resources, TK and Folklore, in Cochin, India, in November 2002, and the recommendations of the Seminar regarding registries and the creation of standards on development of TK related databases had been adopted at the 5th Session of the IGC, in July 2003. The Delegation further noted that India's efforts in creating a TK digital library had been recognized by WIPO, and that similar efforts

were underway in South Africa and ARIPO, and expressed its confidence that WIPO would continue to play a leading role in setting up such digital libraries in all areas of TK, including folklore. India had documented its Ayurvedic systems of medicines in the form of a TK digital library for use in patent offices, and efforts to expand it further to include other indigenous systems of medicines like the Unani, Siddha, Yoga were still ongoing. The Delegation offered its cooperation and support to WIPO's efforts in this field in developing countries, and expressed its belief that the IGC would move towards a norm setting exercise leading to an international instrument. The Delegation also highlighted the establishment of a Core Group by the Government of India to further amend the Indian Copyright Act, and noted that the Group had completed its consultations and that legislative action to amend the Act would be undertaken. Also, nationwide consultations were on-going to amend the Indian Patent Act. The Delegation noted that increased support from WIPO to Member States was required in three specific areas. Firstly, enhanced support was needed for the development of effective and simple means of public education and awareness creation aimed at the average citizens of developing countries and LDCs. Secondly, WIPO's norm-setting activities should orient itself to enhancing the usefulness of the IP system for the society as a whole. The Delegation stated that India considered the current exercise in the Standing Committee on the Law of Patents, the Committee on Reforms of the PCT, and the proposed agenda for an international patent system, not only as a means of updating and developing new methods of providing IP protection and respecting human creation and innovations, but also as a means for fostering economic, social and cultural development and bridging the gaps between competing interests. Thirdly, increased support should be provided to developing countries for putting into place a modernized, administrative framework, which in India had been a major priority, involving the enactment of necessary legislation and amendments, as well as modernizing administrative processes. The Delegation concluded by reiterating that in India the building up of a national consensus on IP issues has been attempted through a nationwide consultative process involving different stakeholders and constituents.

33. The Delegation of Myanmar expressed its congratulations to the Director General for his re-election, the excellent work and outstanding leadership provided to WIPO during his first term of office, and praised the staff of the Secretariat. The Delegation wished to associate itself with the statement delivered by the representative of the Republic of the Philippines on behalf of the Asian Group. The Delegation commended the Secretariat's unrelenting and untiring efforts in promoting the role of IP throughout the world, as a power tool for economic growth and sustainable development. Most States had witnessed the launch and follow-through of many new dynamic and innovative initiatives. The outstanding achievements included the establishment of the WIPO Worldwide Academy, several innovative projects on emerging issues related to intellectual property such as genetic resources, traditional knowledge and folklore, the creation of the special SMEs unit in the Organization, the WIPO Patent Agenda, the WIPO Digital Agenda and the WIPONET. In sum, the Delegation wished to convey profound gratitude to the Director General for launching, guiding and facilitating the implementation of these projects. It also wished to pay tribute for the continuing efforts of WIPO in demystifying intellectual property and in highlighting the vital role of intellectual property in achieving economic, social and cultural development. In addition, Myanmar fully supported WIPO's management culture, including the adoption of the management system and tools that make the Organization more accountable and transparent in its operation; the establishment of a consultative process that enabled the Member States to fully participate in policy and decision making; and, the continuation of a strategic and forward-looking vision of global leadership in intellectual property protection and related issues. With regard to the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and

Folklore (IGC), Myanmar believed that the time was right to start negotiations and substantive work on the subject, leading to deliver concrete results such as an international legal instrument. In this regard, the Delegation wished to express full support for the continuation of the work of the IGC and for conferring a negotiation mandate upon the IGC to accomplish this important task. In conclusion, Myanmar pledged the fullest cooperation and support to this Organization and its ongoing activities, projects and programs.

34. The Delegation of Belarus stated that intellectual property was a universally recognized key factor in economic, social and cultural development, and that it attached great importance to the development and strengthening of the system of protection and enforcement of intellectual property rights. The Delegation noted that the future well-being of the people of Belarus consisted in making effective use of the available scientific, technical, inventive and overall creative potential of the nation. The development of intellectual activity, legal protection and effective use of results were therefore priority trends in State policy. As an intellectually developed State with a research-intensive economy, Belarus was extremely keen in cooperating with WIPO. The visit made by the Director General in June 2003 had been extremely fruitful and had added fresh momentum to the development of a national system of protection and enforcement of intellectual property rights. On behalf of the national leadership, the Delegation expressed sincere gratitude to the Director General for this visit, the assistance provided in establishing and developing legislative, material and technical foundations, the support for efforts and initiatives in the intellectual property field, and WIPO's willingness to provide assistance and support in the future within the program of cooperation between the Government of Belarus and WIPO. In this connection, a Memorandum of Understanding was signed during the visit of the Director General. An essential legislative base had been created in Belarus, allowing legal protection to be implemented for all types of industrial property, as well as copyrights and related rights, including the producers of phonograms, broadcasting organizations and cable operators. In 2003, the Law on Geographical Indications and the new Law on Patents, Utility Models and Industrial Designs entered into force, the provisions of which were laid down in accordance with the PLT. The Delegation noted that the legislative Acts in force contained provisions prohibiting the unsanctioned use of industrial property rights without the permission of the rights owners and a list of civil liability measures provided for by the Civil Code, and provided for liability for the infringement of rights. The measures relating to criminal and administrative liability for the infringement of copyrights, related rights and patent rights were established by the Criminal Code and the Code on Administrative Offenses. The Customs Code contained standards providing protection for intellectual property subject matter in cases where goods were moved across the customs borders of Belarus. Legislative provisions had also been adopted, curtailing unfair competition. The Delegation further stated that the legislation in the field of copyright and related rights corresponded to international agreements to which Belarus was a Party. However, in order to strengthen actions to combat infringements in the intellectual property sphere, changes would be made to the Law on Copyright and Related Rights, to tighten control over the reproduction and dissemination of audiovisual works or phonograms, and to provide a registration procedure for computer programs and databases. Furthermore, the Articles governing the activities of the organizations responsible for the collective management of copyrights would be updated. Also, a committee for the protection of rights and actions to combat IP infringements had been set up, to coordinate the activities of national management bodies in the implementation of national IP policies, and to adopt measures to combat the unlawful circulation of intellectual property. The main difficulties faced by Belarus and many other countries, in relation to effective measures to combat IP infringements, were the lack of trained specialists and technical equipment for detecting counterfeit goods, and the fact that cooperation had not

been established between the rights owners and the bodies responsible for curtailing offenses. The Delegation also thanked the Director General for the support provided in setting up the Intellectual Property Institute in Minsk, for the training of senior employees and specialists from various sectors of the economy, and from law enforcement and customs agencies. The use of the experience and knowledge accumulated by the WIPO Worldwide Academy would allow the provision of a high level of training. The Delegation welcomed and supported WIPO's efforts in harmonizing patent and trademark legislation, and noted the intention of Belarus to accede to the PLT and the TLT. A procedure had also been launched for accession to the Hague Agreement. The Delegation also stated that the approach taken by WIPO to solving new current problems in the intellectual property field had generated great interest, in particular with regard to genetic resources, traditional knowledge, folklore, the role of intellectual property in increasing the competitiveness of SMEs, and the protection of intellectual property in the Internet domain name system. The Delegation expressed particular gratitude for the provision of practical assistance in relation to automation of the National Intellectual Property Center, and hoped that WIPO's cooperation and assistance would continue, in order to solve the problem of transition to an electronic system for filing industrial property applications. Belarus supported WIPO's activities in promoting the development and protection of intellectual property, the creation of a global information network, and the establishment of an IP culture and strengthened international cooperation. The Delegation concluded by commending the documents prepared by the WIPO Secretariat for the Assemblies, and noted that the adoption of these documents would make an essential contribution to the successful development of the worldwide intellectual property system.

35. The Delegation of Malta expressed its appreciation for the well-prepared documentation presented to Assemblies by the Secretariat, referring in particular to the comprehensive and detailed report highlighting the organization's high performance of the previous year. The Delegation associated itself to the statement made by the Delegation of Italy, on behalf of the EU Member States and of the acceding States to the EU, and added some observations. It shared WIPO's view of the need to increase awareness of the intellectual property system and stated that the establishment of two new coordination offices in Washington D.C. and in Brussels would further enhance this objective. It welcomed WIPO's efforts to demystify intellectual property, especially among small and medium-sized enterprises, a sector which forms the backbone of the Maltese business community. In this context, it pointed out that it would welcome WIPO's assistance and cooperation with a view to launching an awareness program to target Maltese SMEs and students. It acknowledged that the increase in accessions to WIPO-administered treaties clearly reflected the international community's commitment towards cooperation and harmonization in the field of intellectual property and informed the Assemblies that in Malta preparations were well advanced for the accession, early next year, to the Rome Convention and to the Patent Cooperation Treaty. The Delegation added that the accession to PCT would provide new challenges to Malta's intellectual property office, but felt confident that, with the continued cooperation of WIPO, the office would be able to overcome the initial difficulties and contribute to improving the economic performance of Malta. An area to which the Delegation attached great importance was the development of human resources. Commending WIPO's efforts in this field and, in particular, the online courses offered by the WIPO Worldwide Academy and the Academy's Summer School, the Delegation expressed Malta's willingness to contribute in further promoting WIPO's goals and objectives in relation with human resources development. It further stated that, with the approaching accession to the EU, Malta was looking forward with enthusiasm to this historical milestone and to the important role in the Euro-Mediterranean process, particularly in the services sector, that its geo-strategic position - in itself an intellectual property - would allow it to play. It is with this vision in mind that Malta,

together with all its partners and hopefully with the valid contribution of WIPO, intended to exploit this potential to the fullest possible in order to make it a reality. In conclusion, the Delegation expressed its heartfelt appreciation to the Director General, the Division for Cooperation with Certain Countries in Europe and Asia, the PCT and Copyright Sector, for their continued assistance in the past year, and affirmed that the re-election of the Director General and his new team had strengthened Malta's confidence in the future tasks of WIPO and its willingness to work closely with the Director General in order to achieve the recommendations of the General Assembly.

36. The Delegation of Slovakia offered its appreciation to the Director General and WIPO staff for the excellent documentation, and congratulated them for the progress made and results achieved during the year 2002 and the first half of 2003, particularly in demystifying intellectual property and building the international patent system. The Delegation noted with appreciation that the reports provided a transparent synopsis of implemented activities. The key role WIPO will play in the 21st Century gave special significance to the visit by the Director of WIPO's Worldwide Academy to Slovakia in October 2002, which added momentum to increased cooperation between Slovakia and WIPO. The Delegation stated that this event was a catalyst for another series of educational activities, focused on increasing public awareness of the role of intellectual property protection. Slovakia welcomed the results achieved by the WIPO Worldwide Academy, in providing professional training to a growing number of participants. The President of the Industrial Property Office had already opened three patent information centers that will serve the public with basic information on IP, as well as on national and international systems of IP protection. In this regard, the Delegation expressed gratitude for the technical assistance provided by WIPO. Another very important event was the 10th anniversary of the Industrial Property Office, celebrated in May 2003. The Delegation again expressed thanks and appreciation to the Director General for his address, full of encouragement and support, which was presented at this exceptional event. The Delegation stated, in conclusion, its assurance that Slovakia and the Industrial Property Office would continue to support, cooperate and participate in WIPO's projects and activities to the maximum extent possible, and would fully support the efforts of the Director General. It stressed that Slovakia still needed the support of WIPO and highly appreciated this assistance.

37. The Delegation of Jamaica congratulated the Director General on his re-election, and assured him of Jamaica's support for his outstanding leadership. The Delegation was pleased to see that the demystification and public outreach, aiming at the creation of an intellectual property culture, continued to be one of WIPO's priorities, both with regard to the general public and specific targeted audiences. The Delegation noted that the Organization had created new interactive audiovisual and printed information products to explain the nature and contribution of intellectual property, and had expanded the content and reach of its website. Countries in the Caribbean sub-region viewed public awareness of IPRs as a cornerstone to building and strengthening intellectual property systems, and to encouraging innovation and creativity. Everyone should be made aware of the benefits of intellectual property protection, including the dividends that may be gained from such protection. That was why Jamaica had continued to sensitize its learning institutions, law enforcement officers and persons working in the cultural industries. The Delegation also noted that a major focus in 2003 had been to increase the intellectual property awareness of Jamaica's youth. Also, Caribbean Ministers, at their last WIPO Ministerial Level Meeting in June 2002, had recognized that an urgent and massive public awareness campaign was required in the Caribbean to promote IPRs, the use of intellectual property systems by Caribbean people and to assist in the enforcement of IPRs. Jamaica had benefited from the mission of a WIPO corporate image consultant who assisted

in providing practical and cost-effective means of strengthening the Jamaica Intellectual Property Office's public education program, by working in close collaboration with both public and private sector entities. The upcoming launch of the Jamaica IP Office's website in October 2003, and the celebration of Intellectual Property Week as an annual event around World IP Day in April, had become parts of this ongoing effort. The Delegation also noted that in 2003, the Jamaica Intellectual Property Office had received generous support from private sector companies and intellectual property interest groups, and that Jamaica would continue to work with WIPO to achieve the objectives for public awareness set by the Ministers. It thanked WIPO for its unwavering support to the Caribbean Ministerial Level Meetings on Intellectual Property. The next meeting would be held in Antigua in November 2003, where agreement would be sought on a common approach to strengthen the role of intellectual property as a tool for development in the Caribbean. Automation and staff training remained priority areas for Jamaica and for the Caribbean, and the Delegation was pleased that WIPO had initiated the use of the trademark module in four Caribbean countries, including Jamaica. The Jamaican Intellectual Property Office was in the process of implementing the automated trademark system, which was critical to the efficient functioning of IP Offices, and was working closely with WIPO in that regard. The Delegation stated that its IPO has begun to realize the potential benefits of such a system in its daily operations, such as the ease with which searches could be carried out. A search that would normally take a week could now be done in minutes. The Delegation furthermore stated that WIPO training courses had been indispensable for building IP capacities and Jamaica was pleased to host the regional training course on trademarks, organized by WIPO in cooperation with its Intellectual Property Office, which was highly commended by participants, including regional representatives, Jamaican Intellectual Property Office staff, trademark agents, attorneys and trademarks proprietors. The Delegation hoped that with WIPO's continued support, training in the region could be increased in other areas of IP. It also noted that collective management in the area of copyright and related rights remained central to the IP system of the Caribbean sub-region, and that Jamaica viewed collective management as a means by which creators could receive due compensation for the global exploitation of their works. The Delegation was grateful for WIPO's commitment and support to the regional collective management program in the Caribbean, which had enabled the Caribbean Copyright Link (CCL) to assist national societies in processing copyright royalty distributions. CCL's capabilities were supported by the Society Management System, a software developed by the General Society of Authors of Spain (SGAE), which put it on par with the most established collecting societies in other developed countries. Distributions had been carried out in all four societies that were part of the Caribbean Copyright Link, including the Jamaica Association of Composers, Authors and Publishers (JACAP), which began its distribution of royalties in December 2001. The Association was now in the process of completing the distribution for 2002 and had seen a 25% increase in membership. The Delegation looked forward to WIPO's continued support with software development and delivery for the Caribbean Copyright Link, and in the future, toward the development of a collective management system for related rights. It also welcomed the entry into force of the WCT and the WPPT, which established the legal framework to safeguard the rights of creators of works on the Internet and to bring copyright law in line with the digital age. Given the importance of Jamaica's cultural industry and the need to safeguard the interests of Jamaican creators, it had been deemed particularly necessary to become a party to these two instruments, and therefore, on March 12, 2002, Jamaica had acceded to these treaties. Also, Jamaica had participated actively in the WIPO Diplomatic Conference on the Protection of Audiovisual Performances in December 2000. While a treaty had not been concluded, considerable progress had been made, and Jamaica anticipated further work in this area in the very near future, as it sought to conclude an instrument to safeguard the rights of performers against the unauthorized use of their

performances in the audiovisual media. Jamaica also remained keenly interested in ensuring that its national economy, consisting essentially of SMEs, would become more competitive in a globalized economy. The Delegation noted that the intellectual property system was recognized as a key element in achieving that competitiveness, and a catalyst for development. Therefore, the Jamaica Intellectual Property Office, in collaboration with the Jamaica Business Development Centre, was facilitating the use of the IP system among SMEs. In conclusion, the Delegation underscored that WIPO was a key partner in its country's overall development efforts. With its global reach and expertise, it remained an Organization of tremendous importance and relevance to developing countries such as Jamaica, who were seeking to put in place a modern IP system that responded to their development needs.

38. The Delegation of the Republic of Korea congratulated the Director General for his re-election, pointing out that his previous mandate had been characterized by initiative and leadership. It also commended the Director General for reforming the administration of WIPO and for enhancing the awareness of intellectual property as a critical tool of social, cultural and economic development. The Delegation also congratulated the newly appointed Deputy Directors General and Assistant Directors General. It stated that it fully supported the direction and focus of the WIPO programs under review, affirming that WIPO had been and would continue to be on the right path. The Delegation wished to highlight two of WIPO's important achievements: the sustained growth in the worldwide use of the PCT system, and the decisive leadership in the rapidly growing cyberspace dispute over the domain names and cybersquatting. The Delegation announced that on April 2003, the Republic of Korea had joined the Madrid Protocol and that it was considering joining the Hague System. The Delegation observed that we lived in the age of the knowledge-based society, where intangible assets, such as ideas and knowledge, were replacing the traditional role of the land, labor and capital in economic development. According to a report recently issued in Korea by a leading research institute in Korea, one percent increase in patent applications generate 0.11% increase in economic growth over a period of three to five years. Thus, the most significant economic development in Korea stemmed from its inventive and creative activities. The Delegation also reported that intellectual property applications in Korea had increased by around 10% over the past two years and the Korean Intellectual Property Office (KIPO) had received around 300,000 applications a year. Like many IP offices, KIPO's priority was to shorten the pendency period while maintaining the quality of examinations. Furthermore, KIPO had increased the number of examiners as well as the outsourcing of examination tasks such as prior art and classification. KIPO had also enacted many policies that encouraged and supported inventive and innovative activities. Recent initiatives for promoting invention had focused on five objectives, namely: to foster an innovative environment; to encourage respect for IP, to promote creativity and innovation among students; to support the invention activities of SMEs, to facilitate the transfer of technology. The Delegation indicated its readiness to share the experience and the valuable lessons with other IP Offices, and distributed copies of a booklet on its invention promotion activities. The Delegation pointed out that many IP offices had highly appreciated the efficiency and stability of the Korean computerized IP administration system. It also informed the Assemblies that since the KIPOnet system was put into operation in 1999, KIPO had received more than one million IP applications via Internet. Currently, electronic applications constituted more than 93% of all patent applications received by KIPO. In order to coordinate with WIPO's PCT-SAFE system, a Korean PCT e-filing system was being developed in cooperation with WIPO, and would be hopefully completed by next year. In addition, another plan to upgrade KIPOnet, the KIPOnet II project, had been already launched with the expectation to enable the KIPO to respond in a more timely and efficient manner to the needs of its clients. In this

connection, the Delegation reiterated KIPO's willingness to contribute to the automation of other IP offices. It noted that the Republic of Korea was engaged in various WIPO-sponsored activities and that, within the framework of its bilateral agreement with WIPO, its cooperation with WIPO focused on nine areas. It further stated that contributing to the development of the worldwide IP system and to the operation of other IP Offices was a special honor for its country. To this end, its Government was considering to establish a Korean-funded trust in WIPO, consisting of about 800,000 US dollars, possibly as of next year. The proposal was under review of the Korean National Assembly and, if established, the fund would support the provision of technical assistance to other IP offices. The Delegation also pointed out that KIPO had started a three-year technical consultation project in conjunction with APEC, aiming at providing technical assistance for the automation of IP offices in developing economies of the APEC region. The project was being funded through cost-sharing arrangement between APEC and KIPO. In addition, the Republic of Korea was considering to host jointly with WIPO, in 2004, the high level interregional round table on IP for LDCs. For the preparation of the round table, it looked forward to working closely with WIPO and with other IP Offices. The Delegation also informed the Assemblies about the 2004 Seoul International Invention Fair, to be held in the second half of next year. In conclusion, it expressed the hope that WIPO would keep exercising its leadership in tackling the newly emerging international IP issues as, according to it, WIPO was the ideal UN specialized agency for resolving such issues, including the protection of IP in cyberspace

39. The Delegation of Ethiopia applauded the Director General for his vision and outstanding leadership of the Organization, and expressed its appreciation to the entire staff of the Secretariat for their hard work and for the comprehensive documents. It commended WIPO for the highly satisfactory performance in 2002 and in the first six months of 2003. The Delegation associated itself with the statement delivered by Zambia on behalf of the African Group. The Delegation perceived that there was a growing awareness of the potential of intellectual property as a tool with which to leverage increased economic growth of nations, as a policy instrument to create wealth, and enhance social and cultural development, covering key policy fields such as food, security, health, labor, trade and traditional knowledge. The importance of land and natural resources as a wealth-creating potential continued to decrease. In this context, the Delegation referred to the Director General's book, entitled "Intellectual Property: A Power Tool for Economic Growth." Given the immense importance of intellectual property, WIPO's mission of encouraging creative ability and mandate to promote the protection of IP throughout the world, should play a leading role in supporting the efforts of Member States, particularly the developing ones, to foster the conditions necessary to encourage creative and innovative activities. The Delegation noted that LDCs were plagued by constraints such as: poor managerial and technical capability; shortage of financial resources; weak public administration and deficiency in physical infrastructure, all of which had a serious bearing on their efforts to unleash the creative potential of their people. It was thus incumbent upon WIPO and the international community to support LDCs in their efforts to address these constraints and to establish a well-functioning national system of innovation, that had at its core a strong, modern and well-enforced intellectual property system. WIPO had initiated and successfully been implementing the commitments it made as part of its contribution to the current UN development decade for the LDCs. WIPONET had provided LDC's intellectual property offices with Internet connectivity and basic equipment. The WIPO Worldwide Academy had provided LDCs with teaching, training, advisory and research services in intellectual property. Collective management societies for copyright and related rights were established in several LDCs with the support of WIPO. With respect to genetic resources, traditional knowledge and folklore, as the LDCs are considered to be rich in these assets, WIPO was helping a

number of LDCs in their participation in national, subregional and regional seminars, and had assisted LDCs in their participation in the various meetings of the WIPO Intergovernmental Committee on IP and Genetic Resources, Traditional Knowledge and Folklore. Should ongoing deliberations on these themes result in the enacting of intellectual property protection for these assets, it would have a significant positive impact on the socio-economic and cultural development of LDCs, as custodians of such treasures. The Delegation added that SMEs remained the driving force behind economic activities in the LDCs, and indicated that WIPO had facilitated the participation of representatives from LDCs in various seminars and workshops, at both the regional and subregional levels, and was providing web-based assistance with practical information on intellectual property issues for SMEs, and SME support institutions in LDCs. The Delegation expressed its appreciation to the Director General for strengthening the LDC unit in WIPO. While it applauded WIPO for what it had been doing so far to address the constraints facing LDCs in the field of intellectual property, it encouraged WIPO to continue doing so to ensure that its LDC members were equipped with modern and well-functioning national intellectual property institutions. Ethiopia was grateful to WIPO for the technical cooperation support it had received over the years. It had recently established the Ethiopian Intellectual Property Office, to enhance its capacity in the field of intellectual property, and called upon WIPO and the Member States to provide the necessary support to build the human and institutional capacity of this Office. Specific technical assistance was requested, to prepare concrete practical guidelines in the form of model provisions and strategies, for the identification, recording and protection of folklore, the development of a technological information support system and, the preparation of a practical national handbook to serve as a guide for technology transfer negotiations. Ethiopia had also initiated negotiations to join the WTO, and wished to request support from WIPO and Member States with respect to its negotiations on the TRIPS Agreement. Finally, the Delegation recalled its satisfaction for the unanimous reappointment of the Director General for another term. It was confident that, under his leadership and with the relentless efforts of its hardworking staff, WIPO would continue to meet the ever-growing demand for assistance of its Member States and to play a leading role in ensuring that the IP system was an efficient and effective tool for economic growth and accessible to all.

40. The Delegation of Algeria expressed its gratitude to the Director General and to the delegations for their support at the time of the violent earthquake that struck the region of Algiers in May 2003. It conveyed its congratulations to the Director General on his re-election, and praised the quality of the documents submitted to the Member States for consideration. It then reported on a number of reforms of the intellectual property protection system in Algeria, announcing four new legislative texts, one on patents, another on trademarks, a third on integrated circuits and the fourth on copyright and related rights, enacted to bring the Algeria's laws into conformity with the TRIPS Agreement. It added that steps were being taken towards accession to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks. It also mentioned a number of recent events that had to do with cooperation, such as the computerization of industrial property management, the training of officials, including magistrates, and finally the introduction of industrial property teaching in legal science faculties and the school of magistrates. In that connection it conveyed its heartfelt gratitude to WIPO, the European Patent Office (EPO), France and the United States of America for the many forms of cooperation from which it had benefited. It expressed gratitude also to the Cooperation for Development Bureau for Arab Countries, and declared itself pleased with the results of the 2002-2003 accounting period. The Delegation ended by reaffirming its determination to consolidate its cooperation with WIPO.

41. The Delegation of Albania expressed profound gratitude for the kind assistance offered by the Director General and WIPO to Albania. Their country was making great efforts to overcome the difficulties arising from the period of transition and entering the track of development. The Delegation wished to take the opportunity to present some achievements of the Albanian Patent and Trademark Office (APTO). More than 30,000 trademarks and about 17,000 patents had been recorded by the APTO, through national applications, the Madrid Agreement, the PCT and the Extension Agreement with the European Patent Office. Every year, there had been an increase in applications ranging from 12% to 15%. This year Albania became a member of the Madrid Protocol, the Nice Union and the Budapest Treaty, and anticipated signing the Hague Agreement in the near future. Gratitude was extended to the Director General and his staff, for the installation of WIPONET. The Delegation noted that the Albanian law on industrial property had been revised, to bring it in full compliance with the TRIPS Agreement, PLT and TLT, taking into consideration the suggestions made by WIPO. Also, it was happy to inform that Albania was no longer in arrears concerning its contributions to WIPO. The Delegation noted that an awareness campaign for the public in general and, in particular, for SMEs, on the importance of the industrial property system had also commenced, and that Albania had established regular contacts with many offices in Europe and worldwide. A seminar concerning the Madrid Protocol and Hague Agreement had been organized in Tirana at the beginning of 2003, and another concerning the importance of patent information and the PCT would take place at the end of November 2003, both organized by WIPO, in cooperation with the APTO. These seminars had contributed, and would contribute to, demystifying intellectual property and creating a modern system of industrial property in Albania. With the view of reaching its goals in the future and in reliance of WIPO's precious suggestions and advice, the Delegation indicated that further assistance from WIPO would be required, in qualifying judges and officials from institutions involved in the protection of IP rights as well as in the automation of the Office.

42. The Delegation of Trinidad and Tobago congratulated the Director General on his re-election, and endorsed his strategic vision for the Organization. The Director General's vision and strategic direction had been exemplified for the Caribbean region by the consistent assistance provided in respect to the development of their IP offices. It also looked forward to the implementation of a far-reaching "Cooperation For Development Agreement," which would result in a quantum leap in IP for the region. The Delegation anticipated the signing of that Agreement at the next Ministerial level meeting which was due to take place in Antigua in November 2003. The Delegation endorsed the statement made by the representative of GRULAC on behalf of Latin America and the Caribbean. It emphasized that maintaining the right balance between the needs of creators and users of IP to support economic development was a continuous task, which relied upon the ever-increasing demands associated with human, financial and physical resources. The Delegation reiterated its appreciation for the support of WIPO and other large offices, such as the Patent Office of the United Kingdom, for their contributions to the development of the IP system in Trinidad and Tobago. It commended WIPO on the work of the Standing Committee on Patent Law, and noted with satisfaction that its own national legislation already embodied many of the progressive features contained in the draft text of the Patent Law Treaty; it looked forward to the Committee's completion of regulations and guidelines. The Delegation also commended the Standing Committee on Trademarks, Industrial Designs and Geographical Indications, especially for the work being done to address new challenges in the area of domain names. It noted that Trinidad and Tobago had received 98% of its patent applications in 2002 via the Patent Cooperation Treaty, and appreciated the progress being made in the reform of the PCT, including PCT EASY and PCT-SAFE, and the promise of PCT-SAFE to be a full e-filing system. While the Delegation encouraged progress in that direction, it also asked that cognizance be taken of the slightly

different set of assumptions necessary for smaller IP offices in developing countries. Since the WIPO Assemblies meeting of 2002, the IP office of Trinidad and Tobago had undertaken a major exercise in automation with the installation of a patents module, and a better version of the Internet access module, which had given the office an income generation opportunity. This office had also been instrumental in assisting in the automation of other offices in the Caribbean, such as Jamaica, Barbados and St. Lucia, by making available its expertise in the development of trademark and patent systems. In June 2003, at the regional seminar on the Patent Cooperation Treaty held in Kingston, Jamaica, the country's delegation had noted the introduction of topics on the evaluation and commercialization of IP. The Delegation commended that initiative, and looked forward to the introduction of evaluation and risk assessment of IP for securing equity capital. In that connection, the Delegation urged WIPO to continue to support the work of the Small and Medium-Size Enterprises Unit, by continuing to increase that Unit's budgetary allocation, which would facilitate more missions to countries like Trinidad and Tobago, and thereby allow for important face-to-face discussions among SMEs, financial institutions and other similarly enabling institutions. The Delegation congratulated WIPO on its efforts to encourage more efficient and effective enforcement mechanisms, and encouraged the Organization, through the WIPO World Wide Academy, to continue to develop practical programs for the police and other enforcement agencies, and to engage in other pro-active efforts and programs in 2004 and beyond. The Delegation informed that a reprographic rights organization had recently been established in Trinidad and Tobago, and that efforts were underway to strengthen legislative provisions and enforcement institutions in an effort to discourage piracy. The Delegation noted that the Director General and his team had continued to build a strong Organization, resulting in the expansion of the scope of WIPO's activities, moving from a purely legal framework to incorporating activities in de-mystifying IP and thereby making it more easily understood by the general public. As a result, IP was moving at an accelerated rate as a potential engine of growth. As part of its public education initiative, the Trinidad and Tobago IP office had distributed WIPO comics on Trademarks, Copyright and Patents to many schoolchildren and to other members of the public. Copies of "At Home with Inventions" had been sent to every school in Trinidad and Tobago, and the WIPO SME CD-ROM had also been distributed, producing very encouraging feedback regarding its usefulness, effectiveness and assistance in the development of business plans. The Delegation noted that the development of human resources formed an integral part of the Government's human development agenda as it pursued its vision to transform the country into a developed country by 2020. In that regard, the Delegation was grateful to WIPO for its expert missions and for its assistance in training IP office staff at all levels. It also congratulated the WIPO World Wide Academy (WWA) for its excellent work and for the training offered. For 2004, the Delegation anticipated that a trade mark training course for the Caribbean region would be developed, utilizing expertise in the Caribbean, which would take into consideration that region's legal systems and trading conditions. The IP Office also looked forward to the speedy introduction of the "Advanced Training Distance Learning Course." The Delegation hoped that the Alternative Dispute Resolution Services of WIPO could increase the level of work within developing countries, particularly in the area of mediation. Finally, the Delegation commended the Intergovernmental Committee on IP and Genetic Resources, Traditional Knowledge and Folklore, for the quality and volume of the work achieved, which could serve as a guide for the drafting of national legislation in countries where no such legislation existed.

43. The Delegation of South Africa congratulated the Director General on his re-election and commended his visionary leadership. It furthermore associated itself with the statement made on behalf of the African Group. The Delegation noted that the Assemblies came at a time when IP and the economy, trade, health and developmental policies were trying to

cohabit, and that the Assemblies therefore were facing a problem if it was not prepared to confront issues related to IP and world problems in general. It further noted that multilateralism should take the center stage in the world trade system, and that the IP system should just be an *iota* of the bigger picture. Also, the Assemblies should take into account the concerns of Member States and, where necessary, should state that bilateral agreements might weaken the multilateral regime. The Delegation emphasized that the Assemblies should be aware of the fact that failure to take decisions, or to unnecessarily postpone issues that were ripe for decision, would have a serious impact on Member States, in particular LDCs, in various fields. With regard to the creation of a legally binding international treaty regarding the protection of genetic and biological resources, TK and folklore, the Assemblies should recognize that presently these issues fell under the sovereignty of Member States and that trading in them without appropriate measures should be outlawed internationally. An internationally binding instrument should therefore be drafted during the 2004-2005 biennium. Furthermore, reform of the PCT should await the completion of a legally binding international instrument on the protection of genetic and biological resources, TK and folklore. In this context, the Delegation also noted that experts should not decide on policy issues, for example, the disclosure of the origin of genetic resources and punitive action to be taken in case of non-disclosure, should be left to policy makers. It also stated that no new WIPO treaty, including on the protection of audiovisual performances, should be concluded if potentially it would be negatively affecting issues related to genetic resources, TK and folklore. The Delegation noted that the development of the international patent system should always be kept on the agenda of the WIPO Assemblies, in order to empower Member States to craft their national IP system with trade and economic issues. The Delegation continued by stating that the Advisory Committee on Enforcement should build capacities on enforcement developing countries, and noted in this context that the benefits of enforcement should be commensurate with the economic benefits accruing from the IP system. WIPO should therefore seriously consider how technology transfer in terms of the TRIPS Agreement should take place. Furthermore, the Delegation noted that the Assemblies should endorse decisions regarding the protection of country names and the names of international inter-governmental organizations against their use as Internet domain names, and that the decisions taken last year by the Assemblies should be incorporated into treaty law. The Delegation expressed its support for WIPO agreements with international organizations. It noted however that WIPO should separate issues pertaining to the registration of IP and matters pertaining to IP policies in relation to economic, trade, political and developmental issues. The Delegation also underscored the need for UN agencies to work in harmony, and noted that the UN had already established a recognizable international body of law, in terms of international treaties, customary international practices, opinions, arbitration awards and judgments of the International Court of Justice. Such international law could have a profound effect on bodies who are outside the UN system, and South Africa therefore supported the work of the UN Joint Inspections Unit. Further, the Delegation announced that Cabinet had approved the ratification of the Madrid Protocol, the Hague Agreement (1960) and the Geneva Act (1999). Since these international agreements would affect South Africa's national laws and international obligations, Parliament would still have to debate these issues during the 2003-2004 Parliamentary sessions. The instruments of accession would be deposited with the Director General when all implementation systems were in place. The Delegation also noted that South Africa would be working with the WIPO Secretariat and the Madrid Union to make sure that staff were appropriately trained for the smooth implementation of the Madrid and Hague systems. The Delegation mentioned, that South Africa was reviewing and analyzing international agreements administered by WIPO with a view of possibly acceding to them, on the basis that the benefits should outweigh the disadvantages. South Africa was also reviewing its legislation in relation to the IGC's work and would encourage other

Member States to do the same. The Delegation expressed South Africa 's support for Finland's application to the International Search and Examination Authority under the PCT System, and hoped that it would share its expertise with other Member States. In conclusion, the Delegation urged WIPO to assist the African Union, SADC, ECOWAS and COMESA as well other regions to formulate a Protocol declaring them one entity for the purposes of accessing public health issues. This would enable them to resort to parallel importation of drugs within their area of jurisdiction. The Delegation reiterated its thanks to WIPO for the training provided via on-line courses, the WIPO/UNISA IP Program which had benefited the staff of the South African Intellectual Property Office, and the PCT Roving Seminars which took place in different centers of South Africa. Finally, the Delegation announced that the legislation on collective management had been passed last year, and it solicited WIPO's assistance for the drafting of the implementing regulations.

44. The Delegation of Brazil stated that in the 21st century the sustainable development of all the people and nations, the eradication of poverty and illiteracy and the fight against hunger constituted daunting challenges, also referred to in the Millennium Declaration of the United Nations, on which the attention of the international community must focus. Moreover, important developments had recently taken place in the field of IP. The adoption of the Doha Declaration on TRIPS and Public Health in November 2001 was an essential milestone highlighting the importance of the issue of protection of IP and its potential implications for the developing countries in areas of public interest. The Delegation said that it was important to make sure that the costs of the protection of IP did not override the benefits deriving from it and added that the needs and the special difficulties encountered by the developing countries were to be recognized unequivocally in order for them to benefit in an effective manner from the intellectual property system. According to the Delegation, the major challenge that WIPO faces today, and would continue to be facing, was the full integration of the "development dimension" in all its activities and initiatives of promotion of intellectual property. In this connection, it was pointed out that the integration of the development dimension should be the strategic direction to be followed by WIPO in the next biennium and beyond, in conformity with United Nations policies and principles. The Delegation also noted that the promotion of the protection of IP was not an end in itself and that the objectives and the principles on which the IP system were based are incorporated *inter alia* in Articles 7 and 8 of the TRIPS Agreement. WIPO provides technical assistance for the implementation of the TRIPS Agreement. The Delegation stressed that IP should be an instrument of social, economic and cultural development and that should contribute to foster not only technological innovation, but also technology transfer in such a way so as to benefit both producers and users of technical knowledge. Furthermore, it cautioned that it was essential to maintain a balance between the rights of the rightholders and the interests of society. Consequently, all activities and initiatives related to IP, including those undertaken by WIPO, should contribute to this objective and never undermine them. The Delegation observed that developing countries should be given the necessary flexibility to implement their obligations and their IP system in a manner compatible with their development level and their social, environmental, educational, scientific and public health objectives. The Delegation finally stated its confidence that the Director General during his second mandate would lead WIPO in conformity with the interests, priorities and vision of its Member States.

45. The Delegation of the Islamic Republic of Iran congratulated the Director General on his re-election, which it saw as a valuable opportunity for the Member States of WIPO to enjoy his able, strong and robust management. The Delegation expressed confidence that through the technical, legal and training assistance of the Organization, the Member States, in particular developing countries, would be able to take significant and fundamental steps

towards the promotion of IP. The Delegation noted that, in the course of the last year, the Islamic Republic of Iran, with the close cooperation of WIPO, had taken significant and fundamental measures in the field of IP. The Iranian Parliament had approved the accession to the Madrid Protocol and the letter of accession would be submitted to the Director General during the course of the Assemblies meeting. The instrument of accession to the Madrid Agreement on the Repression of False or Deceptive Indications of Sources of Goods, and the Lisbon Agreement on the Protection of Appellations of Origin and their International Registration, had been submitted to the council of Ministers. The preliminary measures for accession of the country to the Patent Cooperation Treaty had been taken and the same would shortly be discussed in the Council of Ministers. The draft Act on Patents, Industrial Designs, Trade marks and Service marks, and Trade Names, as well as the draft Act for Protection of Geographical Indications, which had been prepared by the High Legal Consultative Committee in accordance with the model law provided by WIPO, had been submitted to the Parliament. The Working Committee of the High Committee for Traditional Knowledge, Folklore and Genetic Resources continued its activities related to studies on Traditional Knowledge, Folklore and Genetic Resources at the national and international levels; with the guidelines of that Committee, and the instructions and directives provided by the Intergovernmental Committee on IP and Traditional Knowledge, Folklore and Genetic Resources, important steps had been taken for preparation of the required laws and regulations. With the cooperation of WIPO, Masters Degree courses on IP had been established in three major universities, and for the first time in the current educational year, those universities had accepted students for those courses. In addition, to develop and improve the knowledge on IP, some experts from different organizations, with the cooperation of WIPO, had been dispatched abroad to participate in various training courses and also to take part in different seminars on IP. In order to increase public awareness, in particular with respect to scholars, owners of enterprises, experts, professionals and interested parties, with the cooperation of WIPO, a Regional Seminar on Traditional Knowledge, Folklore and Genetic Resources had been held last year in the historic and ancient city of Isfahan. Representatives of around thirty countries, as well as high-ranking authorities of the Islamic Republic of Iran, had participated. The Delegation believed that the holding of this seminar, as well as national seminars on the PCT and Copyright, had a great effect on increasing public awareness, especially on IP rightholders.

46. The Delegation of Cuba congratulated the Director General on his re-election, and also the Deputy Directors General and Assistant Directors General of the Organization. The Delegation highlighted the quality of the documents in the sense that they afforded detailed information, together with quantitative and qualitative analysis, which made it possible to have a clear idea of what WIPO's work had been in relation to the objective set and the results achieved as shown by the performance indicators. The Delegation made a special mention of the fact that WIPO would continue to devote resources to the budget headings on traditional knowledge, genetic resources, folklore and electronic commerce, and also to the work done on the demystification of industrial property for the benefit of small and medium-sized enterprises. It drew attention to the work done under the Program for the Development of the International Patent System, and especially the investigation of the consequences of the system for developing countries, regarding which it considered that the subject should continue to be studied in greater depth, with the focus on the implications of the international patent system for national policies on public health, food safety and the environment in developing countries, by means of practical experiments to illustrate the impact of the patent system at the macroeconomic and the microeconomic level. The Delegation recognized the work done by the Organization in the use of information technology, especially through WIPONET and PCTSAFE, and also the support given to the development of the national

industrial property system in Cuba, with special reference to the creation of provincial industrial property subsidiaries and the establishment of municipal industrial property offices in the Province of Havana. The WIPO cooperation had had a beneficial effect on the training of human resources, especially in the areas of research, development and the marketing of industrial property assets. It said that the celebration of World Intellectual Property Day in Cuba had involved the organization of innumerable public awareness activities, broadcast on the national communication media, and the holding of various events on different subjects. Apart from that, the holding of the Fourth Latin American Intellectual Property Meeting had provided the countries of the region with a forum for interchange. The holding of the First Industrial Property Congress in Cuba constituted an international gathering of incalculable value to the various intellectual property operators in the region, namely the research and development sector, the corporate sector, official industrial property agents and the academic sector. The Delegation ended by giving its support to the statement made by the Delegation of Costa Rica on behalf of the Group of Countries of Latin America and the Caribbean.

47. The Delegation of Costa Rica expressed its complete agreement with the terms of the statement made previously by GRULAC and reaffirmed its full support for the appointment of the Director General for a second term in office, highlighting that under his leadership intellectual property had WIPO had acquired a more relevant profile at the international level. It also expressed confidence that the Organization would fulfill its task of promoting intellectual property as an instrument for economic, social and cultural development and growth, especially in developing countries. The Delegation referred to the actions promoted by its Government in the intellectual property sphere, i.e. the process of promoting and updating the standard-setting framework and the establishment of a committee comprising representatives of public and national institutions, coordinated by the Ministry of Justice, and intended to unify efforts with regard to legislative initiatives. The committee had produced and submitted draft regulations under the Law on Integrated Circuits, a draft reform of the law of procedure in relation to enforcement, and the final version of the Draft Regulations under the Provisions Relating to Appellations of Origin was being evaluated. Similarly, the Delegation noted the positive results produced by the Registry of Copyright and Related Rights, in the form of an advisory office which users could access personally, via telephone, fax or electronic mail. In similar vein, the Delegation highlighted the importance of the cycle of conferences organized in the Technology Institute of Costa Rica, the Ministry of Public Works and Transport, the National Library, State University for Distance Learning, the National Apprenticeship Institute, the Ministry of Culture and the Association of Phonogram Producers. Information was also provided on the initiative to launch an information campaign in national education centers, for which teaching material, appropriate for the different levels of education, had been designed, and whose content covered in a clear and simple manner the general concepts of intellectual property, as well as its importance for culture and economic development. In the same vein, it noted that it was planned to launch an advertising campaign, in the national mass media, both on television and radio. The Delegation referred also to the work in progress concerning the System of Registration Information for Copyright and Related Rights, the system of submission of forms to the Intellectual Property Registry and the project to modernize the technological information service in the field of patents. Similarly, it highlighted that the Ministry of Justice had taken measures to optimize the results of the technical training provided by WIPO, extending it to officials at all professional levels from both Registries, the benefit of which had been to improve the quality of the services provided for users. The Delegation also mentioned the cooperation received from WIPO in spheres such as the automation of the registries responsible for protection intellectual property, the promotion of the Hague Agreement, and training for small craftsmen and producers from rural areas in the country regarding appellations of origin and geographical

indications. Finally, it welcomed the trust that WIPO had shown in Costa Rica in holding the first meeting of the Regional Committee for the Strengthening of Collective Management in Central America and the Dominican Republic, and, more especially, the support and cooperation provided by the Secretariat over many years, and reiterated its agreement to continue supporting WIPO policies and projects so that intellectual property was an effective tool designed to enable nations to make progress.

48. The Delegation of Dominica affirmed its commitment to WIPO, and noted the comments of the Director General, that knowledge and creativity were resources shared by every nation and every culture, and that when developed and strengthened by the IP system, those resources helped improve lives, create jobs and strengthen national economies. The Delegation hoped that the Organization would continue to receive the necessary support which would allow it to achieve its full objectives, and expressed its thanks and appreciation for the assistance given to its country, and to the other countries in the Caribbean.

49. The Delegation of Grenada offered its congratulations to the Director General on his re-election. The Delegation underscored its recognition of the important role of IP in economic and social development worldwide, and expressed its appreciation of the assistance given to it by WIPO in the area of technical training and human resource capacity building. It noted that a workshop had been held in Grenada last year, sponsored by WIPO, which had gone far in the process of sensitizing the Grenadian public with regard to IP. It also noted that the Registrar of Companies, Patents and Copyright, and an officer in the Ministry of International Trade, had received training at the WIPO Worldwide Academy. The Delegation emphasized its appreciation for the assistance provided by WIPO, namely the WIPONET equipment. As Grenada was in the process of reviewing its legislative framework with respect to the TRIPS Agreement, the Delegation looked forward to WIPO's continued assistance in that regard; it also reaffirmed its commitment to participating in a fair and truly integrated world IP regulatory framework.

50. The Delegation of Tunisia repeated its congratulations to the Director General on his re-election, praised the quality of the documents made available to it by the Secretariat and expressed its gratitude to the Cooperation for Development Bureau for Arab Countries. It also welcomed the creation of two new WIPO liaison offices in Washington, D.C. and Brussels, and expressed the wish other such bureaux might be created to cover other regions, with a view to broadening and strengthening the Organization's links with its Member States. It was pleased with the initiatives conducted with Governments, civil society and the private sector to make for better visibility of the link between intellectual property and genetic resources, traditional knowledge and expressions of traditional culture. However, it did feel that, at the present stage in the work of the Intergovernmental Committee, it was becoming imperative to concentrate effort on the drafting of an instrument of international protection, which as far as some of its aspects were concerned should synergize with the UNESCO Convention on the Intangible Cultural Heritage and with the work conducted at the international level on the drafting of an instrument for the protection of cultural diversity. It drew attention to the ever-greater place occupied by intellectual property in Tunisia, in view of its impact on the country's economic, industrial, social and cultural development. It regarded as essential the implementation of the provisions of the relevant treaties and the adoption of appropriate measures. It announced the adoption in Tunisia of a social security regime for the benefit of performers, the aim being to assure them of a decent life and to offer them a favorable environment for their creative work. Also, with a view to facilitating the protection of inventions in all areas of technology,

Tunisia had acceded to the Patent Cooperation Treaty (PCT) on December 10, 2001, and on August 4, 2003, had adopted a law on its accession to the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. That strategy was focused among other things on the development and promotion of the activities of the various partners in the intellectual property field, including the scientific research sector, the handicraft sector, agriculture and small and medium-sized enterprises (SMEs). In that connection, and following a visit by a delegation of experts from the Organization the previous February, a draft program for the benefit of those involved had been drawn up in collaboration with WIPO. The Delegation of Tunisia repeated its wish to write that modernization project into the WIPO development program in the form of a framework agreement between Tunisia and the Organization. The Delegation ended by announcing that an Afro-Arab regional meeting on the economic advantages of the protection of the cultural heritage would be organized in Tunis in 2004 with the assistance of WIPO.

51. The Delegation of Kenya congratulated the Director General on his re-election while commending his outstanding achievements, and pledged Kenya's continuous support and cooperation. The Delegation associated itself with the statement made on behalf of the African Group and underscored the importance of WIPO in facilitating the conclusion of new international treaties, in administering existing treaties related to IPRs, and in providing technical advice and assistance to developing countries. It noted that it was now a widely accepted and recognized fact that IP had contributed significantly to economic growth in an increasing number of countries. The Delegation also expressed its belief that IP had the potential to spark economic activity and development in many more countries, including, in particular, in the LDCs. It noted that there was a considerable knowledge gap regarding IPRs in developing countries, which required urgent attention if these countries were to meaningfully promote, protect and, more importantly, benefit fully from IPRs. The Delegation therefore wished to underline the need for re-emphasizing the development dimension of IP and to make it a common objective. Furthermore, the Delegation recognized that private enterprises were the primary impetus for growth in IP, and that the role of governments was to provide and facilitate an environment within which IP could thrive. Therefore, in the Government of Kenya's 2001-2004 Poverty Reduction Strategy Paper, IP had been incorporated in the national strategy on poverty reduction. Furthermore, the Delegation highlighted recent key developments in Kenya including: the enactment of the Industrial Property Act 2001, which had led to the establishment of the Kenya Industrial Property Institute; the Copyright Act 2001; and, key amendments to the Trademarks Act. Legislation on geographical indications and the layout of integrated circuits was pending. The Delegation expressed its appreciation for WIPO's contribution to the process, and for the guidance provided. The Delegation also reiterated the importance of TK, genetic resources and folklore and the urgent need for its protection. It noted that unfortunately no agreement on a recommendation to the Assemblies for future work of the IGC had been reached at its July 2003 Session, and the Delegation expressed its view that the Assemblies should find a solution to accommodate all varied interests regarding this subject. The Delegation reiterated its support for the creation of a legally-binding international instrument and expressed its openness regarding the modalities to achieve that. It noted that, for example, the possibility of establishing a Standing Committee could be considered, as suggested at the Fifth Session of the IGC, with a clear mandate to develop and address IPRs related to TK, genetic resources and folklore and with a view to come up with a legally-binding instrument within a specific timeframe. Such a committee could be independent, but complementary, of other related activities in this area. The Delegation concluded by expressing its appreciation for the continuous technical assistance extended by WIPO to Kenya within WIPO's cooperation for

development program, and noted the significant contribution made to the modernization of Kenya's IP infrastructure and human resource development. It also highlighted WIPO training activities targeting SMEs, as having been critical in enhancing the level of awareness of IPRs in the country. Finally, the Delegation urged WIPO to continue capacity building activities in close collaboration with Member States and other stakeholders, and expressed its full support for the programs undertaken so far and those in the pipeline.

52. The Delegation of the Congo congratulated the Director General on his re-appointment and expressed its staunch support for the fulfillment of his mission. The Delegation welcomed the quality of the documents made available to the Member States and endorsed the statement made by Zambia on behalf of the African Group. It emphasized the international context marked by economic globalization and the advent of new information and communication technologies, by referring to the challenges in developing countries and those in Africa in particular, such as the eradication of poverty, access to drugs necessary to combat epidemics such as AIDS, tuberculosis and malaria, the scientific and technical information necessary for development, and the application of the binding rules within the framework of the World Trade Organization (WTO) as regards the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS). The Delegation proposed that faced with those challenges, WIPO should transcend its traditional role of intellectual property protection and promotion to become a dynamic instrument for economic, technical, scientific and cultural development. The Delegation stated that developing countries were faced with a real public health problem, and a lack of technical and scientific information. The Delegation hoped that WIPO would study, as part of its cooperation with WTO and its constitutional reforms, the possibility of reconciling rules providing exceptions to patent law, with a view to facilitating the access of populations to essential drugs. The Delegation also underlined the importance of the WIPONET project, which allowed all the member countries to be connected to the worldwide intellectual property information network. It considered that the protection of genetic resources, traditional knowledge and folklore was essential, and hoped that the work done by WIPO within the Intergovernmental Committee would continue and would allow the introduction of appropriate legal instruments providing protection in those areas, thereby constituting a significant source of income for poor countries. The Delegation concluded by expressing its gratitude for the assistance received from WIPO and, in particular, for having equipped the national industrial property structure with the network.

53. The Delegation of Nicaragua congratulated the Director General on his deserved election for a second term in office and wished him great success. The Delegation thanked the WIPO Secretariat for the high quality of the documents prepared for the Assembly and associated itself with the views expressed by the Delegation of Costa Rica, on behalf of the Group of Countries of Latin America and the Caribbean (GRULAC). The Delegation highlighted the support provided to Nicaragua by the Bureau of Cooperation for Development for Latin America and the Caribbean. It recognized that WIPO's strategic vision which covered the gradual demystification of intellectual property was timely and necessary. Nicaragua had given irrefutable proof of its belief in the intellectual property system and possessed modern legislation which granted it significant advantages over its main trading partners. In the past few years, various activities for training, technical assistance, disclosure, adaptation of automated processes, the expansion of intellectual property services and formation of collective management societies had been conducted. The first Nicaraguan Management Society (NICAUTOR), embodied the main national values with significant documentary evidence of the country's way of thinking. That society had been set up by means of the decisive and systematic support provided by WIPO. The Delegation stressed that World Intellectual Property Day had been celebrated in Nicaragua year after year. In

relation to SMEs, excellent experience had been acquired with small and medium-sized employers, through the program developed in collaboration with WIPO in that area. Currently, a process of continuous information was in progress for Nicaraguan employers in relation to the benefits derived from the use of the intellectual property system. Furthermore, in 2002 Nicaragua had acceded to three important international legal instruments: (i) the WIPO Copyright Treaty (WCT), (ii) the WIPO Performances and Phonograms Treaty (WPPT), which strengthened the modern Law No. 312, and (iii) the Patent Cooperation Treaty (PCT) which, together with the other Treaties, had entered into force in March 2003; through coordination efforts with WIPO the Treaties had been successfully implemented. As to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, it was considered necessary to continue making progress so as not to lose the opportunity provided by the work already done. Nicaragua had made progress with the application and implementation of intellectual property legislation, in terms of training for various sectors, both public and private, including judges and prosecutors, in the training of staff of the Intellectual Property Office, and in systematically providing an effective and timely service for users, both in terms of industrial property, and copyright and related rights. The Delegation noted the efficiency and effectiveness with which mediation was conducted in order to settle disputes by administrative means. Two main Universities in Nicaragua, the National Autonomous University of Nicaragua (UNAN) and National Agrarian University (UNA), were members of the Qualifying Committee for the Protection of Plant Varieties, through the procedures established in Law No. 318 and the UPOV Convention. While being aware that much work remained to be done, the Government of Nicaragua hoped to continue relying on WIPO's support and that the Organization would have the resources necessary for carrying out the various projects. Equally, it urged friendly governments to support the efforts made by WIPO, in order to continue promoting and developing the "economy of ideas" in Nicaragua.

54. The Delegation of Morocco addressed its congratulations to the Director General on his re-election, and paid tribute to his tireless efforts in favor of the promotion of intellectual property in the various Member States. It extended its compliments to the recently elected or re-elected senior officials of WIPO, and wished to express its gratitude to the staff of the Cooperation for Development Bureau for Arab Countries. The Delegation was pleased to note the Program Performance Report for 2002 and the Program Implementation Overview from January 1 to June 30, 2003. It endorsed Zambia's statement in the name of the African Group, and then gave an account of the main intellectual property events that had occurred in Morocco in the course of the current year. On industrial property, it mentioned a 6% increase in the number of national applications for industrial property titles in the course of the first eight months of 2003. It mentioned that the Moroccan Industrial and Commercial Property Office (OMPIC) had continued to build up its Industrial and Commercial Property Information System (SIPIC) by introducing online services available to the public. The Office had also launched the multilingual (Arabic-French-English-Spanish) version of its website on April 26, 2003, World Intellectual Property Day. The site could in future be used for consultation of the trademark, industrial design and business concern databases in real time. The database also incorporated figurative marks. The Delegation said that it had kept up a high level of cooperation activity with the European Patent Office (EPO), the French National Institute of Industrial Property (INPI) and the Spanish Patent and Trademark Office (SPTO). It then reviewed the various activities carried on in cooperation with WIPO, and among other things announced its contribution to the training of seven officials from Arab countries. It also spoke of copyright and related rights awareness activities which had strengthened the role of the Moroccan Copyright Office (BMDA). It announced that it had, pursuant to its commitments, dealt with the upgrading of its legislation, partly thanks to

WIPO assistance. It said that the new Moroccan Law on Copyright and Related Rights incorporated all the relevant provisions of the TRIPS Agreement and the two Internet Treaties (WCT and WPPT). The Delegation took the opportunity to announce that the procedure for the ratification of the two Treaties had entered its final phase, and hoped to be able to rely on WIPO technical assistance in that area. It mentioned the launch of the BMDA website, and the publication of a new information bulletin. In connection with the effective application of the provisions of the new Law on Copyright and Related Rights, the Delegation said that it had conducted a wide-ranging national campaign to impart morality to the phonograms sector and to do battle with the pirating of audio and audiovisual recordings. In that context the Government of Morocco had entrusted the BMDA with the follow-up on the campaign, which featured awareness and repression components. The Delegation declared its recognition of the economic role of intellectual property and its undeniable connection with the draining of investment. It placed emphasis on the importance of controlling the adverse effects of piracy in the cultural and social fields in order that creativeness might develop in a healthy and favorable environment. In that respect it announced the formation of an interministerial commission responsible for assisting the BMDA in its efforts to achieve the flexibility necessary for the reorganization and regulation of the sector in order that the professionals operating in it might subscribe to the process. The Delegation also commended the WIPO Academy for the important part that it played in training and research, which could serve to bring Moroccan intellectual property potential up to standard. It said that Morocco and the United States of America were currently drawing up a free trade agreement; the negotiation meetings going on at present also covered aspects of intellectual property. It went on to mention its active participation in the work of the Euro-Mediterranean Program (*EuroMed Marché*), in which intellectual property occupied a substantial place. The Delegation ended by mentioning that Morocco, as coordinators of the African Group of WTO, had taken an active part in the work of the Council for TRIPS which was intended to bring about the settlement of issues raised by the Doha Declaration, and especially the matter of public health and the extension of the protection of geographical indications.

55. The Delegation of Bangladesh associated itself with the statements made on behalf of the Asian Group, the LDCs and SAARC. It noted the initiatives undertaken by WIPO during the past year to support the promotion of IP culture and developing IP infrastructure. In particular, the Delegation expressed its appreciation to the Director General and WIPO for organizing the Joint WIPO-WTO Regional Workshop on Implementation of the TRIPS Agreement for Asia Pacific LDCs, in Dhaka, Bangladesh, in December 2002. The Delegation noted that the potential of IP to contribute to national development was an uncharted territory, and that industrialized countries, in the early stages of their development, did not give much attention to protecting IP. It also noted that it had carefully examined the Medium-Term Plan for WIPO's activities, the vision and strategic direction for 2006-2009, and stressed the importance of emphasizing the development dimension in those programs and activities. The Delegation expressed its gratefulness for WIPO's commitment to issues of particular concern to the LDCs, but reiterated that it wished to see focused attention on the needs of LDCs in developing their IP regimes and to concentrate on areas that were likely to yield tangible benefits. It requested the Secretariat to undertake studies to evaluate how the IP system may be used to further national economic objectives, as it believed that such studies would provide useful guides to LDCs to learn from successful examples. The Delegation also reiterated its request to the Secretariat to provide greater assistance and support for long term capacity building, infrastructure development, as well as human resource development in the LDCs. In this context, the Delegation stated that the transfer of appropriate technology at affordable prices was vitally important, and it noted with satisfaction that a manual on negotiating technology transfer was under preparation and would be made available to Member States

soon. It also noted that while a general manual would be very helpful, country specific manuals would be of greater relevance particularly to prospective investors, and the Delegation therefore requested the Secretariat to consider customizing the manual by incorporating country-specific information. Furthermore, the Delegation attached great importance to the ongoing debate on an international patent system, and it thanked the Director General for initiating four studies to evaluate the impact of such a system on developing countries, and it was looking forward to collaborating with WIPO for the implementation of such programs in Bangladesh. The Delegation furthermore noted that following the discussions in the IGC it was clear that there was a need for the Assemblies to give a mandate for negotiating an international instrument for the protection of TK, genetic resource and folklore within a specific timeframe. It strongly supported the continuation of work in Committees, and suggested the commission, by the Director General, of a specific study to collect and catalogue what was being considered traditional knowledge or folklore. For the LDCs in particular, such a study would provide an illustration of the potential in this area, and it would be a good starting point for further work by Member States. The Delegation noted with satisfaction the very modest increase in cooperation for development activities despite an overall decrease in the budget, as it considered those activities critically important for developing countries. With regard to the PCT, the Delegation welcomed the recommendation to extend the 75% reduction in fee to all LDCs, and noted that this may contribute to the promotion of the use of the PCT in LDCs. The Delegation commended the contribution of the WWA in the development of human resources and capacities in LDCs, and noted the establishment of linkages with institutions in LDCs. It urged WIPO to increase its support for such activities and to consider organizing training programs for diplomats from LDCs as well. The Delegation concluded by extending its full support to WIPO's activities in the year to come.

56. The Delegation of Pakistan associated itself with the statement made on behalf of the Asian Group, and congratulated the Director General on his re-election. It also noted that the past year and a half had been a period of intense and productive activities for WIPO. The Delegation went on to highlight certain measures recently taken in the area of IP in Pakistan, in particular the three-track approach being pursued to strengthen the IP system. Firstly, regarding the rationalization of the institutional structure for the management and administration of IP, a decision had been taken, in principle, to merge the existing three IP offices dealing with patents, trademarks and copyrights into a single autonomous IP organization, which would be in charge of developing IP policies and administering IPRs. The organization would take the lead in addressing cross-cutting issues, such as enforcement, presently being dealt with by a number of different departments. Secondly, there was a continuing emphasis on strengthening IP norms and legislation, and the experience gained in the implementation of the updated TRIPS compliant laws had already resulted in the review and strengthening of the patent legislation. Also, Pakistan was in the process of drafting legislation for the protection of geographical indications, and was considering acceding to certain international agreements, most notably the PCT and the Madrid Protocol. Thirdly, a concerted effort was being made to enhance the knowledge of potential users of the economic benefits of IPRs, and different user groups were being targeted, including export sector enterprises, especially SMEs, textile designers and furniture manufacturers, as well as the music industry, especially composers and artists. The Delegation noted that the results of this process had been most encouraging, and many enterprises and user groups were showing keen interest in utilizing IPRs to enhance their economic position. The Delegation also noted that while a broad range of measures was being undertaken to strengthen the IP system in Pakistan, it looked forward to increased cooperation with WIPO in a number of areas, including: advice on elements of a systematic IP policy, especially in the context of

establishment of a national innovation system; sharing of information and best practices in the institutional arrangements for policy formulation and management of IPRs; material support for the proposed IPRs organization in order to facilitate its effective functioning; focused workshops and expert consultations on the use of IP instruments, especially trademarks, geographical indications and industrial designs for enhancing competitiveness of business enterprises; expert advice on existing or *sui generis* IP instruments to protect TK, particularly traditional medicines; and, expert consultations on improving IP laws especially with regard to the protection of the burgeoning information and software industry in Pakistan, as well as in relation to the biotechnology sector. The Delegation noted that WIPO had a critical role to play in promoting the use of IPRs, by offering objective advice and, where possible, material support to national endeavors. This had also been reiterated by the Director General during his statement made on his re-appointment when the strategic deliverables in areas such as modernization of management, public outreach and cooperation for development had been presented. The Delegation concluded by expressing its agreement with those deliverables, and it looked forward to benefiting from this in the context of its national programs.

57. The Delegation of Papua New Guinea congratulated the Director General on his re-election and associated itself with the statement made on behalf of the Asian Group. The Delegation acknowledged the significant progress and achievements made by WIPO and commended the Director General and WIPO for the efforts in promoting IP as a useful tool for technological, economic, social and cultural development in both the developed and developing worlds. The Delegation informed the Assemblies that Papua New Guinea was the first South Pacific Island country to accede to the PCT, being a milestone in the development of IPRs in the country. Consequently, Papua New Guinea's systems and procedures would require improvements, and to that end, reviews and amendments of patent and trademark laws had been undertaken in order to comply with the international norms and practices. The Delegation also stressed that Papua New Guinea would not have been able to achieve these objectives without WIPO and other international donor agencies' support and assistance. The Delegation also stressed that the country was in its final stages of approving the Draft Regulation for the copyright collective management societies. Furthermore, the Delegation noted its confidence that Papua New Guinea's membership of the PCT would provide better access to the national patent systems in various PCT Contracting Member States. In conclusion, the Delegation re-affirmed its commitment to the promotion and protection of intellectual activity in Papua New Guinea, and it reiterated its commitment to working closely with WIPO.

58. The Delegation of Antigua and Barbuda congratulated the Director General on his re-election and expressed its continuous support to WIPO, especially with regard to initiatives in developing countries. It commended the Director General and the Secretariat for the quality of the work done in 2002-2003, as reflected in the Program Performance and Implementation Reports. The Delegation furthermore endorsed the statements made on behalf of GRULAC, and by Jamaica and Trinidad and Tobago. It also noted the steady development in the area of IP in Antigua and Barbuda in 2002 and 2003, attributable to a series of meetings between WIPO officials, Parliamentarians, Government officials, attorneys, agents, customs and police officials, the Chamber of Commerce, the Small Business and Industry Association, as well as copyright and other IP stakeholders. The meetings had provided the participants with a detailed overview of the nature and importance of the protection, promotion and exploitation of IPRs, and the best means by which a country, such as Antigua and Barbuda, could fully capitalize on the opportunities provided by an efficient IP system. The Delegation also expressed its appreciation for WIPO's valuable assistance

during a special joint sitting of the Upper and Lower Houses of Parliament on the importance of the protection of IPRs and the promotion of IP as a tool for wealth creation. The resulting increased awareness of the importance of IP and IPRs in Antigua and Barbuda had led to an increase in the demand for new IP legislation and the establishment of an efficient IP regime. Draft new legislation had been passed in the Lower House of Parliament, and was currently before the Upper House for its final adoption. Furthermore, the site of the new IP and Commerce Office was being renovated and staff recruited. In addition, potential users of the IP system were requesting training programs preparing them for the new legislation. The Delegation noted that during the meeting for Ministers responsible for IP in June 2002, in Suriname, the creation of an extensive public awareness campaign in the Caribbean had been proposed. The consequent WIPO fact-finding mission highlighted the need for more consultations between members of different sectors that would be affected by the implementation of the new IP policies. The Delegation commended WIPO for its quick response, and for the creation of a comprehensive public awareness project. The Delegation also reiterated its views expressed during the Assemblies in 2002, that more initiatives should be developed by WIPO incorporating the specific needs of developing countries, such as those in the Caribbean region, and it urged WIPO to assist those countries with the impending challenges faced by the countries of the region as a result of the creation of the Caribbean Single Market and Economy. The Delegation furthermore expressed its appreciation for the creation of a development cooperation project for the Caribbean region, aiming at assisting the Caribbean countries with the development of effective IP regimes and pro-active policies, in order to enable them to harvest the economic advantages of a knowledge economy and increased regional cooperation. The Delegation looked forward to the conclusion of the agreement for the implementation of the project in Antigua and Barbuda at the meeting of Ministers responsible for IP in November 2003. The Delegation concluded by hoping that this project would not only enhance the economic policies of Antigua and Barbuda, but that it would also strengthen its relationship with WIPO and the region.

59. The Delegation of Oman congratulated the Director General on his re-election and associated itself with the statement made on behalf of the Asian Group. The Delegation stated that Oman was honored to have hosted the first ministerial meeting concerning TK and Folklore held in Muscat in January 2002, which led to the Muscat Declaration, and noted that Oman was looking forward to a consensus on an international document on this issue, due to its importance for developing countries. The Delegation noted its commitment to TK, genetic resources and folklore, and expressed its appreciation of the efforts within the IGC while offering its full support to any effort being made by the Committee and by WIPO in general on this topic. The Delegation furthermore emphasized the need to protect IP in all fields and expressed its appreciation for WIPO's efforts in raising awareness, and for the cooperation extended to the Arab countries. It noted, in particular, the successful conclusion of a recent meeting in Muscat which included 18 Arab countries. The Delegation concluded by expressing its confidence in the outcomes of the Assemblies.

60. The Delegation of Kyrgyzstan thanked the Director General and the Secretariat for their work in developing the international system of IP protection and for supporting the IP system in Kyrgyzstan and in other countries in the region. The Delegation further noted that Kyrgyzstan had achieved definite success in developing its IP system, which had become evident when taking stock of the national IP Office's achievement at the 10th anniversary of its founding in June 2003. In this context, the Delegation stated that 12 specialized IP laws were in force in Kyrgyzstan and a draft Law on the Protection of Traditional Knowledge and Genetic Resources was being drafted. Kyrgyzstan had also acceded to 20 international IP treaties, 18 of which were administered by WIPO, and Parliament was currently examining a

law on accession to the Madrid Protocol. During 2002 and 2003, Kyrgyzstan had acceded to six WIPO-administered treaties, including the Hague Agreement, the Rome Convention, the Trademark Law Treaty and the Budapest Treaty. The Delegation also noted that the cooperation between Kyrgyzstan and WIPO took place within the framework of a cooperation agreement signed in 2001, during a visit by the Director General, and that in February 2003, a Kyrgyz Delegation had visited WIPO. It highlighted WIPO's work in pursuing topical issues, including TK, genetic resources and folklore, as well as the WIPONET project, electronic filing, the protection of IPRs, and the work of the WIPO Worldwide Academy. The Delegation also welcomed WIPO's cooperation with the WTO, and noted the importance of the development of a fair system of international trade enabling a harmonious development of national economies worldwide. In this regard, the Delegation voiced its opinion that WIPO should play an important role in matters relating to IP in international trade. It also noted that Kyrgyzstan had been the first CIS country to become a member of WTO, and that currently it was assisting other countries in their accession to that Organization. In this context, the Ministry of External Trade and Industry in Kyrgyzstan intended to establish a Central Asian center for the training of specialists from countries preparing for accession to the WTO, and the Delegation solicited WIPO's support for the functioning of the center with regard to IP matters.

61. The Delegation of Lesotho endorsed the statement made on behalf of the African Group and noted that activities undertaken by WIPO during the period under review illustrated the Director General's vision of an Organization that was more focused, more flexible and more responsive to changing global needs. The Delegation commended WIPO's commitment to improve transparency and accountability as evidenced by the submitted reports. The Delegation also expressed its appreciation that WIPO was taking into account the specific nature of all countries and was helping to enhance their IP system through NFAPs. In this regard, Lesotho was grateful for the automation project which would not only narrow the digital divide, but would also go a long way towards improving service delivery. The Delegation furthermore highlighted the continued support from WIPO to its annual national IP Exhibitions, which was a clear demonstration of the commitment of the Director General to demystify IP and make it more accessible to the general public. It noted that cooperation between Lesotho and WIPO had also included the development of human resource capacities, through Lesotho's participation in the WIPO Sub-regional Workshop on the International Classification of Patents, Trademarks and Industrial Designs, as well as in the WIPO/EPO/OHIM Training Seminar on Administrative Issues in Patent and Trademark Procedures. The Delegation noted the creative flexibility by which WIPO had responded to newly emerging IP issues, such as the protection of genetic resources, TK and folklore, by facilitating extensive studies and debates within the IGC, which the Delegation hoped would crystallize into a legally-binding international instrument.

62. The Delegation of the United States of America congratulated the Director General on his re-election and expressed its confidence that he would continue his strong leadership of the Organization. The Delegation also associated itself with the statement made on behalf of Group B. It applauded the Director General's efforts in seeking to raise the appreciation of the value of IP and its positive impact throughout the world. The Delegation noted that it shared the Director Generals' vision of IP as a "Power Tool for Economic Growth" that can, and should, be used by all peoples to stimulate economic, social and cultural development. It expressed its full support for WIPO's work in carrying out its primary mission, namely to promote the protection of IP worldwide, and it reiterated its conviction that strong IP protection stimulates domestic creativity, local and foreign investment and the transfer of technology. The Delegation stated that WIPO's work was indispensable to help countries put

robust IP systems in place, and noted its intention to continue working closely with WIPO in its efforts to assist developing countries and LDCs to achieve these goals. Furthermore, the Delegation thanked WIPO for the comprehensive documentation prepared, and noted that while it might not agree with every proposal, it commended the Secretariat for its dedication and hard work in clarifying the issues for decision. The Delegation highlighted its appreciation of WIPO's efforts in formulating the draft Program and Budget 2004-2005. The United States of America continued to advocate budget discipline, prioritization, and increased efficiency in the financial resources of international organizations. In particular, the Delegation was looking forward to working with other Member States on the issue of PCT fee reform. The Delegation concluded by looking forward to engaging in the important issues on the agenda in a cooperative and productive manner and expressed its confidence in the successful outcomes of the Assemblies.

63. The Delegation of Hungary informed the WIPO Assemblies that the Republic of Hungary had signed the Accession Treaty to the European Union in spring 2003, bringing to a new dimension the economic, social and political developments in Hungary. It also welcomed the smooth and successful re-appointment of the Director General, providing a stable leadership, and expressed its approval with the results of WIPO constitutional reforms, hoping that the specific features of the Organization would continue to be taken carefully into consideration in the further reform process. Regarding WIPO's Patent Agenda for the development of the international patent system, including the reform of the PCT, the Delegation stated that Hungary supported the efforts made in this area and agreed to establish a well-balanced system that would equally take into account the needs of users and of patent offices. The Delegation emphasized the importance of the relation between the harmonization of substantive patent law in the framework of the SCP, and the PCT reform process. In the short term, Hungary was still considering the workload crisis of the larger offices a priority, and it believed that smaller offices could continue to play an important role by offering their examination capacities. Also, the Delegation noted that Hungary had become a member of the European Patent Convention and had acceded to the 1991 Act of the UPOV Convention as of January 1, 2003. As part of the necessary amendments to the Hungarian Patent Law following the accession to the European Patent Convention, the modification of the time limit under Article 22 of the PCT to 31 months had also entered into force on January 1, 2003. The modifications also included amendments necessary for creating conformity with Community law, the EC directive on the legal protection of biotechnological inventions and the EC regulation on the protection of plant varieties, thereby bringing the patent law into line with the 1991 Act of the UPOV Convention, and, where necessary, with the Community system of plant variety rights. The Delegation highlighted the Symposium organized jointly by WIPO and the Hungarian Patent Office, in Budapest, in October 2002, on the occasion of the 25th anniversary of the Budapest Treaty. The Delegation also noted that the Hungarian Parliament had just ratified the Geneva Act of the Hague Agreement and had adopted of the rules establishing the interface between Hungarian law and the Agreement. It furthermore announced Hungary's intention to denounce the London Act of the Hague Agreement subsequent to the ratification of the Geneva Act of the Hague Agreement. The Delegation further noted that the agreement between the French National Office of Industrial Property and the Hungarian Patent Office on the establishment of a common database of industrial designs, had gained the support of the Commission of the European Union, and that further EU Member States had declared their interest in taking part in the project. The Delegation emphasized the importance of providing strong and effective protection of geographical indications, and stressed the necessity of international cooperation in this regard. It noted that the studies which had been prepared had facilitated the common understanding between the Member States on this issue.

The Delegation gave its full support to the continuation of the work of WIPO and WTO on this subject but stressed that any overlap should be avoided. In the field of copyright, the Delegation hoped that the next Diplomatic Conference for the adoption of a new Treaty on audiovisual performances would soon be convened by WIPO and noted that Hungary was ready to contribute towards bringing this process to a successful conclusion. The Delegation also noted that the WIPO Internet Treaties had been signed by Hungary, and that the process of promulgation was progressing. It commended WIPO activities in the field of domain names under the WIPO Arbitration and Mediation Center, and the enhancement of the issues of genetic resources, traditional knowledge and folklore. It noted that the Hungarian Patent Office had further developed its industrial property training system, and a cooperation agreement with WIPO on the teaching of IP had been prepared for conclusion. Lastly, on World IP Day in 2003, the Hungarian Patent Office had organized special professional and cultural events and awarded prizes.

64. The Delegation of Mozambique associated itself to the statement made on behalf of the African Group, and reiterated its full satisfaction for the re-election of the Director General, in May 2003. It was convinced that through his wise guidance WIPO would continue to carry out deep changes in the international system for the protection of IP. The Delegation commended the Secretariat for the high quality of the documents prepared for the Assemblies. It expressed its appreciation for all the efforts made by WIPO in the field of e-commerce and, in this connection, it pointed out that Mozambique, like all developing countries, needed increased support in this field in order to bridge the gap between them and the developed countries. It welcomed WIPO's initiatives to strengthen the connection of all the IP offices through WIPONET, observing that this would increase the exchange of technological data and stimulate the innovative activities in all countries concerned. It also supported the activities carried out within WIPO's Cooperation for Development program and, while stressing the crucial importance of this program, it stated that it was essential to reinforce the financial and human resources devoted to it. The Delegation further noted with satisfaction that the activities of the WIPO Worldwide Academy had progressed significantly because of the importance that WIPO, jointly with the beneficiary countries, had given to the training of IP officers in developing countries in order to demystify and promote IP. It further stated that the efforts made by WIPO for the improvement of IP international standards was well illustrated by the work carried out by WIPO's Committees in relation with the PCT, the Madrid system and other IP conventions, making an important contribution to the streamlining and harmonization of procedures. The Delegation informed the Assemblies that Mozambique was currently reviewing its national legislation in order to bring it in conformity with IP international instruments. In this context, it requested WIPO's legal assistance. In addition, the Delegation believed that the revision of the legislation itself could not make sense if not followed by measures to sanction the infringement of IP rights as well as the arbitration of the conflicts emerging from these infringements. While stressing the great importance of IP enforcement, the Delegation affirmed that WIPO was in a privileged position to provide assistance and technical training as well as for raising public awareness in this field. It therefore welcomed the creation, within WIPO, of a Division dealing with IP enforcement and of the Electronic Forum on "Intellectual Property Enforcement Issues and Strategies (IPEIS Electronic Forum), as well as the work carried out by the WIPO Mediation and Arbitration Center. The Delegation also acknowledged with satisfaction the activities carried out in Mozambique with the support of WIPO, namely the organization of workshops and seminars on patent and international classification of the figurative elements of marks, emphasizing that these events were a significant opportunity for the exchange of information and ideas among different sectors and IP beneficiaries, including several stakeholders.

Finally, the Delegation stated that the introduction of the Portuguese language in the training activities had contributed to the capacity building of a high number of people dealing with IP.

65. The Delegation of Romania welcomed the opportunity to congratulate once again the Director General of WIPO, for his re-election to a second mandate. It also expressed its appreciation and satisfaction for WIPO's excellent results under his guidance, having succeeded in transforming WIPO into a performance-based international Organization deeply concerned with improving conditions for economic growth and wealth creation. The same appreciation was expressed for the activities undertaken by WIPO in the area of cooperation for development and human resource development activities, which aimed at promoting the use of IP systems worldwide. The Delegation then presented the main activities undertaken in Romania in the last year. The State Office for Inventions and Trademarks, in collaboration with the Romanian Copyright Office and after consulting the competent national authorities, had elaborated a draft of the National Strategy in Intellectual Property for the period 2003-2007. The Delegation thanked WIPO for the assistance provided in elaborating this strategy. It believed that elaborating the National Strategy was proof of the importance their country attached to intellectual property. In the industrial property field, important developments toward the adoption of new laws occurred, to harmonize fully Romanian laws with the TRIPS Agreement and the European Patent Convention (EPC). New laws were adopted for patents and industrial design. These legislative improvements and amendments allowed Romania to become a member of the EPC on March 1, 2003. The accession to the Convention was the highlight of the year. The Delegation also mentioned the law being drafted within the Copyright Office, aimed at implementing the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty. The greater part of activities during 2002, at the Romanian Copyright Office, was devoted to copyright law enforcement, in order to increase public awareness as to the observance of IP rights. Following numerous control activities undertaken by Copyright Office representatives, a decreasing trend of piracy was noticed in most of the IP domains: music, audiovisual or software. In the course of 2003 the State Office for Inventions and Trademarks received further assistance from WIPO: in May a seminar on the protection of geographical indications was organized, which had a special impact on the producers' association and made a significant contribution to raising the awareness of the importance of geographical indications in Romania. To promote awareness of industrial property rights, the Office organized seminars within Romania, attended by representatives of the regional centers promoting industrial property and small and medium-sized enterprises. The Office continued to participate in salons, exhibitions and fairs, in order to promote the role and importance of the protection of industrial property rights, and continued to develop promotion activities and publish informative material. Romania thanked WIPO for its support in setting up a library within the Romanian Copyright Office, an important tool for the dissemination of information on the intellectual property culture. This action complemented other activities taken by the Romanian authorities in order to increase public awareness on the importance of IP. In conclusion, the Delegation wished to thank WIPO again for the multi-faceted assistance given to Romania and renewed their expression of trust in the future development of WIPO, under the leadership of the Director General.

66. The Delegation of Honduras said that WIPO was in a position to make a substantial contribution to the efforts of developing countries in their fight against poverty, by integrating innovative and practical approaches applied by governments in relation to intellectual property. The Delegation highlighted the added and increasing value of training and institutional support activities provided by WIPO, since their results were reflected in the training of public officials, professionals and academics, particularly at the time of preparation of national action plans. It emphasized that the sustainability and participation of

the academic and entrepreneurial sectors were important features of the technical cooperation programs. It referred to the interest shown by Honduras in a study commissioned by WIPO on intellectual property and small and medium-sized enterprises, as well as in the training and awareness-raising programs through courses, workshops and seminars, and the WIPO University Initiative, the aim of which was to increase awareness of intellectual property in universities, and research and development institutions. Furthermore, the Delegation highlighted the attention given by its Government to the discussions conducted by each of the Standing Committees, particularly those on Copyright and Related Rights, Enforcement, and Information Technologies, but similarly stressed its interest in the International Bureau having resources available for national experts from the capital to be able to attend sessions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. Finally, the Delegation of Honduras reiterated its confidence in and support for the policies and actions undertaken by WIPO under the wise leadership of its Director General and staff members, and in particular its recognition of the work done by the Cooperation for Development Bureau for Latin America and the Caribbean, and the Worldwide Academy.

67. The Delegation of Swaziland fully associated itself to the comments made by the representative of the African Group, and extended very warm congratulations to the Director General for his re-election. It also thanked the WIPO Secretariat for the excellent documents presented for the 2003 Assemblies. Swaziland highly appreciated the efforts of the Director General to promote the intellectual property system at all levels, and was certain that he would continue to develop the Organization with the cooperation of its Member States. During the Director General's first tenure, achievements included several excellent programs for cooperation and development, and the taking of IP issues to the developing and least developed countries. The Delegation emphasized that those contributions to the development of Member States and ARIPO were immense, and expressed its confidence that implementation of the Director General's strategic vision would make WIPO a UN institution with which every person in the world could identify irrespective of their country's level of development. The Kingdom of Swaziland looked forward to giving its full support to the Organization in the coming years. The Delegation also took the opportunity to extend its gratitude for the successful roundtable discussions on the Swazi Intellectual Property Laws held at WIPO headquarters in June, 2003. Swaziland was happy to be in compliance with the Trade Related Aspects of Intellectual Property (TRIPS) and all the new developments in the field. Finally, the Delegation also looked forward to receiving further assistance for its future needs after the amendments and enactment of relevant legislation.

68. The Delegation of Mauritania associated itself with the previous statements and paid tribute to the remarkable action taken by the Secretariat under the effective leadership of the Director General. It noted that the Cooperation for Development Program had intensified and that the role of intellectual property as an instrument for growth and economic progress was perceived and understood throughout the world to an ever-greater extent. It expressed the satisfaction with the clarity of the documents forwarded to the Member States and said that it subscribed to the statements made by the Delegation of Zambia on behalf of the African Group and of Benin on behalf of the Least-Developed Countries (LDCs). The Delegation was glad that the Least Developed Countries Unit had been converted into a Division and hoped that the new body would be provided with sufficient and appropriate funding in order to meet the needs of the LDCs, in particular in the implementation of the action program approved by the Third United Nations Conference on Least Developed Countries. The Delegation subsequently explained that the new information and communication technologies represented

an effective tool which would allow the handicaps and constraints with which those countries were faced to be overcome and thus accelerate their economic and social progress. In conclusion, the Delegation expressed its recognition to the Cooperation for Development Bureaus for Africa and Arab Countries for the constant assistance provided.

69. The Delegation of Bahrain congratulated the Director General for his re-appointment and noted that the fact that all Member States commended his leadership demonstrated the importance of the achievements accomplished under his first mandate. The global importance attached by governments to all areas of intellectual property was reflected in changing policies that impact on the lifestyle of nations, to the extent that it became necessary for policy-makers to reconsider decisions and set new orientations, to ensure coexistence and provide an appropriate environment for trade exchange. From that perspective, Bahrain, since its accession to WIPO in 1995 and to IP-related international treaties, had endeavored to modernize administrative and legislative infrastructures, and develop its professional human resources for the fulfillment of its growing obligations. In that regard, the Delegation wished to inform that its country had prepared, with the coordination of WIPO experts, a Draft Law on Copyright and Related Rights that would replace the previous Law of 1993. In addition, Bahrain acceded to the WTO Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), the Berne Convention for the Protection of Literary and Artistic Works and the Paris Convention for the Protection of Industrial Property. Bahrain was also considering accession to other international treaties, namely, the Patent Cooperation Treaty, the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, the WIPO Copyright Treaty, the WIPO Performances and Phonograms Treaty and the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations. The Delegation noted that those international treaties were covered by the Bahrain Law on Trademarks (1991), the Law on Copyright Protection (1993) and the Trademark Automation System (1997). Moreover, preparations were underway for the promulgation of other national laws covering all IP fields, namely, a Law on the Protection of Copyright and Related Rights, a Law on Trademarks, a Law on Patents and Utility Models, a Law on Plant Variety Protection, a Law on Industrial Designs, a Law on Geographical Indications and a Law on Trade Secrets. Bahrain recognized the expectations of communities and societies with regard to the benefits and wealth generated by the optimal protection of intellectual property, and the fulfillment of obligations under national legislation and international treaties. The Delegation stressed that its country hoped for effective cooperation between developing and developed countries in order to prevent cases of infringements, which would otherwise dilute the benefits provided by those legislation and treaties in the developing markets. Therefore, it hoped that studies, opportunities and training programs could be made available to local staff and that effective mechanisms be established to curb infringement of intellectual property rights of developing countries, particularly patents, trademarks and copyright. The Delegation wished to express its gratitude and appreciation for the fruitful cooperation and coordination with WIPO, and with the Arab Bureau in particular, for the efforts aimed at increasing public awareness. Finally, it called for the creation of a long-term mechanism that would ensure financial and technical support for the provision of optimal IP protection, including through information and communication technology.

70. The Delegation of the United Republic of Tanzania wished to extend its congratulations to the Director General for his re-election for a second term, applauding his visionary and dynamic performance of upholding the IP agenda during the preceding years, and encouraged him to continue and accomplish more in the coming years. The Delegation fully endorsed the statement made by the Delegation of Zambia, speaking on behalf of the African Group. The

Delegation observed that today socio-economic development of countries depended on the international competitiveness of their economy. Such international competitiveness, in turn, was derived from knowledge-based technological progress, which could only be achieved through a well-functioning national system of innovation that had at its core a strong, modern and well-enforced intellectual property system. The United Republic of Tanzania, like other LDCs, had difficulties in putting these aforementioned requirements in place without WIPO's assistance. The Delegation wanted to register its appreciation to the Director General for responding to the needs of LDCs, and hoped that the LDC Division would be equipped with appropriate manpower and pragmatic resources in order for it to effectively serve its responsibilities. The Delegation noted that its country had hosted, in 2002, one of the two round tables organized by WIPO, in cooperation with the World Trade Organization, on the implementation of the TRIPS Agreement, which contributed to the clarification of many issues and salient features contained in that Agreement. Tanzania benefited significantly from WIPO's technical assistance programs, which included the organization of various workshops and seminars aimed at discussing a range of intellectual property issues, and the provision of WIPONET training to develop the human resources needed for the office automation project. Tanzania was reviewing its industrial property law on the basis of the model submitted by WIPO, and was expected to have a new Consolidated Industrial Property Act by June 2004. While the process of legalizing their National Intellectual Property Forum entered into its final stages, Tanzania also started charting out a proposal for the formulation of a National Industrial Property Policy, which was intended to serve as a guide to all intellectual property activities in the country. WIPO's guidance and support in this particular area would be highly appreciated. In the year 2003, Tanzania successfully marked the African Union Intellectual Property Day on September 13, at which various innovations and creative works were exhibited. In this connection, the Delegation thanked WIPO for the support it provided in the form of Gold Medals and certificates, which were awarded to the best inventor and best creator. It believed these awards would encourage more people to engage in innovative and creative activities, by assuring that those involved in such activities realize the economic potential deriving from the intellectual assets that they produce. The Delegation informed that Tanzania would host a WIPO roundtable for the heads of IP Offices of ARIPO Member States in November 2003. The roundtable would run concurrently with the 28th Administrative Council of ARIPO. In conclusion, the Delegation wished to express its satisfaction in having one of its distinguished countrymen recently appointed as one of the two new Assistant Directors General.

71. The Delegation of Angola congratulated the Director General for his re-election and the Secretariat for the high quality of the documentation presented. It stated that technological and social development of countries nowadays depended on the domestic and international competitiveness of their economies and this competitiveness was derived from, and based on, knowledge and technological progress. Every country wished to develop a duly functioning national innovation system, which was possible only with a strong and modern IP system. The Delegation pointed out that, as a member of LDCs, Angola was one of the poorer Member States of WIPO. As such, it was in a very difficult situation due to a lack of material resources, a fragile administrative structure and a weak IP system. If this situation were to continue, Angola would be marginalized by the globalization of the world economy. The Delegation clearly stated that its country, as well as other LDCs, needed WIPO's support in order to develop an IP culture and facilitate its integration in the global economic system. The Delegation expressed its gratitude to the Director General for meeting the needs of the LDCs by upgrading the Unit responsible for LDCs matters to the status of Division, thereby increasing its responsibilities. It stressed the need to adequately staff it in order to carry out its tasks successfully, as LDCs required more support and more assistance. In this

connection, the Delegation had taken note with great interest that the WIPO's program for LDCs included the implementation of the decisions taken at the Third Conference of the United Nations on LDCs in May 2001, and hoped that Angola would benefit from these decisions. It indicated that the changes taking place at the social and economic level, as well as other issues such as the domain names and trademark registration, the protection of genetic resources, traditional knowledge and folklore, the PCT reform, were topics which the members of the Angolan Parliament and Government followed with keen attention and interest. The Delegation informed the Assemblies that the Parliament had approved the accession of Angola to the Paris Convention and the PCT and that its Government was waiting for the deposit of the instruments of accession with the Director General in order to realize a seminar for the promotion of IP treaties in the LDCs. In concluding, the Delegation endorsed the statement made by Zambia, on behalf of the African Group, and that of Benin, on behalf of the LDCs, and congratulated the Republic of Korea for organizing next year a high-level meeting for LDCs, in cooperation with WIPO.

72. The Delegation of Senegal endorsed the statement made by the Delegation of Zambia on behalf of the African Group and that made by the Delegation of Benin on behalf of the Group of Least Developed Countries (LDCs). It congratulated the Director General on his re-election and drew attention to the turning point that was gradually being reached in the conception of WIPO which, having been a regulatory Organization, was in the process of becoming a veritable development support structure. It expressed satisfaction with the WIPO activities carried on in 2002 and in the first half of 2003 in the field of intellectual property information and awareness. It went on to say that the expression "intellectual property as an instrument of development" was a major strategic guideline for the years to come. It analyzed that guideline as being made of two concepts, namely consolidation and opening. It explained that the work of consolidation consisted in the implementation of a range of policies whose purpose was to promote knowledge of intellectual property, patent law, trademarks and the main copyright issues in member countries. In that connection it expressed pleasure in the activities conducted by the WIPO Academy which had contributed to the training of a great many officials throughout the world. It did however add that consolidation, in order to be lasting, called for opening, including for instance the tackling of new intellectual property issues such as genetic resources, traditional knowledge and folklore. It moreover declared itself in favor of a strengthening of the terms of reference of the Intergovernmental Committee set up in September 2000, whose work had made it possible for the thinking on the subject to make considerable progress. It also encouraged WIPO to intensify its cooperation with the World Trade Organization (WTO) and with other international organizations. It then mentioned the Agreement recently reached within WTO on the implementation of paragraph 6 of the Declaration on the TRIPS Agreement and Public Health, which provided WIPO with a genuine opportunity to build up its cooperation with the organizations in question. It mentioned that it was awaiting with interest the appearance of the WIPO Manual on the Negotiation of Licenses, and hoped that the Manual would be widely distributed. Finally, it wished to mention the Intellectual Property Summit which had been planned in China in April 2003, which had shown to what extent the Member States had become aware of the irreplaceable role of WIPO in development support. It ended by saying that it wished to see an increase in the human and material resources of the Least Developed Countries Division.

73. The Delegation of Sudan expressed its appreciation for the excellent leadership of the Director General, and wished him success in his second term of office. It also appreciated the achievements of WIPO, which had resulted in the promotion of IP throughout the world. The Delegation supported the statement by the spokesman for the African Group. It noted that

new laws governing trade marks, patents and industrial designs had been drafted in order to bring the country into conformity with the TRIPS Agreement, and thus enable it to achieve the requirements necessary for acceding to the WTO. The country had also taken steps for accession to the Madrid Protocol, as well as for accession to other WIPO treaties. With regard to IP teaching, the Delegation noted that an agreement had been concluded between WIPO and certain universities for the introduction of IP courses and the implementation of a plan in coordination with those universities' administrations. Two seminars had been organized in Sudan: the first was on IP in plant biotechnology, in cooperation with WIPO as well as with the Arab Organization for Agricultural Development; the second involved Sudanese businessmen and the University of Khartoum, concerning the role of IP in economic development; this seminar enjoyed extensive press coverage. The country also benefited from the book written by the Director General on the role of IP in economic development, and the Delegation felt that it would be necessary to translate that book into Arabic as well as into other languages. The Delegation thanked WIPO for its assistance in the field of automation and computerization of IP activities and further extended its thanks, in particular, to the Arab Bureau for cooperation of development activities in the Arab countries, and to the WIPO Worldwide Academy, and it hoped to receive more support with regard to automation equipment and training in all aspects of IP.

74. The Delegation of Togo congratulated the Director General on his recent re-election as head of WIPO, and mentioned that, since the beginning of his term of office, African countries in general and Togo in particular had been receiving special attention both in the field of industrial property and in the field of copyright and related rights. The Delegation expressed satisfaction with the clarity of the documents submitted to the Member States for consideration. It also wished to thank the Director General and the Secretariat for the efforts made to promote the development of intellectual property in Togo, and mentioned in particular the assistance received in the form of training fellowships, the responsibility taken for experts attending certain meetings and seminars, and WIPONET. It added that such support played a decisive role in the integration of modern techniques in the administration and management of intellectual property. It also mentioned that, thanks to the technical and financial assistance of WIPO, the Directors of the Copyright Offices and Societies of Western Africa had met in Bamako (Mali) in December 2002 to establish the network of Collective Management Offices and Societies of the Economic Community of West African States (ECOWAS), which was coordinated by Togo. The Delegation then said that Togo had ratified and was party to several international treaties and conventions administered by WIPO, and confirmed that the harmonization of laws and other texts with the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) remained the priority for 2006. The Delegation then repeated its unfailing support for the Director General, and its appreciation of the new strategies that he had successfully introduced to make WIPO into a modern organization capable of taking up the challenges of the future, and competence in the normative sphere, but also to promote the creation and innovation of companies and societies in the interest of economic and social development. The Delegation ended by endorsing the statements made by Zambia on behalf of the African Group and by Benin on behalf of the Least Developed Countries (LDCs). It also subscribed to the statement made by Bangladesh concerning the WIPO Worldwide Academy.

75. The Delegation of Niger addressed its congratulations to the Director General and to the staff of the Cooperation for Development Bureau for Africa for the quality of the documents submitted and for the intensity with which their activities had been carried on throughout 2002 and the first half of 2003. It endorsed the statements made by Zambia on behalf of the African Group and by Benin on behalf of the Group of Least Developed Countries (LDCs). It

said that the development of international filings, and especially the increase in PCT filings, reflected the efficiency with which those activities had been carried on. With regard to constitutional reforms, the Delegation congratulated the Secretariat on the progress of those reforms, which had to do mainly with the dissolution of the WIPO Conference and the adoption of a system of single contributions which took due account of economic differences between Member States. It also welcomed the joint initiative put in hand by WIPO and the World Trade Organization (WTO), and noted with satisfaction the considerable progress that had been made in the achievement of the objectives in favor of LDCs that had been specified by the Third United Nations Conference on LDCs. However, it mentioned that considerable efforts still had to be made to make LDCs consider intellectual property in their development policies. In that connection it encouraged WIPO to continue its initiative that consisted in heightening the awareness of political decision-makers, but also to assist LDCs in the design and implementation of effective intellectual property policies. It then wished to mention several important initiatives that had been implemented recently. Among other things there was the organization of a regional workshop on intellectual property and the development of small and medium-sized enterprises (SMEs), which had been held in Dakar in September 2003. It said that, since the advent of WTO, enterprises were now faced with a competitiveness problem due to competition on a world scale. For that reason the West African Economic and Monetary Union had started an alignment program for the SMEs of the Union with a view to mitigating the perverse effects of competition, and giving the SMEs a chance of reaching the market. It added that the WIPO initiative in favor of SMEs could serve to complete that program of alignment of the enterprises of the Union. With that in mind, steps could be taken with a view to having the WIPO initiative on intellectual property and the development of SMEs taken into account in that regional SME alignment program. It was pleased to announce the connection of the industrial property office to WIPONET, which would help strengthen the dissemination of scientific and technical information among users. It spoke of the implementation of the WIPO initiative at university level, which had among other things enabled a researcher from the University of Niamey to receive intellectual property training. Arrangements were currently being made for the creation of an Intellectual Property Unit at the University of Niamey with a view to imparting to researchers the reflex of seeking protection of their research results. In that connection the Delegation requested WIPO assistance so that the activities of the Unit could be given a quick start. It ended by noting with satisfaction the substantial progress that had been made by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and supported the proposal to convert the Committee into a Standing Committee.

76. The Delegation of Israel highlighted the annual program proposed by the Israeli-Palestinian Center for Research and Information, aimed at contributing to the growth and development of Israel and the Middle East, in which eight law students, four Israelis and four Palestinians would take part in an intensive seminar on IP issues at the WIPO Worldwide Academy. The first seminar had taken place in March 2003 and had been highly successful, and the Delegation expressed its appreciation to WIPO for its efforts in organizing this important event. Furthermore, the Delegation presented to the WIPO Assemblies the structure of the Israeli Patents, Designs and Trademarks Office, situated within the Ministry of Justice in Jerusalem. It noted that a major project at the Israeli Patent Office was the installation of "PARSIL," Patent Administration and Registration System for the Patent Department. PARSIL would enable the Israeli Patent Office to register and monitor patent applications and patents in their archives and would include an extensive set of controls, checks and mechanisms to help the processing and maintenance of patent applications and patents. The final installation of the system would be due in November 2003. The Delegation stressed that the project was of great importance to the Israeli Patent Office, and

expressed its deep gratitude to WIPO for its professional and financial support. The Delegation further announced that in autumn 2004 Israel would be acceding to the Madrid Protocol and the Israeli Parliament had recently introduced the relevant changes to the Trademark Law. A process of analyzing the computer systems in the Trademarks Department had begun with the aim of replacing the current system with one that would support the requirements of the Madrid Protocol. Furthermore, the Delegation summarized the main goals of the Israeli Patent Office for 2004: recruitment of a significant number of patent examiners, in order to overcome serious backlog; completion of the installation of the updated computer systems in the Patents and Trademarks Departments; getting prepared for submitting and receiving applications under the Madrid Protocol; reinforcement of the relationship with WIPO and increased awareness of intellectual property rights among the Israeli public; and, close collaboration with other WIPO Member States for the exchange of experience and knowledge.

77. The Delegation of Georgia observed that the Agenda for the Assemblies meeting covered very urgent issues, such as constitutional reform, a diplomatic conference on the protection of audiovisual performances, the development of the international patent system, traditional knowledge and folklore, as well as issues concerning the PCT and other unions. It noted that it had studied with particular interest the Program and Budget for 2004-2005, and the Medium Term Plan for the following four years. The Delegation felt that those documents reflected the Director General's accumulation of experience and the results of successful activities for the past six years, and that the Director General had designed new and important goals to achieve during the next period. As such, the Delegation underscored the vast work WIPO had performed under the leadership of the Director General, and in particular, the success achieved in such fields as improved WIPO management, transparency and openness, wide application of information technologies, and increasing public awareness, in which the WIPO Worldwide Academy had played an important role. The Delegation noted that the Georgia IP Office had created the Tbilisi State University Intellectual Property Chair, and also had begun publishing a periodical journal titled "Intellectual Property." The Delegation emphasized the significance of the visit of the Director of the WIPO Worldwide Academy (WWA) to Tbilisi in 2003, in connection with the WWA Seminar on Education and Training issues, which had been very successful, and in which professors of the leading universities and institutes, as well as representatives of the scientific society, had participated. Further, the Delegation noted the increasing interest of the Georgian public to the distance learning courses of the WWA. In that connection, the Delegation underscored that for citizens of CIS countries, it was very important that distance learning courses, as well as WIPO documents, be available in the Russian language. The Agreement concerning cooperation in the field of education concluded between WIPO and the Georgian IP Center would serve to promote further development of IP activities, and with respect to the functioning and organization of the University IP Chair, the IP Office had already secured premises, but it still required modern equipment. In that connection, the Delegation asked WIPO for its assistance in the acquisition of appropriate teaching and scientific literature, their translation into Georgian, and in the creation and publication of original Georgian textbooks. On the Georgian Day of Independence, May 26, the President of Georgia had visited the IP national centre, where he learned about its activities, and where he again confirmed that a knowledge-based economy should be the main driving force for the development of Georgia, and for that to occur, an efficient and consistently functioning IP protection system was necessary. The Delegation noted that this year, Georgia had acceded to three international agreements administered by WIPO, namely, the Nice Agreement, the Hague Agreement, and the Budapest Treaty. Soon, the country would also accede to the Rome Convention and the Lisbon Agreement. In addition to international treaties, the

country also attached great importance to the development of bilateral cooperation with different countries, and in the near future, a cooperation agreement between the Russian Federation and Georgia would be signed. The Delegation highlighted that the Internet, the rapid development of communications and computers, and the creation of powerful and flexible computer programs, had brought forward the new strategic priorities in processing and exchange of information, and those developments, among others, had put on the agenda the objectives of improving the IP Center's automated system and the full-scale engagement of Georgia in the global patent information space. Some years ago, the Center began elaboration and development of a new integrated automation system project; that project was currently on the last stage of preparation. The Delegation concluded by congratulating the Director General for his re-election, and reiterated the invitation to visit Georgia.

78. The Delegation of the Democratic People's Republic of Korea extended its warm congratulations to the Director General on his re-election. It noted with satisfaction the Program Performance Report for 2002, and the Program Implementation Overview for January 1 to June 30, 2003. The Delegation observed that during the past six years, WIPO had made a great contribution to developing the IP system worldwide, to meet the practical demands of the evolving reality, by improving its administration and putting forward various innovative and beneficial initiatives, under the leadership of the Director General. In 2002, WIPO had conducted several activities to improve its functions and strengthen the IP system in conformity with its mission and objectives, and in the framework of its program and budget, including efforts for promoting IP and genetic resources, traditional knowledge and folklore; several meetings and sessions aimed at the establishment and renovation of IP law; modernization of the IP infrastructure; and global protection of IP. The foregoing were just a few of the remarkable achievements in further developing IP in the era of information technology and the knowledge-based economy. The Delegation noted that last year, the General Assembly had adopted recommendations on constitutional reform, including the abolition of the WIPO Conference, which had served to strengthen the mission and role of the Organization. Also last year, WIPO had made a meaningful contribution to promoting and consolidating the IP system in the developing countries by undertaking constructive and effective cooperation projects, both in quantity and in quality. The Delegation underscored that the objectives of WIPO to further promote the protection and utility of IP could only be facilitated by the united efforts of the Member States, and in that regard, it was necessary for WIPO to take into account the developmental level of countries in establishing international IP law, trying to meet the balanced interests of both the IP rights owners and the publicly owned institutions. In doing so, WIPO should insure that IP contributed to the promotion of technology transfer, economic growth and the creation of wealth worldwide. At the same time, the Delegation believed that clear opportunities should be afforded to developing countries, which were under heavy legal and technical pressure with the advent of the information era, so that they could make effective use of the international IP system. It further stated that its Government attached great importance to the development of science, economy, culture, and technology, and emphasized how the leader of the nation was guiding his people to developing science and technology, regarding it as a dynamic driving force for building a powerful nation. Last year alone, the country created several thousand inventions of high value in the field of information technology, biology, thermal power engineering, and nano-technology. The country had conducted a series of public awareness activities for promoting IP by organizing national and local exhibitions on inventions, trademarks and industrial design, and enacted relevant laws on copyright law and appellations of origin. It had also revised some of its IP related laws to adapt them to the international laws, and had organized lectures and meetings on IP. The country had acceded to the Strasbourg Agreement Concerning the International Patent Classification last year, and to the Berne Convention for

the Protection of Literary and Artistic Works during the current year, both of which resulted from the consistent position of the government to contribute to the attainment of the objectives of WIPO for developing IP through cooperation among its Member States. The Delegation affirmed its intention to strengthen its cooperation and collaboration with WIPO, and thus creditably discharge its mission and role as a Member State of WIPO.

79. The Delegation of Malawi congratulated the Director General upon his reappointment and assured him of its full support and cooperation during his second mandate. It also commended him and his staff for the excellent working documents submitted to the Assemblies. The Delegation associated itself with earlier statements made on behalf of the African Group and LDCs, respectively. The Delegation expressed its satisfaction with the achievements outlined in the Program Performance Report and the Implementation Overview. It welcomed the proposed Program and Budget for the biennium 2004 2005 and, in particular, the sub-program concerning "Intellectual Property Policy and Development" aimed at providing Member States with services for policy formulation in designing intellectual property systems consistent with national policy objectives. With respect to the WIPO Patent Agenda and the proposed PCT reforms, as well as to the Substantive Patent Law Treaty (SPLT), the Delegation considered the proposal to extend the current 75% fee reduction to all applications from LDCs as a very positive initiative, which would contribute to promoting PCT use in LDCs. The Delegation observed that, based on various studies, the patent system in developed countries had followed an evolutionary process, taking into account the countries' specific needs at various stages of technological and economic development. It therefore supported the position of LDCs, that the process and negotiations for the development of the international patent system should take cognizance of, and accommodate, the specialized needs and interests of LDCs and developing countries. This could be achieved by maintaining some existing flexibility measures for such countries, so that their national patent systems develop in line with their level of technological and economic development. Furthermore, special concerns included the need for the patent system to contain safeguards for public interest issues such as the protection of public health, as well as access to genetic resources, traditional knowledge protection and the protection of new technology forms such as biotechnology inventions. In this connection, the Delegation strongly supported the extension of the mandate of the Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore, to include the possible elaboration of a framework for protection in this important area. The Delegation offered thanks to WIPO for its assistance, which included connectivity to the WIPONET services, a contribution towards reducing the knowledge gap. However, it requested further assistance in the areas of automation, human resource development, legislative review and the establishment of patent information services for industry, universities and R & D organizations. Such assistance would further consolidate Malawi's efforts to strengthen its intellectual property system and benefit users, rightholders and the public. The Delegation concluded by assuring WIPO of its government's support for the activities of the Organization, as well as its continued participation and cooperation in various programs.

80. The Delegation of Nigeria congratulated the Director General on his re-election to a second term, and praised his outstanding leadership qualities, vision, humility and the numerous achievements of WIPO under his leadership. The Delegation associated itself fully with the statement made previously by Zambia on behalf of the African Group, and indicated that it was pleased with the assistance given to Nigeria by WIPO in the fields of office automation, legal technical advice, as well as in the training of human resources. The assistance by WIPO had contributed immensely to increasing IP awareness in Nigeria, and the Delegation hoped that such assistance would be intensified so that IP could become a tool in

reducing and eradicating poverty, in promoting socio-economic and cultural development in Nigeria, and for integrating Nigeria into the global IP system. The Nigerian Government, recognizing the importance of IP protection, had decided to restructure IP agencies in Nigeria. A draft bill, integrating all governmental bodies dealing with IP issues into one body, which would be known as the Nigerian Intellectual Property Commission, was currently being reviewed in various departments, and it was expected to be submitted to the National Assembly for legislative approval in the near future. The Delegation noted that traditional knowledge, genetic resources and traditional cultural expressions were issues of importance to Nigeria and to many countries, and areas of concern in the new Partnership for African Economic Development. Consequently, the Delegation wished that the Intergovernmental Committee would not only continue its work on those issues, but also reach agreement in the next biennium on an international instrument that would confer protection to holders of traditional knowledge, an objective towards which Nigeria was fully prepared to participate.

81. The Delegation of Madagascar addressed its congratulations to the Director General for his recent re-election and praised the efforts of the Secretariat to achieve clarity in the reports submitted to the Member States, especially the Program Performance Report for 2002. It wished to give its support to the program and budget for the 2004-2005 biennium, which would allow the objectives set forth in that plan to be made final. It said that it was pleased with the assistance provided by WIPO in the course of 2003, and wished to express its thanks to the Organization for the many forms of assistance that had been given to the national agencies responsible for administering intellectual property; they had been provided with two WIPONET kits which were already operational. It expressed the wish that those bonds of cooperation might be strengthened, and that its country might thereby be enabled to take advantage of the intellectual property system as an instrument of economic, social and cultural development. It then stressed the need to modernize intellectual property offices, and went on to praise the initiatives of WIPO in favor of the protection of traditional knowledge, genetic resources and folklore, and expressed pleasure at the important progress made by the Intergovernmental Committee in that field, adding that the work should continue within the framework of a Permanent Committee. It emphasized that the strengthening of institutions and the optimum use of human resources remained one of the important priorities, particularly with regard to the implementation of the TRIPS Agreement. It wished to see a strengthening of WIPO assistance to allow the participation of national experts in conferences and also the training of those responsible for the implementation of intellectual property legislation, including magistrates, customs officials and police officers. To that end it encouraged WIPO to renew its collaboration with WTO within the framework of the Joint Initiative on Technical Cooperation for LDCs. It announced that Madagascar would shortly be acceding to the Madrid Protocol, as the Government had already given its agreement. The Delegation concluded by declaring its support for the statements made by Zambia in the name of the African Group and by Benin in the name of the LDCs.

82. The Delegation of Tajikistan congratulated the Director General on his re-election. It noted that the current year had been devoted to a number of important events in Tajikistan, such as the celebration of the 10th anniversary of the national IP system. In that connection, the Delegation expressed its heartfelt thanks to the Director General and WIPO staff for the continuous material and technical assistance which had been provided in establishing a national industrial property system in Tajikistan. In May 2003, senior leaders of Tajikistan, headed by the President, had visited WIPO, where intensive and constructive negotiations had been held on matters for the further development of the national IP system, and also on the accession of Tajikistan to other international agreements in the field of industrial property, in particular the PLT. In June 2003, a parliamentary delegation from the country had made a

three-day visit to WIPO, in which it had familiarized itself closely with the structure of the Organization and its numerous international agreements, and as a result, that delegation was prepared to promote the development of a legislative base for the national IP system. In the current year, an inter-institutional faculty of higher education for the protection of industrial property had opened, attached to the National Patent Information Center. Through the efforts of the Patent Office, it would provide lectures and practical activities in all the technical institutions of higher education in the national capital. The Delegation informed that the highest legislative authority had approved April 26 as International Intellectual Property Day in the country. In 2003, the Government had adopted and passed to the highest national legislative authority (Majlisi Oli) draft laws on Inventions, and on Industrial Designs. It was hoped that those laws would be adopted in the near future. The Delegation pointed out that events relating to the 10th anniversary of the national industrial property protection system would be held on October 14 to 16, 2003. At that time, a WIPO seminar was planned in Tajikistan on SMEs as powerful instruments for economic growth. The Delegation concluded by expressing its wish that the current meetings of the Assemblies of the Member States of WIPO would achieve unity, solidarity and success in their work.

83. The Delegation of the Republic of Moldova congratulated the Director General on his re-election to a second term, and expressed confidence that under his guidance, WIPO would continue its dynamic development. The Delegation fully supported the statement made by the Delegation of Kazakhstan on behalf of the Group of Countries of Central Asia, the Caucasus and Eastern Europe. The Delegation observed that WIPO's prosperity would have been impossible without the prosperity of the national patent offices in each Member State, and thus, it felt that it was essential to support WIPO's policy, aimed at developing national patent offices. In that regard, the assistance provided by WIPO to the Commonwealth of Independent States (CIS) countries had been invaluable, for which immense gratitude was expressed to the Director General. In the activities of the national patent offices, including in the Republic of Moldova, many qualitative changes were taking place, the main emphasis being placed on the implementation and provision of legal protection for IP, and the main task being to make maximum use of all the advantages offered through the protection of IP. In that context, in August 2003, the Government of the Republic of Moldova had adopted a national strategy for the development and use of IP, and the time line for that strategy was up to the year 2010. The basic aim of this strategy was: to create conditions for the development and use of IP in compliance with worldwide standards; to harmonize legislation with the requirements of the European Union and World Trade Organization (WTO); to create conditions which would attract foreign investors; and, to stop IP infringements. In this context, the Delegation noted that the Republic of Moldova had acceded to virtually all the international IP agreements and conventions. As a result of the said strategy, six new laws, aimed at more effective use of IP in the national economy, were due to be drawn up. Apart from the national Agency for Industrial Property Protection, the strategy was being implemented by the Customs Authorities, the Ministry of Internal Affairs, the Academy of Sciences and the Higher Science Council. The Government felt that, by consolidating the general foundations of the various Government organizations, the strategic task of accelerating the national economy, based on maximum use of the results generated by IP, had been put in place, and as a consequence, WIPO's role in devising and implementing such a strategy had been and would be very important. The automation of the processes for examining applications for inventions, trademarks, industrial designs, etc., was an important aspect of the activities of national patent offices, and the Delegation requested specific assistance from WIPO and other regional organizations, in order to achieve the requisite technical level, both in a methodological and an information-related sense. The assistance provided to the Moldovan National Patent Office by the European Patent Office and the

Eurasian Patent Office (EAMO) was highlighted. The Delegation also noted that more specific and practical effects were anticipated from the activities of the WIPO Standing Committee on Information Technologies (SCIT). Another important issue for the Moldovan Patent Office was the reliable protection for geographical indications in the CIS countries, since there had been infringements of rights in that area, as a result of the unfair use of geographical indications by different economic agents. The Delegation pointed out that being a Contracting Party to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration had not provided sufficiently reliable protection for geographical indications in the CIS countries, since only the Republic of Moldova was a party to that Agreement. The Delegation considered that it was essential for WIPO to organize in 2004, in the Republic of Moldova, an international seminar on the protection of geographical indications in the CIS countries.

84. The Delegation of Mexico expressed pleasure at the re-election of the Director General to lead the Organization during the period from December 2003 to December 2009. For many years the Government of Mexico had considered intellectual property an important driving force for the country's economic and social development, and had modernized both the relevant legal framework and the institutions that administered it, mainly by creating the Mexican Institute of Industrial Property (IMPI) and the National Copyright Institute (INDAUTOR). Ten years previously, when IMPI was created with a staff of 300, 4,000 patent applications and 30,000 trademark applications were received; ten years later the staff of officials had risen to 700, and 15,000 patent applications and 65,000 trademark applications were handled; the increase in patent applications was mainly due to Mexico's accession to the Patent Cooperation Treaty in January 1995. The results mentioned were to a large extent made possible by the support received from WIPO, especially in recent years. The Government of Mexico, through the President of the Republic, had awarded the Director General the highest distinction that could be granted to a foreign citizen, namely the Order of the Aztec Eagle, which would be presented to him in the coming weeks. It was certain that the forthcoming six-year period would see even more work being done on the improvement of the Mexican intellectual property system, with support as ever from WIPO. In that connection, recognition of the Spanish language would be looked upon with great interest in the context of the conditions governing Mexico's accession to the Madrid system.

85. The Delegation of Argentina expressed its support for the statement made by the Delegation of Costa Rica on behalf of GRULAC, referring to the spirit of mutual collaboration that had presided over the technical cooperation afforded by WIPO. In that connection the Delegation conveyed its Government's special gratitude to the staff of the Cooperation for Development Bureau for Latin America and the Caribbean, which had conducted its work in a spirit of permanent dialogue, and emphasized the importance of the cooperation activities carried on, among which he mentioned the Roving National Seminar on Intellectual Property and Technological Information Services, the training courses addressed to members of collective management societies and the Seminar on Copyright and Related Rights for Judges. The Delegation expressed its Government's interest in continuing those activities in the coming biennium, and also the cooperation and collaboration in postgraduate intellectual property courses at the National University of Buenos Aires. The Delegation considered it necessary to increase the funds granted to national technical officials, with a view to making maximum participation possible in the Organization's standing committees and meetings of experts.

86. The Delegation of Austria congratulated the Director General on his re-election and associated itself with the statements made on behalf of Group B and the European Union. It

noted with appreciation the transparency of both the reports on the Agenda Item, and commended the Director General and the Secretariat on the results achieved during the period under review and the progress made towards WIPO's strategic goals, especially with regard to IP as a key tool for economic and social development. The Delegation also welcomed the special attention paid to the needs of SMEs, for raising their level of awareness and their use of IP systems, and it supported the idea to continue and even expand those efforts in the next biennium. It noted that the growing number of adherences to Treaties and Unions administered by WIPO clearly illustrated the increasing global acceptance of IP and the confidence put in the Organization. It expressed its appreciation and full support for the proposals to include Spanish in the language regime of the Madrid system, and to enable an accession by the European Union, which were on the agenda of the Assembly of the Madrid Union. It was confident that such major steps, and the forthcoming entry into force of the accession of the United States of America, were going to make the Madrid System even more attractive. The Delegation commended the Secretariat for making the systems created by the WIPO administered Treaties more attractive to users and offices involved, and especially noted the progress made in reforming the PCT and the deliberations of the SPLT. Austria, representing an ISA and IPEA, had taken active part in these efforts to make the patent system more transparent and user-friendly. The Delegation believed that the PCT was at the core of WIPO and welcomed, and expressed its support for, the proposals to carefully monitor the situation regarding PCT filings and filing patterns in the coming years in order to be prepared to act, if necessary. The Delegation also expressed its appreciation for the results achieved under the Cooperation for Development programs and the WWA; especially concerning the number of people participating and their positive evaluation. In this regard, the Delegation reiterated its willingness to further provide assistance and support to these important activities. The Delegation concluded by assuring the Director General of Austria's continuous contribution to the pursuit of WIPO's global goals in the next biennium.

87. The Delegation of Azerbaijan congratulated the Director General on his re-election and wished him success in his position. It noted that during the past few years, under the Director General's leadership, WIPO had crossed new frontiers in various areas and had contributed to economic and cultural development. It pointed out that the Director General's personal qualities as a leader, his talent, farsightedness and organizational abilities, had allowed WIPO to undertake a large amount of work, and to create and introduce new projects and initiatives. One of those projects was WIPONET, and the Delegation noted that Azerbaijan had put forward an initiative to hold a WIPONET regional training seminar in Baku. WIPO had supported that initiative and had organized a very high level event in which representatives of Belarus, Kazakhstan, Tajikistan, Uzbekistan and Albania had participated. The Delegation also highlighted the very effective training courses and seminars for office specialists organized by the WIPO Worldwide Academy, as well as the distance-learning program which provided a unique opportunity for training via the Internet, not only for office specialists, but also for a broad spectrum of students and employees of other industrial sectors. It noted that this WIPO initiative had made a significant contribution to the formation of skilled workers and the development of intellectual potential. The Delegation reiterated its support for the chosen course of WIPO, hoping that WIPO would continue to work in priority areas and provide different kinds of assistance and support to national patent offices. The Delegation also pointed out that in Azerbaijan, SMEs were developing at a fast rate and that the Government had set up a special program for 2003-2005 to support this trend. In this connection, the Delegation referred to the major contribution made by WIPO to the development of this program, a clear example of which was the recent SMEs seminar timed to coincide with the 10th anniversary of the Patent Office of Azerbaijan, held in Baku, in June 2003. The event had been given broad publicity in the press and Government circles, a

fact which once again emphasized the interest of Azerbaijan in developing IP and in cooperating with international organizations. A further important indicator of the development of IP in Azerbaijan was its simultaneous accession, in 2003, to four international treaties: the Locarno, Nice, Budapest and Strasbourg Agreements, as a result of the active work done by WIPO. Currently, one of the main tasks of the IP Office was the transition from a paper-based working environment to a modern automated system. The Delegation concluded by reiterating its full support to the Director General and wishing him success in his work to further the cause of IP.

88. The Delegation of Barbados joined in congratulating the Director General on his recent re-election. It was confident that he would continue to further the aims and objectives of WIPO with his customary energy and efficiency. Barbados was looking forward to working with the Secretariat towards the eventual harmonization of intellectual property laws through the establishment of common norms and standards. Barbados noted the positions of some Delegations with respect to the Program and Budget, especially as to funding of WIPO activities via the Patent Cooperation Treaty. While there was no difficulty with attaining organizational efficiency, nor with the desire of Members to ease the financial constraints on patent holders and developers, the Delegation held the opinion that any decision taken that would lower WIPO's income, would have a negative impact on cooperation for development activities. In this connection, Barbados wished to express its contention that any income reduction through PCT fee reductions would have to be assessed in light of the subsequent impact on WIPO's development programs and strategic planning. The Delegation also wished to commend the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and hoped that the work of this Committee continued and that the Committee's mandate be broadened and strengthened. As a Member State possessing both natural resources and a strong element of traditional knowledge, Barbados would be extremely interested in any further developments arising out of the work of the Committee. It commended WIPO again for its foresight, in providing developing countries with a forum in which their views about these international developments could be expressed. The Delegation hoped that this work, coupled with related efforts in other Agencies of the United Nations, would eventually provide a framework for the appropriate treatment and trade in the natural resources deriving from every nation's heritage and innovative spirit. Barbados hoped that the Assembly meetings would serve as a forum for sharing common experiences and new knowledge, and as a platform on which innovative, dynamic thinking on intellectual property was presented, as a means for developing countries to occupy their places in the international market place.

89. The Delegation of Bhutan congratulated the Director General on his re-election and expressed its confidence that under his visionary, pragmatic and results-oriented leadership, WIPO would be able to reach even greater heights of achievement. It acknowledged and appreciated the assistance received from WIPO both in terms of technical and legal advice, as well as financial support, for its endeavor to modernize Bhutan's IP administrative system and enforcement mechanisms. The Delegation looked forward to continued cooperation and increased assistance to improve its IP administrative system. The Delegation also supported and associated itself with other speakers who had appreciated the progress made by the IGC on genetic resources, TK and Folklore and requested that the mandate for further work of the IGC be extended. In conclusion, the Delegation endorsed and associated itself with the statements made on behalf of the Asian Group, SAARC, and the LDCs.

90. The Delegation of Burkina Faso expressed its appreciation of the high quality of the documents submitted and, while sincerely congratulating the Director General and all his staff

for the efforts achieved, said that Burkina Faso was placing great hopes in WIPO as an Organization seeking to further the economic and social development of its Member States. It pointed out that the promotion and recognition of intellectual property as a tool of economic, technological and cultural development had been made possible by the unrelenting action of WIPO. It added that no effort would be spared to ensure that the intellectual property system was fully integrated in the activities of economic operators in Burkina Faso. The Delegation then informed the General Assembly that the Government of Burkina Faso wholeheartedly subscribed to the ideals of the United Nations, and that a Permanent Mission to the United Nations Office in Geneva had been opened in 2003 with a view to strengthening the country's cooperation with the Geneva-based international organizations and UN specialized agencies, and most particularly the relations between WIPO and Burkina Faso. The Delegation gave an account of the various WIPO cooperation activities that had benefited Burkina Faso, notably the support given to the departments responsible for industrial property and literary and artistic property in the form of staff training, the many forms of backing that had allowed Burkina Faso to take part in the various seminars and meetings on intellectual property, the promotion and protection of geographical indications in four Member States of the African Intellectual Property Organization (OAPI), including Burkina Faso, and the introduction of neighboring rights. After having given a very favorable assessment of its cooperation with WIPO, the Delegation expressed the wish that the assistance provided by WIPO might in future help its country in the following areas: fulfillment of its commitments under the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS Agreement); the conduct of a study to evaluate the institutional environment for invention and innovation activities; support for the Burkinabé Copyright Office (BBDA) in the building up of the collective management of the rights of performers, and the strengthening of the capabilities and competence of national agencies responsible for industrial property and literary and artistic property through the supply of equipment for their departments and staff training.

91. The Delegation of Cameroon congratulated the Director General on his re-election at the head of WIPO, pointing out that it was a mark of trust on the part of the Member States which bore testimony to his energy in the efficient management of their present and future needs, especially in new fields such as the promotion of small and medium-sized enterprises (SMEs) or the protection of expressions of folklore, traditional knowledge and genetic resources. The Delegation also expressed satisfaction with the WIPONET project, which was considered an important instrument in the modernization of Cameroon's intellectual property system. In that connection it added that the national project coordinators had been trained by WIPO, and that a substantial consignment of computer hardware had already been installed in the various ministerial departments concerned. The Delegation thanked WIPO for having organized an awareness mission to the Cameroonian national authorities, the aim being to promote Cameroon's accession to the Hague system, and requested WIPO's support for the organization of two national seminars concerning the importance of industrial designs to the competitiveness of goods on the one hand and the collective management of copyright and related rights on the other. The Delegation made it known that the implementation of the TRIPS Agreement, especially the part concerning the enforcement of intellectual property rights, was still presenting problems for Cameroon, and expressed the wish that WIPO provide the technical assistance necessary for the establishment of a strong legal framework that would in turn strengthen the present national machinery for the enforcement of those rights.

92. The Delegation of Canada commended WIPO for its many constructive initiatives since September 2002, which were vital and critical to the future of intellectual property globally. The Delegation congratulated the Director General on his re-appointment, founded on his

numerous accomplishments and his commitment to expand these achievements during his second term. It was pleased to learn that the Director General would continue to ensure that intellectual property gained its rightful place on the agenda of policy makers at the highest level. The Delegation referred to the visit of the Director General to Canada five years earlier, when he stated: "Creativity, innovation and invention are humankind's greatest assets." Since then, he had pursued his outwardly-focused vision of WIPO, based on relevance, empowerment and inclusion, complemented by an inward focus predicated on clarity, efficiency and transparency. The Delegation noted that the Director General deemed modern management, outreach, progressive and cooperative development of IP law, plus global protection systems, as vital to the future of the IP system, and supported his initiatives to enhance transparency, accountability and efficiency along with the introduction of information technology-assisted procedures and services. In the important area of cooperation for development, Canada noted that one of the principal goals of WIPO was the improvement, restructuring and customization of national and regional activities. The Delegation was pleased to note that the initiative launched last year by the Directors General of WIPO and the World Trade Organization (WTO) to help least-developed countries (LDCs) maximize the benefits of intellectual protection, was gaining momentum. This meant that the increasing importance of intellectual property as a tool for technological advancement, economic growth and wealth creation would be recognized and exploited more fully in these least-developed countries. The Delegation extended congratulations to the newly elected or re-elected Deputy Directors General or Assistant Directors General, and wished to show its appreciation for the contributions of the two outgoing DDGs to the growing global influence of IP. Like WIPO, Canada remained committed to modernizing intellectual property laws and regulations, and aimed to continue improving its IP legislation, as clearly indicated by the federal government on several occasions, including last year's Speech from the Throne. In it, the Government said it would "accelerate regulatory reforms in key areas to promote health, sustainability and innovation in Canada ... [including] ... adapting its intellectual property framework to enable Canada to be a world leader on emerging issues ... [and] ... revising Canadian copyright rules to ensure that Canada has a progressive regime that supports increased investment in knowledge and cultural works." As part of this commitment, Canada would remain firmly engaged in the various norm-setting activities conducted under the auspices of WIPO. The Delegation appreciated the agreement of PCT members last year to grant Canada status as an international search authority/international preliminary examination authority (ISA/IPEA) under the Patent Cooperation Treaty (PCT). This service was expected to commence in the summer of 2004. The preparations to reach that goal involved providing automation support (workflow, document management, application processing, correspondence creation and tracking) for the receiving of PCT applications as well as the ISA/IPEA process. This project made use of, modified and expanded, existing IT components of the Canadian Intellectual Property Office (CIPO), to reduce effort and provide consistency with common components. The Delegation further stated that Canada hosted the bi-annual Asia-Pacific Economic Cooperation (APEC) Intellectual Property Experts Group (IPEG) meeting in Vancouver, British Columbia, in July, 2003. As a founding member of APEC, the promotion of greater regional economic and social cooperation remained a Canadian objective, pursued through promotion of trade-liberalization and facilitation within the APEC forum. The seminar topic of this APEC-IPEG meeting was "IP Management and Strategies," which examined how IP is used, managed and exploited throughout the various commercialization phases of an innovation. Management techniques and intellectual property protection strategies were presented using regional case studies, to illustrate how new and emerging technologies could be successfully commercialized in domestic and international markets. In October 2002, a statutory report on the provisions and operation of the Copyright Act (The Section 92 Report) was tabled in the House of Commons on behalf of the Minister

of Industry, and outlined a number of copyright reform issues to be addressed in the coming years. The report was before the Standing Committee on Canadian Heritage of the House of Commons, which set September 15, 2003 as the date for interested parties to give summaries of their submissions on the Report. The Standing Committee was expected to report back to Parliament in June 2004. On March 21, 2003, Bill C-11 came into force, which temporarily prohibited Internet-based retransmitters from using the compulsory license in Section 31 of the Copyright Act to retransmit over-the-air broadcast programs. Canada was pleased to celebrate the second World Intellectual Property Day. On that occasion, CIPO paid tribute to IP professionals and its employees – who provide IP services to its Canadian and foreign clients – through a variety of activities. CIPO was also pleased to continue contributing to the specialized training course on Client Service and Quality Management in the Delivery of Patent Services, organized in cooperation with WIPO for senior officials from developing countries. Representatives from Asian countries and Latin American countries would be attending the next session of this intensive five-day training course, scheduled for May 2004. In the IT field, Canada remained committed to its high-level activity in a number of areas: the first phases of WIPO's WIPONET initiative were predominately oriented to developing countries and involved services which were already accessible to CIPO. CIPO was interested in the merit of accessing the PCT IMPACT system for ordering PCT documents online via WIPONET, to improve its handling of PCT applications entering the national phase in Canada. CIPO was also busy implementing a project which will allow CIPO patent examiners to search USPTO patent documents on the USPTO WEST search system via the secure TriNet network. CIPO engaged in a Patent Document Storage project, which scanned and stored on optical disks all patent documents dating back to 1920, and would migrate these scanned documents from optical disks to magnetic disks to allow for future growth, improved performance and reduced operating costs. As CIPO was implementing its Client Relationship Management (CRM) approach, it would accumulate client data more systematically, which allowed CIPO to dedicate its resources and efforts to the provision of products and services that clients say they value most. In addition, a Corporate Complaints Management system was being implemented to allow CIPO clients to lodge complaints via the Internet; those complaints would automatically be directed to the appropriate Branch and tracked to ensure they are addressed within agreed service level times. As part of its Client Relationship Management initiative, CIPO conducted a survey of its clients in December 2002. The results indicated that approximately 80% of CIPO's clients were satisfied with the service. There were several projects undertaken to upgrade various components of CIPO's IT infrastructure, both hardware and software, as part of CIPO's "Evergreen" approach, to ensure that the IT infrastructure was periodically renewed, so current and future demands were met in the most cost-effective manner. CIPO continued to make encouraging advances in electronic service delivery, which was a priority across the Canadian government. Currently, all clients could file any IP application electronically with additional transactions, such as trademark renewal and patent maintenance fees, being added on an ongoing basis. CIPO's goal was to run a fully automated environment within the next five years, with processing capabilities for the full life cycle of IP protection transactions, in both the domestic and international spectra. In closing, the Delegation confirmed that Canada would continue contributing wholeheartedly to the pursuit of WIPO's global goals, thereby advancing the promotion of socio-economic prosperity for the entire planet.

93. The Delegation of the Central African Republic expressed its gratitude to the Secretariat for its assistance to developing countries, especially the Central African Republic. The Delegation subscribed to the statement made by Zambia on behalf of the African Group, and supported the proposal of a Standing Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. It wished to recall the importance to African

countries of the Doha Declaration on the TRIPS Agreement and Public Health, an instrument that gave priority to public policy concerns that intellectual property rights should become an instrument of development. It insisted that intellectual property protection systems were still little known to its country's economic operators, researchers and inventors, apart from which there was a lack of human resources. With that in mind, it recalled that its Government, with support from the African Intellectual Property Organization (OAPI), had placed special emphasis on information and awareness activities. It declared itself in favor of continuing financial and technical assistance from WIPO, and asked for that assistance to be increased so as to meet the training needs of executive staff and replace computer hardware and the WIPONET kit destroyed in armed conflicts. It also asked for the organization of a seminar to be put in hand, for the benefit of decision-makers, on the importance of intellectual property to economic development. As part of its demystification policy, the Delegation asked WIPO for support in the organization of the National Invention and Technological Innovation Fair planned for the last quarter of 2003. The Delegation ended by calling for the building up of the WIPO Academy's cooperation programs, including that with universities. It added that it would like to see an increase in the budget credits allocated to the financing of the participation of African countries in meetings held in Geneva.

94. The Delegation of Chad endorsed the statements made by the Representative of Zambia in the name of the African Group, and expressed thanks to the Secretariat for the quality of the documents submitted to the Member States for approval. It declared itself pleased with the activities of WIPO as presented in the Program Performance Report of 2002 and the Overview for the first half of 2003. It was particularly appreciative of the assistance provided by WIPO in the intellectual property field, and expressed pleasure at the initiatives put in hand for the creation of an intellectual property culture. It declared its Government's determination to help develop the international patent system in order to simplify the rules of procedure and make them more accessible. It ended by supporting the proposal made by Zambia, on behalf of African Group, to convert the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore into a Standing Committee.

95. The Delegation of Croatia thanked the Director General for his effective leadership, and the staff of WIPO for their wide-range of efforts in the field of intellectual property. It expressed appreciation for the preparation of very informative and comprehensive reports, proposals, and other material, as well as for the excellent organization of the session. The Delegation was grateful for the opportunity to present the developments and achievements attained during the year on by the State Intellectual Property Office (SIPO) of Croatia. In 2002 and the first semester of 2003, the Office continued to systematically improve its activity as the State administration body responsible for granting industrial property rights, as well as copyright and related rights in Croatia. The Office is the central point of the Croatian intellectual property system, improving partnerships, maintaining its existing relations and developing new ones, in cooperation with WIPO, EPO and national Offices for intellectual and industrial property. The Office made efforts to follow and to actively participate in the world trends towards development of IP, resulting particularly from globalization, harmonization and the increasingly intensive and complex implementation of information and communication technology. During the last period, processes were launched that demanded a strong and long-term engagement of the Office, and many of them were successfully carried out. This included the signing of the Cooperation and Extension Agreement in the field of Patents between the Government of the Republic of Croatia and the European Patent Organization, which was ratified by the Croatian Parliament. During the year the Office prepared for the ratification procedures of: the Protocol Relating to the Madrid Agreement;

the Common Regulations under the Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to that Agreement; the Hague Agreement Concerning the International Deposit of Industrial Designs; the Regulations under the Hague Agreement; the Geneva Act of the Hague Agreement, and the Regulations under the Geneva Act. All these instruments were ratified by the Croatian Parliament. The process to prepare for the accession of Croatia to the European Union included, among other things, the harmonization of Croatian legislation, including in the field of intellectual property, with the EU Directives. Thus, comprehensive work was underway, comprising the harmonization of the entire legislation basis of the Croatian intellectual property system with the EU Directives. The Office experts who dealt with the relevant fields drafted new laws that would fully comply with the Interim Agreement/SAA and the EU Directives covering all fields of intellectual property, including: the Copyright and Related Rights Act; the Patent Law; the Trademark Law; the Law on Geographical Indications of Products and Services; the Law on Industrial Designs; and, the Law on the Protection of Topographies of Semiconductor Products. All were revised by the EU experts engaged for that purpose within the CARDS Project. The Copyright and Related Rights Act was also revised by the staff of WIPO, to whom an expression of gratitude was offered. Great attention had been paid to the enforcement of intellectual property rights in the world, which remained a problem in countries in transition, including Croatia. The State Intellectual Property Office, in association with other State administration bodies and the judiciary, had developed a wide range of activities to improve the existing situation, which required a long-term and persistent engagement aimed at changing the ideas and behavior of all relevant parts of society and individuals. During 2003 implementation began of the EU technical assistance program, the national CARDS 2001 project. The project aimed to improve the legal and institutional framework for effective implementation and enforcement of IPRs in Croatia, contributing to the overall objective of improving the investment climate and fostering economic development. The project had been divided in three components. Components I and II would provide assistance to SIPO, in supporting the legal harmonization with the EU *Acquis* in the fields of industrial property rights, as well as in institutional assessment, capacity-building and training of SIPO staff. The third component addressed the objective of developing a Strategy for the further enhancement of IPR implementation and enforcement systems in Croatia. Finally the Delegation stated that Croatia and the State IP Office as a focal point of the national IP system would continue to support, cooperate and participate in the projects and activities of WIPO to the maximum extent possible.

96. The Delegation of the Czech Republic expressed its great satisfaction with the work accomplished by WIPO during the period under review, under the dynamic leadership of the Director General. The Program Performance Report and the Program Implementation Overview clearly documented that many of the objectives had been achieved. The Czech Republic fully supported the WIPO program and budget for 2004-2005, as well as the on-going discussions on possible improvements to the international patent system, the Substantive Patent Law Treaty and PCT reform. The Delegation also welcomed the program for SMEs and WIPO's focus on new areas emerging from technological development. The Czech Industrial Property Office was pleased to host the WIPO Regional Consultation on Intellectual Property and the Internet in Prague, in June 2003. In this context, it highly appreciated the excellent cooperation provided by the Division for Cooperation with Certain Countries in Europe and Asia. As regards the current activities of the Czech Industrial Property Office, emphasis was placed on promoting public awareness with respect to industrial property issues. The Office actively contributed to a better understanding and effective use of industrial property system and improved its industrial property information services, provided through the Internet, with the objective of further enhancing electronic

communication and information technology. The Office is now able to accept electronic filing of all applications. The Czech Industrial Property Office also actively participated in strengthening enforcement of industrial property rights, with great attention to training and teaching activities. The Czech Republic welcomed the adoption of the WIPO Copyright Treaty (WCT) and WIPO Performances and Phonograms Treaty (WPPT) in 1996. The Copyright Act, which came into force in December 2000, provided the legal basis that facilitated the accession to both treaties, as early as 2001, so that the Czech Republic became one of the 30 States whose participation brought the treaties into force. The Czech Republic remained aware of the fact that, while the protection of rights of performing artists and producers of phonograms had been provided for at international level to a degree that reflects the possibilities of disseminating the performance and phonograms by new technologies, artists performing in the audiovisual field did not yet enjoy similar protection. The Czech Republic therefore supported the intention of WIPO to conclude the draft of the international instrument for the protection of rights of performing artists in audiovisual works. The Czech Republic also supported the conclusion of the negotiations on the protection of broadcasters' rights, which had to be adequately protected in the digital environment. These intentions of WIPO received the full support of the Czech Republic, as a country with national legislation that already provided a high level of protection of rights to performing artists and of broadcasters. The Czech Republic also supported the actions of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and believed that in its field of activity the Committee has no substitute. The Czech Republic also considered as important the actions of the Advisory Committee on the enforcement of IPRs. The application of effective tools of protection of IPRs remained especially important in the digital environment. The Czech Republic thus welcomed the establishment of the Electronic Forum for an exchange of information in the field of rights enforcement, which provided an open platform for public participation in a worldwide discussion of this topic. In conclusion, the Czech Republic wished the Director General a successful second term in office and every success, and looked forward to participating actively in the further implementation of WIPO activities in the years to come.

97. The Delegation of the Democratic Republic of Congo subscribed to the statement made by Zambia on behalf of the African Group, and expressed approval of the quantity and quality of the documents made available to the Member States. It congratulated the Director General on his re-election, and went on to mention the teaching programs of the WIPO Academy, which had trained officials, students, researchers and businessmen in seminars or various training workshops, and welcomed the various awareness campaigns initiated by WIPO. It also announced that the WIPONET communication network was now operational in its country. It expressed pleasure at the progress of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. It regarded the new information technology sector as the means of moving into the future, and said that it was awaiting with great interest the holding of the next World Summit on the Information Society. It said that WIPO's contribution would be appreciated both there and in the field of the TRIPS Agreement. It also mentioned its determination to overcome the difficulties currently facing the country. It wished to express its gratitude to WIPO for its multifaceted assistance, and notably the recent supply of computer hardware to the Congolese Industrial Property Directorate. It said that it was impatiently awaiting the conclusions of the WIPO expert, following his visit to Kinshasa, which should make it possible to relaunch the activities of the National Society of Publishers, Composers and Authors (SONECA). It ended by announcing that the laws on intellectual property were at present undergoing revision, and then added that the principle of accession to the Patent Cooperation Treaty (PCT) had been

accepted but that the actual procedure had been delayed on account of a change of Government.

98. The Delegation of Denmark congratulated the Director General on his re-election and looked forward to cooperation in the years to come. The Delegation informed the Assemblies that the new Patent Act had come into effect on July 1, 2003, implementing Article 22 of the PCT, and the deadline for entering the national phase in Denmark was now 31 months. Also, with the new Patent Act the PLT had been implemented and ratified, whereas the London Protocol had only been implemented as the Minister in charge has the administrative power to ratify after a certain number of countries has ratified the Protocol. One up-coming task in 2003 would be the revision of the Act for Utility Models, being 10 years old and in need of thorough revision. One of the biggest questions would be to decide whether processes should be protected and whether there should be an obligatory examination of rights. Furthermore, the Delegation outlined Denmark's active participation in the preparation of the European Community Patent. While it welcomed the progress made in this area, hoping to see the Community Patent coming into force as soon as possible, the Delegation acknowledged that such a patent would only be a step forward towards greater harmonization, and stated that Denmark therefore would continue to work towards harmonization on a worldwide basis. The Delegation also mentioned the mutually successful outcome of a visit in June by colleagues from Georgia, Jamaica and Malaysia taking part in the Interregional Intermediate Seminar on Industrial Property. It informed the Assemblies of the success of a recent project, PVS online, whereby users, free of charge, can check the patent and trademark applications and registrations themselves that are publicly available. It noted the Danish Patent and Trademark Office's assistance to the Lithuanian Patent Authority in preparing for their EU membership, including the drafting a new Trade Descriptions Act in accordance with the EU Directive and TRIPS, a new Patent Act, and in the provision of training in the European Patent Information System. This undertaking would come to an end in late 2003. Furthermore, the Danish Patent and Trademark Office had been chosen, together with Queen Mary Intellectual Property Research Institute, for a Phare Twinning project in Bulgaria, for the development of a national cooperation and information exchange network for the protection of intellectual and industrial property rights. The project would start in 2003 and run until 2005. The Delegation also mentioned the development of an IP strategy tool, IPscore®2.0, which had been launched for the international market in October 2002, for the qualitative and quantitative evaluation of patents and development projects, with the purpose of encouraging companies to think of patents as assets with values that can contribute to the overall strategy and innovation. The tool had been met with great interest. The Delegation also mentioned that as part of its focus in recent years on education of Danish enterprises and consultants within IP and IPRs, the existing European Patent Attorney training program and other national programs had been revised, and new courses, lectures, educational- and research programs for students and practitioners had been facilitated. It had become apparent that international cooperation in this field was necessary, if the international standards in IP education were to be met, and the establishing of an IP Knowledge Network within Scandinavian countries and the Baltic States was therefore on-going. Lastly, the Delegation informed the Assemblies that a new Director had been appointed for the Danish Patent and Trademark Office who will take up duties in October 2003, and it concluded by expressing its wishes for a simple, user-friendly and strong future IP system.

99. The Delegation of El Salvador congratulated the Director General on his appointment for a new term of office as Director General of WIPO, and repeated its support for the implementation of the Organization's future work. The Delegation's Government recognized

the contributions made by the intellectual property system to the economic, social, cultural and technological progress of countries. It highlighted the progress made by the international community in 2003 towards a world understanding regarding mutual support in the matter of the protection of intellectual property and health protection. In that respect it was important to welcome the results achieved in the form of the decision adopted by WTO on the implementation of paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health. Progress in the international sphere was likewise reflected in modern and efficient regulatory frameworks for the promotion of the proper protection of intellectual property rights as an adjunct to economic and social development. Hard work had also been done on promoting the implementation of national legislation, encouraging the building up of institutions and increasing public awareness. El Salvador had regarded as part of the main thrust of its intellectual property work the publicizing of the benefits, endeavoring thereby to generate greater awareness of the opportunities that it could provide. In that connection the Government had increased the number of its efforts to make intellectual property known to universities, to guilds of entrepreneurs and to the public at large. The Intellectual Property Office had completely turned itself round, and left behind it the role of mere registry to take on a new role as a promoter of the concept. In that connection, among a great many other activities, there had been the signature of a number of agreements with universities with a view to promoting knowledge of the subject in the academic community. Apart from that there were direct dealings with SMEs, which were among the most important job creators in El Salvador. "National Inventiveness Week" continued to be held: it would be taking place in October 2003 and would include activities such as a competition for inventors, innovators and designers, a robotics contest (innovative spirit), a meeting of inventors and the presentation of the WIPO award to an innovative company. The National Copyright and Folklore Week had taken place in April 2003. Those and many other activities had benefited from WIPO's support and also the support of friendly countries; its Government was therefore able to confirm that international cooperation had played and would continue to play a very important part.

100. The Delegation of Finland commended the Director General for his commitment to the objectives of WIPO, the work done in promoting the international IP system, which has led to a greater understanding of IP worldwide, the introduction of greater transparency within the WIPO Secretariat, and the assistance to developing countries in the field of protection of IPRs. The Delegation also expressed its satisfaction with the development of electronic filing of PCT applications, which would make the PCT more efficient and effective, and noted that in Finland the PCT-SAFE system would enter into its pilot phase at the end of the year, and that the system was expected to become operational next year. The Delegation concluded by expressing its satisfaction with WIPO's results, and looked forward to mutual cooperation in the years to come.

101. The Delegation of Germany reiterated its warm congratulations to the Director General for its re-election and affirmed that it shared his vision of IP as an important tool for economic growth and wealth creation. It also offered its thanks to the staff of WIPO for their commitment, dedication and professionalism. The Delegation stated that Germany had always been strongly committed to the ideals and goals of WIPO, for it attached particular importance to the protection of IPRs as it was witnessed by the high number of applications under different WIPO-administered Treaties. It trusted that the continuing endeavors of the Organization would serve this important cause also in the years to come. The Delegation praised the Director General and his team on both the Program Performance Report and the Program Implementation Overview, which illustrated the achievements and shortcomings of the implementation of the current Program and Budget in a very transparent manner. It noted

that the Assemblies were about to decide on a new program and budget and that, this time, the decision would not be easy due to the global economic slowdown and the decreasing number of new registrations, factors which affected the income projection of the Organization. Referring to WIPO's legal structure, including the international treaties administered by WIPO, the Delegation welcomed the fact that the Assemblies would approve some changes within the framework of a Constitutional reform, hoping that in the future it would be possible to agree on even more extensive changes. As regards the operation of the Madrid System for the international registration of marks, it was noted that the total number of transactions under this system, in 2002, had continued to increase for the fifth consecutive year. After the accession of the United States of America, which would come into force in November 2003, a further increase of the use of the system was to be expected. The Delegation stated that the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty were extremely important to meet the challenges of the digital millennium and expressed its satisfaction to their coming into force. It further informed the Assemblies that the German Parliament had recently passed legislation necessary to implement these two treaties and that, consequently, Germany was now in the position to ratify them within the shortest delay, together with and at the same time as the European Community and its Member States. The Delegation expressed its appreciation for the numerous activities undertaken by WIPO to demystify the role of IP at the general public level, thus making this complex domain accessible to all through awareness-building. It further observed that key results were achieved in the area of cooperation for development and human resources development. It recalled that WIPO's cooperation also assisted developing countries and countries in transition to comply with their obligations under the TRIPS Agreement and, in this context, also commended the WWA on its performance. Concerning new IP-related issues, special mention was made for the work carried out by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. Discussions in this Committee had yielded very useful practical results but, according to the Delegation, a lot more remained to be done. It therefore supported the continuation of the Committee's work in its current format in order to allow for the accomplishment of its mandate: this would ensure that the IP aspects of such complex issues as the protection of traditional knowledge and folklore were dealt with by the forum with the most expertise in this regard.

102. The Delegation of Ghana commended the Director General and the Secretariat on the quality of the documents provided, in particular the clear reporting methodology on results achieved, ensuring that Member States were in a position to ascertain the progress made by the Organization during the year under review. It applauded the role of the Director General and the Secretariat in promoting the growth of IP worldwide, and expressed its gratefulness for the support provided by WIPO to developing countries in the development of national IP systems. The Delegation highlighted the benefits Ghana had derived from WIPO's technical assistance, consultations, expert advice in reviewing legislation, and documents in support of IP awareness creation. Such benefits included increased knowledge and proficiency of national IP Office officials enabling them pursuing, more efficiently, the objectives of promoting national IP growth. The training programs had resulted in strengthening human resource capacities, critical for sustaining Ghana's effective IP system. The Delegation also noted Ghana's participation in a sub-regional seminar on concerted strategic approaches to questions related to collective management, cultural industries and the fight against piracy in West Africa, organized by WIPO and the Government of Mali, in Bamako, Mali. Furthermore, a National Copyright Seminar had been organized by WIPO in collaboration with the Government of Ghana in April 2003. The Delegation highlighted WIPO's assistance to Ghana to attend the Standing Committee on Copyright and Related Rights in June 2003, the sponsoring of a national discussion on the new Copyright Bill by Ghana's Parliament, and

the support provided for a mission for an official from the Ghana Copyright Office to Liberia to assist the latter in the implementation of a security device for fighting piracy. Furthermore the Delegation informed the Assemblies that officials from the Industrial Property Office had participated in an EPO-UK Patent Office-ARIPO CIPRO Regional Forum on industrial property for Africa and the Middle East, in South Africa, March 2003, and a WIPO Sub-Regional Workshop on the International Classification of Patents, Trademarks and Industrial Designs in Zimbabwe, May 2003. Also, two officials from the Registrar General's Department and a tertiary institution had been nominated to attend a workshop on "Strategy for acquisition, effective management and dissemination of IP Information," and an attorney from the Registrar General's Department is currently pursuing a masters program in IP law. The Delegation further highlighted the equipment which had been received from WIPO to assist in the effective management of IP Information, and the celebrations of World IP Day. The Delegation expressed its anticipation for a closer collaboration with WIPO in the coming year, especially in the area of genetic resources, traditional knowledge and folklore, and it hoped that more officials from the IP Offices would benefit from future training programs in order to further strengthen human resource capacities. Finally, the Delegation warmly congratulated the Director General on his re-election and wished him well in all his endeavors during the second term.

103. The Delegation of Guinea-Bissau congratulated the Director General and the Secretariat for the excellent work done and the specific results achieved. It said that it subscribed to the Director General's view regarding among other things the creation of an intellectual property culture, the protection and development of the intellectual property system and finally the improvement of the Secretariat's efficiency. It wished to point out that, on the occasion of the World Intellectual Property Day, the Director General's message had been widely broadcast on both television and radio. It expressed gratitude for the technical assistance received, and was pleased to be one of the countries benefiting from the WIPONET system. An installation kit had indeed been delivered to the Department of Industrial Property Services (DSPI), and the network should shortly be operational. It added that distance-learning in Portuguese and the provision of a Portuguese-language Internet site would contribute greatly to the promotion of intellectual property within the Community of Portuguese-Speaking Countries (CPLP), and to the better understanding of its advantages in Guinea-Bissau. The Delegation concluded by encouraging WIPO to continue its action for the promotion of intellectual property.

104. The Delegation of Iceland congratulated the Director General on his reappointment to a second term, and expressed its confidence that with his diplomatic skills, knowledge and vast experience, he will continue to govern the Organization with distinction. The Delegation commended the Director General and his staff on the excellent work done in the past year, as documented in the Program Performance Report for the year 2002. The Delegation noted that the effective international cooperation administered by WIPO was of vital importance for the development of intellectual property worldwide. WIPO's Member States coordinated their efforts, in order to improve and refine national legislation and other mechanisms, which could facilitate and increase the use of these important rights. The Delegation noted that WIPO made a broad contribution in the past year to efforts aimed at making intellectual property systems and associated huge benefits generally accessible. The Report for the year 2002 showed that many of the proposed objectives were accomplished. Of all the activities undertaken by the Organization, the Delegation chose to mention only two, which Iceland viewed as especially significant. Firstly, the important services that WIPO provides through the global protection systems, especially the Patent Cooperation Treaty and the Madrid Union. With continued growth in the use of the PCT system, as well as the increasing number of Contracting States, it is very important to further streamline the procedures, to

meet the growing number of applications. The PCT system underwent a number of changes in 2002, and important amendments to the PCT regulations were adopted at the PCT Assembly. Iceland approved those amendments, which will simplify procedures and make them more efficient, and also appreciated the work underway to reform the PCT system further. The Madrid Union also continued to grow in 2002, and a number of amendments to the Common Regulations entered into force, simplifying the system and making it more flexible; Iceland appreciated those amendments as well. Secondly, the Delegation mentioned the program for SMEs, and stressed that the establishment of a program for SMEs was extremely important, especially for smaller countries like Iceland, where nearly all enterprises could be categorized as SMEs. There are many reasons why SMEs do not protect their intellectual property assets as fast and firmly as larger companies. Among those are insufficient information on the relevance of IPRs and the high costs of obtaining and enforcing those rights. With this program, WIPO can hopefully help to overcome these obstacles and promote the use and protection of IPRs. The Delegation then recalled some of the main points in the work of the Icelandic Patent Office in the past year. In 2002, the number of patent applications increased by 8% from the previous year, and the share of domestic applicants grew by 45% since 2001. As patents are considered reliable indicators of industry's performance, this was a very positive development for the Icelandic industry and economy, and the Delegation hoped to see even further growth in the coming years. Trademark application numbers, on the other hand, continued to drop, showing a 14% decrease in 2002. The numbers of design applications grew slightly. The Icelandic Patent Act was amended as regards an extended time limit for entering the national phase in designated States, in accordance with the changes to the PCT system in 2002. Those amendments took effect in April 2002. The amendments that were made to the Madrid system in 2002 entailed a considerable change of procedure in handling Madrid applications. At the end of 2002 a new Collective Marks Act was passed by the Parliament. In October 2002, the Director of the Icelandic Patent Office retired, after having successfully served in that capacity since the establishment of the Office, and a new Director was appointed by the Minister of Industry, from November 1, 2002. The issue of the possible accession of Iceland to the European Patent Convention considerably influenced the work at the Icelandic Patent Office during the past year. In this context the Director of the Irish Patent Office visited the Icelandic Patent Office in October, and gave a lecture on Ireland's experience with the EPO. As Iceland had been invited in 1974 to take part in the Intergovernmental Conference for establishing a European System for the Grant of Patents, the European Patent Convention remains open for Iceland's accession. In November 2002 the Icelandic government took a decision to exercise this privilege. By a letter to the European Patent Office in February 2003, the Icelandic authorities expressed their wish to accede to the European Patent Convention, and becoming a member of the European Patent Organization, by the year 2004. The Delegation expressed its satisfaction at the prospect of Iceland's joining this successful system, which was of vital importance for all inventive activity in the sphere of industry, as are the international agreements administered by WIPO.

105. The Delegation of Indonesia fully endorsed the statement made by the Delegation of the Philippines on behalf of the Asian Group and added that WIPO's assistance was very much appreciated for enabling officials of the region to participate fully in the Asia-Pacific regional seminars or symposia undertaken in the second half of the last biennium. The Delegation informed the Assemblies that, since September 2002, the Indonesian Government had conducted a number of programs focussing on the implementation of IP laws, including the Asia-Pacific Symposium on the Enforcement and Protection of Copyright and Related Rights, in January 2003, in Jakarta, organized in cooperation with WIPO and financed by Japan. This was followed, still in January, by an advisory mission, under the sponsorship of Japan, to

advise the Indonesian IP Office on copyright enforcement matters. Meanwhile, in order to comply with the international treaties which Indonesia had ratified, and meet the challenges arising from the development of information technology, a new Copyright Law, No. 19/2001, was enacted in July 2003. To reinforce this law, the Indonesian IP Office had inaugurated a measure involving a coordination procedure with the national police to handle any matters related to copyright infringement. In addition, and with the assistance of WIPO, an expert mission was undertaken in March 2003 on how to improve the IT strategy for the automation of the Patent Office. The Delegation stated that, considering the extremely beneficial outcome of such programs, and given their relevance to the needs and level of economic growth of developing countries, the Indonesian Government was keen to see the continuation of WIPO's assistance to these programs as one of the priorities for the next biennium. Referring to the "Medium-term Plan for WIPO Program Activities -Vision and Strategic Direction of WIPO," the Delegation welcomed and supported the strategic deliverables outlined by the Director General on the occasion of his re-appointment in May 2003. Among these, in its view, the areas of IP Outreach and Support, including the enhanced use of IP by SMEs, and Cooperation for Development, emphasizing the strengthening of IP's role in the development of national policies and of human resource capabilities, were of primary interest for developing countries. The same applied for further development of customized regional/national action plans and continuing assistance in IP Office automation, as well as the continuation of the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore with a view to strengthening the framework of protection in this field.

106. The Delegation of Japan informed the Assemblies of Japan's efforts in promoting a national strategy in order to become an IP-based nation, as it believed that IP was a key tool for further economic growth. In February 2002, the Japanese Government had established the Strategic Council on IP, consisting of the Prime Minister, responsible Cabinet members and academics, and in July 2002, the Council adopted an IP Policy Outline, making IP policy a national project. The Basic Law on IP, based on the IP Policy Outline, had been enacted in November 2002, defining the basic concepts and their realization for the creation, protection and exploitation of IP. The IP Strategic Headquarters had been established within Cabinet in March 2003, and the Strategic Program for the Creation, Protection and Exploitation of IP, was outlined in July 2003, providing specific policies that ministries and agencies would be required to implement. Chapter one of the IP Strategic Program outlined the following mechanisms for creating an IP-based nation: promoting research and development focused on the creation of IP; using comprehensive evaluation criteria for licensing contracts and for evaluating the achievements of researchers as well as R&D institutes; promoting comprehensive management of IP at universities and other institutes; increasing funds for IP-related activities at universities and other institutes; establishing university IP headquarters and technology licensing organizations; and abolishing or amending the provision regarding employee's inventions under the Patent Law. Chapter two of the IP Strategic Program provided examples of the Government's efforts to strengthen the protection of IP: the Government would submit a Law for the Promotion of Expeditious and Accurate Patent Examination to the Ordinary Session of the Diet in 2004, embracing the amendment of related laws and other necessary measures for accelerating patent examination, such as allocating fixed-term examiners from external human resources, and utilizing these examiners as IP experts after the fixed-term; on-going discussions regarding an appropriate patent protection for medical inventions expected to be concluded in early 2004; the necessary bills for the establishment of an IP High Court would be submitted to the 2004 Ordinary Session of the Diet; and efforts to establish a global patent would be promoted. Measures against counterfeits and pirated copies would include the strengthening of measures in overseas

markets as well as border and domestic regulations, including the submission of bills for amending the Customs Tariff Law and other related laws to the 2004 Ordinary Session of the Diet, and the reinforcement of an anti-infringement framework in the public and private sectors during 2004. Chapter three of the IP Strategic Program outlined the Government's support to companies in promoting strategic exploitation of IP, and the development of a necessary environment for such exploitation, including: the utilization of the trust systems to promote the management and mobility of IP; support for international standardization activities; and, review of policies providing financial support to SMEs and venture companies for patent application fees, as well as patent attorney's fees. Chapter four of the IP Strategic Program dealt with the expansion of content business which would be stimulated through the Government's support for the establishment of education programs and institutes for creating attractive contents, its strengthening of the legal aspects protecting those contents, and its promotion of distribution. Finally, Chapter five of the IP Strategic Program outlined the measures which would be taken to develop human resources and increase public awareness in order to achieve an IP-based nation. Also, the Delegation noted the necessity for WIPO to continue promoting the international harmonization of the patent system, in particular, the SPLT, and it assured the Assemblies of Japan's positive role in that discussion, including its intention to promote the harmonization of the patent system embracing the United States of America's full introduction of its system of publication of unexamined applications, reviewing the first-to-invent system, and the global adoption of a unified grace period. Also, the Delegation expressed its expectations for steady progress in the reform of the PCT, where Japan would continue to facilitate the discussion on the acquisition of international patent rights. Regarding copyright, the Delegation highlighted Japan's accession to the WCT in June 2000, and the WPPT in July 2002. Recognizing the importance of these treaties for copyright protection on the Internet, the Government of Japan was committed to implement these treaties appropriately and the Delegation encouraged other WIPO Member States to accede to those Treaties at the earliest opportunity. Regarding the on-going discussions concerning the protection of audiovisual performers, Japan considered the present situation as unbalanced among neighboring right holders. The Delegation expressed its hope that, during the Assemblies, the discussion would be enhanced and would help accelerate an early conclusion of a treaty. Furthermore, the Delegation hoped that the SCCR would promote the discussion on the protection of broadcasting organizations and would introduce an international treaty as soon as possible. The Delegation also noted that the damage caused by counterfeits, pirated copies and other infringements of IP remained serious, and appeared to be worsening as digital technology advanced and industrial technologies progressed in developing countries. The Delegation expressed that if this flood of counterfeits and pirated copies was left unaddressed, it would not only damage the attractiveness of the markets of those countries for foreign investors, but would also obstruct the growth of good venture companies within the countries, by losing potential market opportunities and deteriorating the brand image. Therefore, measures against counterfeits and pirated copies must be seriously enforced by the joint efforts of WIPO, and the Delegation noted that the first meeting of the Advisory Committee on Enforcement, in June 2003, regarding the strengthening of enforcement efforts, had been meaningful. The Delegation also encouraged other countries to join the PCT, which streamlines application procedures, reduces the workloads and reinforces international protection levels, and the Madrid Protocol, in order to enjoy the benefits of the "simple procedure" in which a single application was effective in multiple countries. It also noted its appreciation that the Madrid Protocol would become effective in November 2003 in the United States of America. The Delegation also highlighted the establishment, by copyright related industries, of an association, Contents Overseas Distribution Association (CODA), in August 2002, to address the problems associated with pirated materials. The Government of Japan, in close cooperation with CODA, would continue to take necessary

measures against piracy from the point of view of protecting Japanese works in Asian countries and protecting Asian works in Japan. In order to support the establishment of a copyright system and to strengthen enforcement in the Asia-Pacific region, the Government of Japan had been making voluntary contributions to WIPO since 1993, under a program called APACE (Asia-Pacific Copyright Systems Enhancement), in order to assist WIPO Member States, especially in the Asia-Pacific region, to establish appropriate copyright systems, and the Delegation assured WIPO of its commitment to continue supporting WIPO's activities in this field. The Delegation also noted Japan's high expectations regarding trademarks, and the intention to further promote the discussions on harmonization of procedural and substantive matters of trademark law in order to make it simpler for applicants to acquire trademark rights. With regard to the discussion on the revision of the TLT, Japan would contribute to the discussion of the full text of the draft revised TLT at the SCT in November. The Delegation concluded that the IP Strategic Program was the first national strategy which covered all aspects of IP, and it believed that all nations would find beneficial wisdom in the program, regardless of the degree of economic growth or level of the IP system. The Delegation expressed its high expectations for Japan's cooperation with WIPO in the implementation of its IP Strategic Program, and assured the Assemblies of Japan's continuous contribution to the establishment of an international IP system in close cooperation with other WIPO Member States.

107. The Delegation of Liberia acknowledged the efforts of the Director General for tailoring WIPO's programs in a user-friendly approach, which enabled all IP stakeholders to readily grasp IP concepts. It took note of WIPO's continuous contribution to the IP system in Liberia. It mentioned, with satisfaction, WIPO's guidance and technical support in drafting a new Industrial Property Bill, which was currently being enacted, and which contained the modalities for the creation of an autonomous agency "The Liberian Industrial Property Office," within the Executive Branch of Government. The Delegation was also grateful to WIPO for assisting Liberian IP officials to participate in two Regional Seminars, in Zimbabwe and in the Republic of South Africa in early 2003. It also acknowledged WIPO's support in organizing an expert mission to the Liberian Copyright Office, with the aim of assisting it in strengthening its legal, administrative and financial structures, as well as to provide advice on how to further implement its Anti-piracy Program. During the same mission, advice was also provided on changes to be made in the Finance Section of the Office, and on the relocation of the Office. As a result, the Liberian Copyright Office, in cooperation with the appropriate Government institutions, had taken the following initiatives: under the Anti-piracy Program, the Liberia National Police had assigned seven police officers to the Office to help fight against the high rate of piracy in the country, and the establishment of sub-offices in other parts of the country was planned; under the Collective Management Society program, plans were being finalized to ensure more protection for the rights of artists and other stakeholders; finally, new office space for the Liberian Copyright Office was currently under renovation in the Ministry of Finance building. The Delegation expressed its appreciation for WIPO's provision of two sets of modern equipment to the Industrial Property and Copyright Offices, indicating that this material had been received at the time when a national public awareness campaign had been initiated by the two Offices for the enhancement of the country's IP system. Unfortunately, just when the Offices were gradually approaching the full implementation stage of the public awareness campaign, another round of devastating civil war had caused the complete vandalization of most institutions in Monrovia, including the Industrial Property and Copyright Offices. However, with the swift intervention of the International Community, normality was gradually being restored. The Delegation therefore appealed to WIPO to assist Liberia in the replacement of the lost equipment, which had been donated in the framework of the Nationally Focused Action

Plan. It also called on WIPO for more technical assistance in the areas of IP documentation and administration, in order to enable the Liberian IP system to be in conformity with IP international standards.

108. The Delegation of Namibia congratulated the Director General on his re-election and expressed its full support and trust that under his guidance WIPO would continue to play a significant role in the global protection and promotion of IP, and in the administration of the multilateral agreements falling under its ambit. The Delegation also endorsed the statement made on behalf of the African Group. It furthermore noted that the various missions undertaken by WIPO to Namibia had yielded tangible results, including the roundtable meeting of the Heads of IP Offices of ARIPO Member States in Namibia, November 2002, and a regional workshop for IP agents scheduled for October 20 to 24, 2003, in which about 22 countries would participate. WIPONET had also been a very useful tool in facilitating efficient and effective communications between national IP Offices, and Namibia had, like other countries, benefited a great deal from this venture. The Delegation further highlighted Namibia's national IP public awareness campaign, principally targeting institutions of higher learning, the business community and right-holders of indigenous knowledge, and it noted that the Ministries of Trade and Industry and Information and Broadcasting were carrying out the campaign mainly by conducting workshops. One of the highlights of the public awareness campaigns had been the observance of World IP Day on April 26. The Delegation noted its appreciation that Namibia had been one of the first countries in Africa in which the WIPO automation program had been implemented, and it also remained grateful for the assistance received from WIPO on the draft Bill on Industrial Property. Namibia was attaching high priority to capacity building in the field of IP and the Delegation expressed its wish that WIPO would continue assisting Namibia in this endeavor. In this context, the Delegation stated that Namibia was aiming at introducing a comprehensive curriculum on IP at its national institutions of higher learning, and it solicited WIPO's assistance in this regard. The Delegation commended WIPO for the efforts made in the area of human resources development in Member States, and it particularly referred to the noteworthy impact of the WIPO Worldwide Academy. Namibia strongly encouraged WIPO's initiatives in this regard and looked forward to participating in the Academy's future programs. The Delegation further noted Namibia's recognition of the importance of proper and effective enforcement mechanisms, and mentioned that Namibia was taking decisive steps to comply with its international legal obligations under the TRIPS Agreement. In this connection, the Delegation requested the Director General to commission a team of experts to assist Namibia in the training of law enforcement officials, to enable them to effectively and successfully discharge their duties. The Delegation furthermore informed the Assemblies that important amendments to the Namibian Copyright and Neighboring Rights Protection Act, 1994 (Act 6 of 1994) were currently with the Office of the Attorney-General for necessary scrutiny. The amendments contained provisions necessary to ensure Namibia's compliance with its obligations under the TRIPS Agreement. Also, plans were currently underway to draft appropriate e-commerce legislation. The Delegation was pleased to announce that the Namibian Parliament had ratified the instruments of accession to the Paris Convention, the PCT, the Hague Agreement and its Protocol and the Madrid Agreement and its Protocol. The Delegation was furthermore hopeful that Namibia would accede to the WCT and the WPPT. It also noted that Namibia was particularly pleased with the activities of the IGC on Genetic Resources, Traditional Knowledge and Folklore, and the Delegation endorsed the statement made on behalf of the African Group with regard to the extension and broadening of the IGC's mandate, especially regarding the possible development of an international instrument. In conclusion, the Delegation extended an invitation to the Director General to visit Namibia, and noted that Namibia remained committed to WIPO's mission to promote the creation,

dissemination, use and protection of IP with the aim of bolstering economic, cultural and social progress in Namibia, Southern Africa, and the world at large.

109. The Delegation of New Zealand offered its observations as to domestic and international developments of note in the field of IP, beginning with various legislative changes. The Trade Marks Act of 2002 was passed by Parliament in November, and given Royal Assent in December 2002. The Act was to take effect in August 2003, once the Regulations pursuant to the Act had been made. One of the highlights of the Act is the establishment of a Maori Advisory Committee, which will make recommendations to the Commissioner on whether registration of marks containing Maori imagery would cause offence to the Maori. If so, the Commissioner has the power to refuse registration. The Patents Act 1953 continued to be reviewed. The first two stages of the review had dealt with an updating of the technical and operational aspects of the Act, and work continued to proceed on drafting a Bill to amend these aspects. Stage three of the review, which was looking at patentability issues, including the patentability of life forms, computer software, methods of medical treatment, and business methods, had progressed and the Cabinet was expected to make decisions on this third stage in the near future. A review of the Plant Variety Rights Act 1987 continued to be undertaken, in tandem with the review of the Patents Act 1953. As with stage three of the patents review, decisions by the Cabinet were expected shortly. In response to a discussion document developed earlier, and following consultations with interested parties, the Cabinet made decisions on the future regulation of the patent attorney profession in New Zealand. Those amendments would also be included in the new Patents Bill. The government undertook a targeted review of the Copyright Act 1994, focusing on the implications of digital technology for copyright. The government consulted widely on this issue and the Cabinet approved policy recommendations for addressing the issues raised. In accordance with New Zealand's announced government policy, a Bill to amend the Copyright Act 1994, to implement a limited ban on the parallel importation of motion picture films (including videos, DVDs and video CDs), and to make changes to the onus of proof in civil cases concerning copyright infringement by specified imported products (software, films and sound recordings) continued progressing. It was before a Select Committee, which was hearing submissions from the public on the Bill before reporting back to Parliament. Representatives of New Zealand participated in selected international meetings, which included: the Intellectual Property Society of Australia and New Zealand (IPSANZ) meeting, Sydney, Australia, September 2002; the Australian Institute of Patent and Trademark Attorneys annual conference in April, where the Intellectual Property Office of New Zealand (IPONZ) gave a presentation covering the practical implications of the Trade Marks Act 2002, online developments, and patent developments; the 4th and 5th sessions of the WIPO Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore, December 2002, and July 2003; the WIPO Sub-regional Workshop on Traditional Knowledge, in Canada, September 2003, as well as sessions in Geneva of the SCT, April 2003, and the SCP, May 2003; the Working Group on the Reform of the PCT, Geneva, May 2003; the SCCR, Geneva, June 2003; and, the APEC IPEG XVII meeting and seminar on IP management, Vancouver, July 2003. New Zealand also hosted the APEC IPEG XVI meeting in March 2003, which was attended by delegates from 14 APEC economies, and ran a seminar on Intellectual Property and Competition Policy, Christchurch, New Zealand, March 2003. Several notable international visitors to New Zealand were welcomed by IPONZ, and those included: a group of approximately 30 practitioners from AAPA (November 2002); an official from WIPO, who assisted IPONZ with seminars on the Patent Cooperation Treaty and PCT reform issues (November 2002); four representatives from the Korean Intellectual Property Office (KIPO) in December 2002; three representatives of the Intellectual Property Office of Hebei Province, People's Republic of China (January 2003);

and, a representative from the South Korean Copyright Agency (March 2003). In addition, IPONZ welcomed 12 Chinese representatives from the General Administration of Press and Publication (GAPP) in April 2003; two representatives from IP Australia (June 2003); and 12 Chinese representatives from the National Copyright Administration of China, in August 2003. New Zealand had welcomed several opportunities to contribute comments or replies to WIPO initiatives or questionnaires, which included the following: participation in a study for the SCP regarding commonalities and differences between the “industrial applicability” and the “utility” standards; participation in a study relating to “due care” and “unintentionality” requirements in cases of restoration of rights for the Working Group on Reform of the PCT; comments regarding PCT minimum documentation in relation to traditional knowledge and genetic resource databases and journals; participation in a study of legislation in relation to Genetic Resources, Traditional Knowledge and Folklore; draft forms for upcoming changes to the PCT; comments on multiple invention and complex documents submitted to the SCP. World IP Day celebrations on April 26 included media articles, IP displays, an ‘open day,’ a press release, as well as in-house promotion, and posters in strategic locations. Finally, the Delegation gave some statistics concerning applications received in the business year July 2002 to June 2003 by IPONZ: 5,553 Patents, 19,397 Trade Marks and 873 Designs. It stated that New Zealand’s examination staff of about 40 aimed at examining all new patent, trade mark and design applications within five business days, and to reply to mail on applications within 15 working days. These objectives were met in more than 95% of all applications. For PCT national phase applications, IPONZ endeavoured to rely on the International Search Report and International Preliminary Examination Report where possible (when available), and conducted searches of published specifications in New Zealand to ensure that legislative requirements were met. IPONZ kept abreast of PCT application numbering changes and ensured its computer system was able to cope with the changes.

110. The Delegation of Norway congratulated the Director General on his re-election and associated itself with the statement made on behalf of Group B. The Delegation made reference to its earlier encouragement to the Secretariat to further develop the presentation of the budget in order to enable Member States to make the link between each individual activity and its budget. It noted that although improvements had been done, it would encourage WIPO to further focus on this issue in the upcoming programming period to enable Member States to properly monitor the Organization, and it underlined the importance of addressing this issue in view of WIPO’s current financial situation. The Delegation also welcomed and supported the Director General’s medium-term plan from 2006-2009 for WIPO program activities, the vision and strategic direction of WIPO, and wished the Organization every success in achieving those goals. It also noted, that an appropriate evaluation system should be put in place, which would provide relevant and sufficiently detailed data on results. Regarding staff matters, the Delegation had been pleased to notice in the past the importance WIPO attached to women in professional and higher categories, and emphasized that it would welcome such information in future activity reports. Furthermore, the Delegation noted the publication of a study of Norwegian SMEs and the IP system, and it expressed its belief that the findings of the study would be of interest for other Member States as well. The Delegation concluded by reiterating its commitment to participating in the Assemblies in a positive and constructive way, and expressed its satisfaction with the collaboration between WIPO and Norway.

111. The Delegation of Poland congratulated the Director General on his re-election for the period 2003 to 2009, and thanked him for the great work already accomplished. The Delegation also congratulated the Director General and WIPO staff for the progress made and results achieved during 2002 and the first half of 2003, particularly in demystifying

intellectual property, and for the many dynamic and innovative initiatives that were developed and implemented, along the lines of the Vision and Strategic Direction of WIPO. The Delegation also congratulated the Organization on its promotion of the use and protection of intellectual property throughout the world. The Delegation saw as crucial that WIPO takes on new challenges and reforms itself to conform to the changing needs of users of intellectual property systems worldwide. WIPO's efforts to make the patent system more attractive to users and involved offices as well as in modernizing intellectual property infrastructure, deserved strong appreciation and support. The Delegation noted that the Program Performance Report for the 2002 was drafted in line with the Program and Budget criteria, as approved by Member States, and constituted a clear and comprehensive synthesis of the implementation of the approved WIPO work programs, allowing the identification of areas that require further evaluation and support. The Delegation was pleased to note the progress toward PCT system reforms, including amendments to the PCT Regulations, especially the enhanced International Search and Preliminary Examination System and the operation of the designation system, which will significantly contribute to simplification of the PCT system. The Delegation looked forward to achieving useful results through these reforms. It also expressed its satisfaction with the progress achieved on Constitutional Reform, and supported the recommendations of the Working Group, which were aimed at simplifying WIPO's Assemblies, and streamlining the governance structure of the Organization. The Delegation emphasized its full support for the work of the Standing Committee on the Law of Patents related to drafting the Substantive Patent Law Treaty, and stated that the Government of Poland was concerned about the problems with the negotiations, which set back the progress towards establishing a global treaty on the substantive harmonization of national patent laws. As to recent developments in Poland, its government continued to pay great attention to the upgrading of its national system of intellectual property protection, and to increasing awareness of the role of intellectual property in social and economic development. The Polish Patent Office was proceeding with its preparations towards the accession of Poland to the European Union; in this context work was ongoing, towards a further proposal for an Act to amend the Industrial Property Law Act. That amendment was intended, *inter alia*, to establish interfaces between the Polish system of industrial property protection and the corresponding Community systems for trademarks, designs and geographical indications. Significant efforts were also devoted to the preparatory work related to the accession of Poland to the European Patent Convention. The Patent Office paid special attention to the education and specialization of its staff, and to the maintenance and continuous improvement of information technology through modernization of hardware, software and organizational solutions. Registration activity of the Polish Patent Office continues to trend upwards within the PCT system. The ever-increasing number of international applications entering the national phase – from 66,545 in 2001 to 70,024 in 2002 – reflects the growing success of the PCT system in the world. As for developments in the field of copyright protection, Poland anticipated the deposit of its instrument of ratification to the WIPO Copyright Treaty (WCT). In 2003 the Polish Patent Office celebrates the 85th anniversary of its foundation. The Jubilee Celebrations, under the auspices of the Prime Minister of the Republic of Poland, were to be held in November and inaugurate the “Year of Industrial Property Protection in Poland.” The end of the Year will fall on the date marking the 85th anniversary of Poland's accession to the Paris Convention. Within the framework of this celebration, an international conference and a seminar on SMEs were being organized jointly with WIPO. Other events of note included: the publishing of a commemoration book and a calendar on industrial property protection; a competition for students of fine arts academies for a poster on the occasion of the “Year of industrial property protection in Poland”; and, a competition for students of Law Faculties on the best Masters thesis pertaining to industrial property law.

112. The Delegation of the Russian Federation thanked the Director General and the Secretariat for the successful implementation of the biennial program. It affirmed its full support for the WIPO Patent Agenda and its main components: reform of the PCT, harmonization of patent law (SPLT) and creation of a balanced international patent system, taking into account the requirements of users and patent offices on an equal basis. The Delegation underlined the particular importance of the development of the activities under the PCT, Madrid and Hague registration systems, since they constituted the financial basis for the implementation of WIPO programs and provided more than 90% of the Organization's income. The Delegation also expressed its intention to accede, in the near future, to the Geneva Act of the Hague Agreement, as the new wording of the Patent Law of the Russian Federation, adopted on February 7, 2003, was in line with the Geneva Act. It further stated that within the framework of the cooperation between the Russian Federation and WIPO, two fora had taken place in Moscow with WIPO's active support: one had focused on the role of intellectual property for SMEs, and the other on the role of genetic resources, traditional knowledge and folklore, which participants from different Asian and African countries, as well as from the Commonwealth of Independent States (CIS) had attended. In addition, a practical seminar was organized on the role of customs, judicial and antimonopoly authorities, as well as on the enforcement of intellectual property rights for prosecutors' offices. The Delegation expressed its support for extending the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. It further noted that the cooperation with the WIPO Worldwide Academy had produced successful results. In October 2002, a meeting was held in Moscow with the representatives of the WIPO Worldwide Academy on issues aiming at rationalizing training processes in which CIS representatives had also participated. To date, WIPO distance learning courses in Russian, produced jointly with WIPO, had trained more than 500 specialists, of which approximately 150 were from CIS countries. More than 700 participants, of which over 200 were from CIS countries, had registered for the forthcoming training course. The Delegation highlighted the assistance provided by WIPO in promoting Russia's accession to the WIPO Internet treaties and the TRIPS Agreement. In this context, it also announced that, at the end of 2002, the Russian Federation had acceded to the Rome Convention. The Delegation concluded by informing the Assemblies that, at the end of 2002 and beginning of 2003, new wording of the Law on Trade marks, Service Marks and Appellations of Origin, and of the Patent Law, taking into account the main provisions of the PLT, had entered into force, while the draft Federal Law on Amendments and Updates to the Law on Copyright and Related Rights was currently undergoing its second reading in the State Duma. In this connection, it acknowledged WIPO's significant advisory assistance in the preparation of this draft.

113. The Delegation of Saint Lucia congratulated, on behalf of its Government, the Director General on his re-election and expressed confidence that he would continue to serve with outstanding distinction, to reform and chart the way forward for WIPO at all levels. The Director General's continued support and assistance to developing countries like Saint Lucia could not go unmentioned. The installation of the trademarks component of the Industrial Property System was completed in January of this year and soon the Patents component was to be installed. The Trademarks System contributed significantly to improving trademark processing and in the general administration of trademarks. A two-week Regional training workshop for the WIPONET Project began in Saint Lucia on September 22, 2003. The WIPONET Kit was installed in most Caribbean countries and, as one of the first recipients, Saint Lucia was extremely grateful for the training provided by WIPO and looked forward to putting the WIPONET Kit to its full and proper use. The Delegation also wished to thank the Director General and WIPO staff for the many ways in which assistance was provided to

Saint Lucia, including the agreement to support the resolution of the Ministerial Meeting in Suriname last year, and to enter into the first Technical Cooperation Agreement with the Caribbean countries; the Government of Saint Lucia elatedly saw this as a positive step in the right direction at a critical time. However, the Delegation expressed its concern about the funding of the activities arising from this cooperation agreement, given the proposed cut in the budget for the next biennium. The Delegation therefore requested that its concern be noted. It also wished to acknowledge the recently published book from the Director General, which clearly demonstrated that the Director General's heart was set on IP development: the book is simple and clear, and demonstrates very forcibly the place of IP in the economic world. The Delegation wished to express its gratitude to the outgoing Deputy Director General, responsible for development cooperation, for his outstanding contribution to the development of intellectual property in Saint Lucia and took the opportunity to wish him well in his future endeavors. Finally, the Delegation wished to pledge its continued support to the Director General and his administrative team and looked forward to great developments during the second mandate of the Director General.

114. The Delegation of Saudi Arabia congratulated the Director General on his re-election and recalled the achievements by WIPO under his leadership, including reforms and programs, as well as assistance and support extended to various countries. The Delegation furthermore expressed support for the proposals contained in the documents under discussion regarding automation, training and development. It wished more attention to be attached to the needs of developing countries and LDCs in programs contributing to the promotion of economic growth and encouraging investment in IP. The Delegation concluded by informing the Assemblies that in September the Government of Saudi Arabia had approved the country's accession to the Paris and Berne Conventions and it intended to take the necessary steps for the implementation of both treaties.

115. The Delegation of Seychelles congratulated the Director General on his re-election and commended his achievements in transforming WIPO into a forward-looking Organization. The Delegation noted that the Seychelles had acceded to the WIPO Convention only recently, in 2000, and thanked WIPO for its extensive assistance provided since, and even before, its accession. The assistance had resulted in the development of a greater knowledge and understanding of IP issues. Furthermore, the Delegation noted the advice provided by WIPO to the Seychelles IP Office, WIPO's participation in various local seminars and workshops, as well as the contributions made by the PCT which had resulted in a speedy accession by the Seychelles to the PCT and the Paris Union in 2001. The Delegation also underlined that the technical assistance, seminars and workshops, due to take place in late 2003, as well as the training of local officials in the PCT System, had created much interest and awareness in the development of an IP system in the Seychelles. The Delegation concluded by expressing its hope that WIPO would continue to support the development of IP worldwide, and noted that under the leadership of the Director General there was hope that small countries like the Seychelles would benefit and would be able to contribute like other WIPO Member States.

116. The Delegation of Singapore congratulated the Director General on his re-election, noting that under his leadership WIPO had progressed considerably. The Delegation highlighted a number of initiatives in Singapore during the past year, with a view to strengthening its IP laws, including changes to the patent, trademark and copyright laws. Regarding patents, a review process, aiming at strengthening Singapore's patent laws as well as at streamlining its patent system to better meet the need of its users, initiated in 2002 with the assistance and support of WIPO, was being completed. The Delegation noted that Singapore attached great importance to assisting applicants in securing IP protection in a

expeditious and convenient way, and applicants were therefore now able to file trademark and patent applications online, using the eTrademarks and ePatent systems. Singapore had encountered minimal problems in the implementation of both systems. The Delegation also highlighted the establishment of the IP Academy in Singapore at the beginning of 2003, aiming at creating awareness and capacities on IP issues in order to harness the social and economic benefits of IP. The Delegation concluded by thanking the Director General and WIPO staff for the assistance provided in strengthening the IP infrastructure and awareness programs in Singapore.

117. The Delegation of Spain thanked WIPO and the Director General for the exemplary management conducted in the past few years. Since the previous Assemblies had been held, the 2003 financial year had signified, for the Spanish authorities responsible for intellectual property, an opportunity to consolidate the aims achieved and to renew the promise of new projects for the future. Intellectual property could be understood only in the sphere of regionalization, coordination and international cooperation. As regards industrial property, the Delegation mentioned that the Conference on the International Patent System had constituted an exceptional forum for stimulating a discussion on the most important points and main challenges with which the international patent system was confronted, taking into account the point of view of all the sectors affected, governments and users of the patent system. The Delegation thanked WIPO for the support provided for the Spanish Patent and Trademarks Office (OEPM) to be converted into an international preliminary examining authority. The designation had been based on the necessary additional role played in relation to international searches in Spanish, made possible by means of the specialization and degree of experience acquired both in terms of the internal procedures for granting national patents and in the activities for producing international search reports. The Delegation referred to the intense participation of OEPM in the numerous committees and working groups which carried out their work within WIPO, as well as in the relevant events which the Organization had arranged during the current year. Similarly, it noted that on September 22 it would deposit the instrument of accession of the Kingdom of Spain to the Geneva Act of the Hague Agreement Concerning the International Deposit of Industrial Designs and Regulations Under the Geneva Act of July 2, 1999. In similar vein, the relevant procedures regarding the Revision Act of the Munich Convention of November 29, 2000 were being completed, said Convention having recently been ratified by the Spanish Parliament. One element within the process for making industrial property more dynamic in the sphere of the international system of marks was also the consideration of Spanish as a possible official language in the Madrid Agreement System. In the European context, activities and work done in relation to the future of the European patent, as well as in the Community patent and in all the Community initiatives put forward, such as the proposed directive on the patentability of inventions implemented by computer, were highlighted. As to international cooperation, OEPM had maintained and increased its technical assistance activities with industrial property offices in the Ibero-American region, but also with other geographical areas. Mention should also be made of the significant efforts which Spain was making in relation to the enforcement of intellectual property rights. In a different vein, it noted that OEPM had continued to work to update and to modernize domestic industrial property legislation. Thus, the new Law No. 20/2003 on Legal Protection of Industrial Designs incorporated the suitability of the protection for the industrial property of designs to current needs. In the copyright sphere, the Ministry of Education, Culture and Sport had placed a definite stake on the strengthening and development of intellectual property rights. During the past year, the Ministry had worked intensely on the transposition of Directive No. 2001/29, relating to the harmonization of particular aspects of copyright and related rights in the information society. Spain had strengthened links with WIPO by signing a Memorandum of Understanding, the initial results

of which were especially promising for the international promotion of copyright and related rights at the international level. As a result of that agreement, joint cooperation and development activities had increased, as well as the consultations and exchange of information between relevant competent authorities. In relation to new legislation, the Delegation noted that the draft Organic Law for the Amendment of the Criminal Code, concerning identification of crimes relating to intellectual property, was currently in the parliamentary phase. Another of the novel features of the draft was the removal of the requirement for prosecution of those crimes at the request of the victim. The Delegation also mentioned the numerous courses and conferences organized on the subject of copyright. In conclusion, the Delegation thanked WIPO and all the other Delegations for the continuous efforts made to work intensely in pursuit of the same aim: to consolidate a modern industrial property and copyright system.

118. The Delegation of Sweden expressed its satisfaction with the re-election of the Director General and his achievements in managing the Organization, and expressed its confidence in his visions for the future. It noted that WIPO was increasingly being called upon to interact with the public in order to increase their understanding of the value of IP to economic, social and cultural development. The building of effective world-wide IPRs was therefore important in order to promote the best conditions for innovation in enterprises and society at large, as IPRs were increasingly an important part of a tremendous agenda. The Delegation also underlined the important role played by small and medium sized enterprises in the global technological and economical development, and noted that, in their experience, there was a serious lack of knowledge among SMEs about the importance and usefulness of IPRs despite intensive information campaigns. The Delegation therefore urged WIPO to intensify its efforts to meet the IP needs and concerns of SMEs while it assured the Assemblies of its continuous efforts to bring about the advantages of IPRs to SMEs. Furthermore, the Delegation was confident that efforts leading to PCT reform and its alignment with the Patent Law Treaty would result in more flexible procedures, benefiting not only patent applicants but also the interface between WIPO, its Member States and the searching and preliminary examining offices. The Delegation also noted its satisfaction with the continuous growth of the PCT System and was convinced that the work pertaining to the reform of the PCT would attract more applicants to use the system. It further noted that the reformed PCT procedures regarding extension of the time limit to enter into the national phase after the issuance of the international search report would come into force in Sweden next year. The time limit would then be 31 months from the priority date irrespective of whether the applicant demanded preliminary examination or not. The Delegation also highlighted the positive response to the reform of the PCT among PCT applicants in the Nordic countries. One consequence of the extended time limit would probably be a decrease in the international patent applications passing through the internal preliminary examination procedure, and the Delegation stressed the importance of informing applicants about the advantages, and not only the costs involved, in using the international preliminary examination procedure. Furthermore, the Delegation informed the Assemblies that in addition to adapting the Swedish Patent Law to the PCT, the law would be revised in order to bring it into compliance with the PLT. Also, a decision to accede to the revised version of the European Patent Convention (EPC 2000) was in the pipeline, and Sweden was preparing to accede to the Agreement on the application of Article 65 of the EPC (the "London Agreement"). Furthermore, the Directive of the Legal Protection of Biotechnological inventions would be incorporated in the Swedish law as from January 1, 2004. The Delegation noted that Sweden had signed, but not yet ratified, the Geneva Act of the Hague Agreement, and that they had taken part as observers in the June Session for the drafting of new regulations, and it was looking forward to the handling of this matter within the

up-coming Hague Assembly. It also noted that, for the time being, there was no date set as to the entering into force of a new Industrial Designs Act in Sweden, nor to the possible ratification of the Treaty. The Swedish Commission on Industrial Design Protection had submitted its final greenpaper in September 2001, and it had suggested that Sweden ratify the Geneva Act of the Hague Agreement. According to schedule, the legislation process of the greenpaper proposal would continue during 2004. The Delegation also expressed its appreciation for the work carried out within the Standing Committee on Copyright and Related Rights and hoped that it would be possible to find, at an early stage, a solution, acceptable to all, to the issue of the protection of performing artists in audiovisual productions. It was also looking forward to a conclusion of the on-going work in that Committee concerning the protection of broadcasting organizations. The Delegation expressed its support for the activities of the Advisory Committee on Enforcement, in particular work on the practical aspects of enforcement. In conclusion, the Delegation noted that it had not been possible to find an agreement on the future work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore at its July Session. It stressed that the work of that Committee was of particular importance to Sweden, and underlined the necessity of finding an agreement in the course of the Assembly meetings on the future mandate for the Committee.

119. The Delegation of Switzerland congratulated the Director General on his appointment to a second term in office and extended its congratulations to the senior WIPO officials on their election or re-election. The Delegation noted with satisfaction the work done by the Director General and his team during his first term in office. The efforts which he had made to introduce greater effectiveness within the WIPO Secretariat and to establish a budget based on results were part of the progress with which the Director General could be credited. Although significant, those efforts were far from being isolated and it was rather on the efforts made by the Director General for the gradual development of intellectual property law and its greater familiarity among an ever-increasing number of members of the public, that the Delegation wished to congratulate him and, above all, encourage him to pursue such efforts during his second term in office. It would be only through a better understanding of the benefits of intellectual property, and through the pursuit of its gradual development to meet the new challenges facing the Member States of WIPO, that intellectual property could continue to play the constructive role with which it was associated, as a driving force behind the economic, social and cultural development of all the nations of the world. In its capacity as a United Nations specialized agency, WIPO had an essential role to play in that regard. The Delegation thanked the WIPO staff for their commitment, devotion and professionalism, which were very precious assets for the Organization. It was only by relying on highly-qualified staff, at all levels, that WIPO would be able to continue successfully meeting the major challenges with which it was confronted. The Delegation of Switzerland assured the Director General that he could continue to count on its full commitment to bring to fruition the tasks with which the Organization was entrusted. At the national level, it had announced various revised laws, including the revision of the Law on Patents, which had been pursued with a view, *inter alia*, to adapting the legislation on the protection of inventions in the field of biotechnology and the latest international treaties (Patent Law Treaty and Agreement on Languages of the European Patent Office (EPO)). In relation to digital matters, the Delegation emphasized the increase in electronic filings of trademarks, which represented 40% of the registration applications made. As regards domain names, a recent survey had shown that Internet users and holders of domain names wished that a system of arbitration for domain names (.ch) were put in place in Switzerland. Work to establish such a mechanism was currently under way, in close collaboration with the federal authorities and the private sector. The Delegation said that it was actively involved in various international fora or in

bilateral activities for the development of intellectual property. As to the protection of genetic resources, traditional knowledge and folklore, it recalled its involvement in various international fora and said that it had made specific proposals, in particular to WIPO, at the Meeting of the Working Group on Reform of the Patent Cooperation Treaty (PCT) in May 2003, concerning the declaration of the source of genetic resources and traditional knowledge in patent applications (document PCT/R/WG/4/13). Within the World Trade Organization (WTO), at the Fifth Ministerial Conference, held in Cancún Mexico, or during ordinary meetings, it had continued to promote, along with other countries, an improvement of the international protection of geographical indications and, most particularly of all, the extension of the protection provided under Article 23 of the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS) to all products. In addition, the technical cooperation program, launched in June 2001, in collaboration with the Vietnamese Intellectual Property and Copyright Offices, had also been continued. Several activities had taken place as part of that program: various seminars in Vietnam, study visits to Europe for high-level officials, intellectual property experts and Vietnamese judges; the examination of the compatibility of Vietnamese legislation with the TRIPS Agreement; the promotion and use of intellectual property rights, in particular the use of traditional knowledge via the establishment of a database and various expert examinations, in particular of the modernization of the administration of intellectual property rights in Viet Nam. Furthermore, the Delegation expressed its support for the measures designed to rationalize and make more effective the PCT system, and hoped that progress in terms of the harmonization of substantive patent law (SPLT) could be achieved. The Delegation also welcomed the successful completion of the work done as part of the constitutional reform of WIPO and approved the proposals made to amend the treaties. It expressed satisfaction at the progress made by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and said that numerous important issues were, however, still to be clarified. For that reason, it recommended that the Committee's mandate should be extended. In conclusion, the Delegation confirmed its support for the expansion of the protection of country names to names by which countries were generally known. In addition, it supported the continuation of the discussions, within the Standing Committee on Trademarks (SCT), on the possible broadening of the guidelines governing the uniform resolution of disputes relating to domain names (UDRP) to geographical indications, which were often the subject of abusive practices as regards their registration as domain names.

120. The Delegation of the Syrian Arab Republic announced that the Syrian Arab Republic had recently taken various measures to enhance the role of intellectual property, including its relation to development and subsequent impact on the national economy. It recalled that the Syrian Arab Republic had acceded to the Stockholm Act (1967) of the Paris Convention in 2002, paving the way for its accession to other treaties. In fact, in 2003, the Syrian Arab Republic had acceded to the PCT, with effect from June 26, 2003. Such accession, it was pointed out, would increase the use of technological information contained in patent documents, enhance the use of patents in technical development and foster investment. It would also encourage local inventors to seek international protection and benefit from the advantages provided by the PCT to nationals of developing countries. The Delegation also informed that preparations were underway for accession to the Madrid Agreement and its Protocol, and the Nice Agreement. It added that interest was building up towards accession to international treaties governing various fields of industrial property, namely patents, trademarks, industrial designs and related issues. The Delegation also mentioned the Syrian Arab Republic's focus on the modernization of existing legislation and systems. For instance, a Draft Law for the Protection of Industrial and Commercial Property was under consideration with the active participation of the various economic and professional stakeholders, the

Chambers of Commerce and Industry and patent and trademark agents. The Delegation pointed out that WIPO had provided legal assistance through the preparation of a new model draft law that took into account the new and rapid international developments in the field of intellectual property. It also referred to the promulgation of the Syrian Copyright Law and the establishment of the Directorate for Intellectual Property Rights in 2002. In addition, the role of the Directorate for the Protection of Commercial and Industrial Property included the dissemination and enhancement of intellectual property culture at the national level by publishing articles on intellectual property in the local press and keeping the public abreast with the latest developments in the field. The Directorate sought to increase awareness among entrepreneurs and commercial and industrial communities and help them protect and use their intellectual property. It was also planning to launch its Internet website soon and to publish information material on the various aspects of intellectual property. Automation of the Directorate had been achieved using the software developed and provided by WIPO. The Delegation further noted that local inventors were encouraged through the exhibition of their works at the Al-Bassil Fair for Creation and Invention held each year. The Fair was regarded as an international important event gathering various Arab and other countries, and considered by WIPO as the third world fair during which gold medals and prize money were offered to the best inventor. The Delegation stressed that the Syrian Arab Republic had benefited from WIPO's support and assistance in the training of staff, automation and modernization of work methods, provision of necessary equipment, organization of seminars and preparation for accession to the PCT. It expressed its gratitude for WIPO's efforts, services and programs provided to the Syrian Arab Republic, under the leadership of the Director General. The Delegation hoped that cooperation with WIPO would continue in order to address the many challenges that were still to be met for the modernization and improvement of work methods.

121. The Delegation of The former Yugoslav Republic of Macedonia congratulated the Director General on his re-election and the Secretariat for the excellent documents prepared for the Assemblies. It noted that the Director General's vision for the development of IPRs protection contributed to building an IPRs system that would benefit mankind and stimulate economic growth. The Delegation further stated that the first national Law on Industrial Property had been adopted by Parliament in July 1993. Also in July that year, the former Yugoslav Republic of Macedonia had deposited its instruments of accession to the WIPO Convention, the Paris and Bern Conventions, and the Madrid, Nice and Locarno Agreements, thus becoming a Member State of WIPO. At the end of 1993, the Industrial Property Protection Office of the former Yugoslav Republic of Macedonia was founded, and the Delegation noted that the Office would be organizing a celebration of its 10th anniversary in October 2003. The Delegation also stated that its country was dedicated to establishing a system that guaranteed the protection of IPRs, and that it was fully aware of the significance of harmonizing its IP system with international protection systems, and of incorporating international agreements into its national legal system. Therefore, in the past ten years, almost all international agreements and treaties had been ratified. The accession to the WTO in April 2003, and the signing of the Stabilization and Association Agreement with the European Union, obliged the former Yugoslav Republic of Macedonia to build an IPRs protection system that would be in compliance with the TRIPS Agreement and EU standards. The Law on Industrial Property, passed by Parliament in June 2002, incorporated those standards, and its implementation would start on January 1, 2004. The Delegation thanked WIPO for the assistance provided in automation processes and for the specialized software and equipment. It also noted that activities in the near future would include the promotion of the new Law and training of Office staff. Also, the Delegation stated that WIPO materials on SMEs would be very useful for local enterprises. For that purpose, it was preparing translations of some of these materials, and the Delegation hoped that WIPO would be able to

support this initiative, so that the final publication could be distributed free of charge. It furthermore noted that the former Yugoslav Republic of Macedonia was paying special attention to the training of staff and other stakeholders involved with IPRs, and that in 2003 two national seminars had been organized in cooperation with WIPO and the EPO on the PCT system and the patent granting procedure within the EPO. The seminars had greatly contributed to increasing the knowledge in these fields. Other training activities would continue within the EU CARDS program. The Delegation noted that its country enjoyed a very good cooperation with the EPO and also expected to establish good cooperation with OHIM. It was particularly interested in gaining experience on the application of opposition procedures in the granting procedure. It also noted that the National Law on Copyright and Related Rights, had been adopted in 1996, and modified on two occasions. The 1998 modifications had been of a non-technical nature, for the purpose of determination of competencies of the Ministry of Culture inspections, as a body *ex officio*, and the 2002 modifications had brought about harmonization with the section of the TRIPS agreement related to the retroactive protection of phonogram producers and performers. Also, on June 24, 2003, Parliament had passed laws regarding the ratification of the WCT and WPPT. The Delegation also stated that the implementation of the National Law on Copyright and Related Rights would be accomplished through: collective management societies; copyright and related rights on music would be collectively administered by the Association on Protecting Authors' Music Rights (ZAMP) in Skopje; the Ministry of Culture; competent courts; customs bodies; and, other competent State authorities, such as the Ministry of Internal Affairs, the Public Prosecutor, and the Market Inspection. The Delegation also stated that IP systems should provide efficient enforcement, which included coordinated activity of all parties involved in the enforcement process, and increased public awareness of the importance of protecting IPRs. The Government had adopted the Information on Administration and Protection of Copyright and Related Rights on 5 May 2003, proposed by the Ministry of Culture. This Ministry had founded a Coordination Body in July 2003 for copyright and related rights, which was mandated to monitor, and to report on, the conditions in this area through an integrated approach, and to prepare and submit to the Government a program on the promotion and implementation of a framework for the administration and protection of those rights. This program was to include education and awareness raising as well as proposals for short- and long-term measures and activities. The Delegation furthermore stated that the number of supervised inspections in 2003 had significantly increased, and that this was a result of the cooperation with the State Trade inspection, and exchange of information with the Customs Administration and the Department of Organized Crime, at the Ministry of Internal-Affairs. It also noted that a significant contribution to a more efficient application and implementation of the Law had been the prompt procedures by the competent courts regarding misdemeanor inquiries. Finally, the Delegation thanked WIPO, and its Director General in particular, for the support given to the former Yugoslav Republic of Macedonia in the field of protection of IPRs.

122. The Delegation of Turkey congratulated the Director General for his re-appointment, and thanked WIPO for the successful delivery of a wide-ranging program of activities during the past year. Regarding recent developments in the field of industrial property rights in Turkey, the Delegation highlighted the cooperation between the Turkish Patent Institute and international organizations. In this regard, staff of the Trademark Department had participated in meetings and seminars organized by the Office for Harmonization in the Internal Market (OHIM) within the framework of a "Memorandum of Understanding" signed on December 1, 2000. Also, the existing close cooperation with the European Patent Office (EPO) had been further developed after Turkey became a member in November 2000, and staff and judges of the Turkish Patent Institute had been trained both in Turkey and at the

EPO International Academy. Regarding cooperation with national IP offices, the Delegation noted that a cooperation agreement with the French National Institute for Industrial Property (INPI) was about to be signed, and that a draft cooperation protocol with the Macedonia Industrial Property Office had been prepared. Cooperation with the EPO, the Swedish, Danish and Russian Patent Offices in the field of patent search and examination continued to be developed. Furthermore, the Delegation expressed its belief that geographical indications and their protection were valuable and necessary tools, especially for developing countries. Turkey had therefore participated in the creation of an international network, Organisation for an International Geographical Indications Network (ORIGIN), to protect and promote geographical indications. The Delegation noted its support for ORIGIN's call for an extension of additional protection to all geographical indications, as available in TRIPS for wines and spirits. Furthermore, it mentioned recent attempts to revise current national legislation and noted that the number of permanent staff at the Turkish Patent Institute would be increased after the ratification of the amended Decree Law. Also, a commission had been working on the revision of the current Turkish Patent Decree Law, taking into consideration EU directives and other related regulations, and internal procedures were being revised for participation in the Trademark Law Treaty (TLT) and the Geneva Act of the Hague Agreement. The necessary legislation for such participation as well as a draft law for the protection of the topographies of integrated circuits were currently under consideration by the Turkish Grand National Assembly. In addition, a draft law concerning the establishment of a patent and trademark attorneys' union was being considered by the relevant authorities and was expected to enter into force in the near future. The Delegation noted that the Turkish Patent Institute had increased the number of its regional information and documentation centers, serving the needs of universities and industry in terms of, *inter alia*, information related to national and international protection of IPRs, pre-search and state-of-the-art searches. The Delegation referred to the World Bank Loan Agreement for the Modernization of the Industrial Property System in Turkey, and noted that within that framework the construction of an "Industrial Property Campus" had started in January 2002. In addition to a new campus building, the project would offer major facilities for institutional development, consulting, training as well as technical infrastructure. Lastly, the Delegation noted that it was looking forward to continued cooperation with WIPO to promote the development of a user-friendly IP system in the world, and stated that, strong IP protection and long-term economic benefits at the national level could only be achieved by attaching high importance to international technical cooperation.

123. The Delegation of Uganda congratulated the Director General on his re-election, and it supported the statement made on behalf of the African Group. It also acknowledged the benefits Uganda had received from WIPO's program implementation. Intellectual property had been identified by its Government as vital to economic development through the promotion of private enterprise. The Government's overall economic strategy was focused on eradication of poverty through wealth creation, which in turn was enhanced through development of the private sector. In this regard the Government sought ways to obtain benefits from the IP system for the whole country, and it had therefore directed that an autonomous body, independent of Government interference, should manage IP matters. A law to implement this decision had been enacted in 1998, and would be implemented during this financial year. Giving the IP Office autonomy from daily Government management would create a better atmosphere for the management of IP matters. Uganda reiterated its continued support to WIPO, and remained committed to the promotion and protection of IPRs. However, this should be done in a way that was not detrimental to Uganda's interests, while taking into account Uganda's developmental and capability levels. Accordingly, the Government had established a Law Reform Commission to study, analyze and make

recommendations on all laws requiring amendments to make them compliant with the International Conventions to which Uganda was a signatory Party, as well as on the newly emerging areas that had not yet been covered by legislation. So far, the Municipal Law had been revised to conform to requirements of the PCT, and all other laws on IP were being re-drafted to make them conform to international treaties and norms. The Delegation also stated that the Intellectual Property Office of Uganda, in conjunction with WIPO and ARIPO had undertaken various activities and projects, within the general framework of cooperation for development, including the WIPONET project, and the automation of the Trade Marks Register. For both projects, Uganda had been identified as a pilot country. These programs were already underway and were expected to become operational by end of 2004. As regards capacity-building, WIPO had funded the training of staff to develop their skills in the examination and registration of patents and trade marks. Also, a National Seminar and Workshop on PCT procedures was held in Kampala, and several staff members had received training at the Kenya Industrial Property Institute and ARIPO in technicalities of examination and classification. Finally, a National Seminar on Traditional Knowledge was scheduled to take place in the very near future. WIPO had also provided office equipment to the IP Office to enhance communication efficiencies. The Delegation observed that the issue of demystification of IP could be given more attention by WIPO's cooperation for development programs. From an analysis of data from applications in the international patent and trademark system, it was clear that the LDCs and other developing countries faced a big gap to bridge before they could declare that the myth about IP was over. The Delegation therefore requested WIPO to continue its technical assistance efforts, through programs on SMEs and capacity-building of IP Offices, in order to address imbalances and overcome the constraints of the digital divide.

124. The Delegation of Ukraine stated that the twenty-first century was becoming a century based on knowledge, in which intellectual property would be the main driving force. Experience showed that production per se was no longer the defining factor for economic growth, but was giving way to science and the development of new technologies. In this connection, the specific significance of intellectual property in people's lives was increasing and currently, intellectual property was one of the most powerful forms of stimulation for progress in all areas of the development of society. The Delegation expressed its full support to the Director General's international cooperation initiatives aimed at sharing the experience of those countries where the process of building the intellectual property system was already completed with the developing countries and countries in transition, with a view to modernizing research-intensive sectors of production and introducing new technologies, as well as increasing labor productivity, the growth production volume and competitive products. The Delegation noted that Ukraine attached special importance to the development of its national system of legal protection for intellectual property and the creation of active mechanisms for implementing national legislation in the intellectual property sphere. For that reason, effective measures had recently been introduced in Ukraine to protect intellectual property rights, in accordance with international rules and standards. The adoption, within a short timeframe, of appropriate national laws, decrees of the Cabinet of Ministers, and other standard-setting and legal acts, had enabled the creation of a body of laws as well as the introduction of active mechanisms for the implementation of legal rules, designed to strengthen responsibility for the infringement of intellectual property rights. The Delegation observed that, as a result of the all-encompassing intellectualization of the modern economy, intellectual property issues were becoming an ever-increasing political problem requiring strategic and complex approaches in order to tackle them. The Delegation welcomed WIPO's achievements in strengthening the worldwide system of intellectual property protection, in establishing a stable and harmonious cooperation between various countries and regions, the

organizational and legal reform of WIPO, the development and codification of international intellectual property law, the activities of the WIPO Arbitration and Mediation Center; and, the introduction of new projects to disseminate knowledge on intellectual property among SMEs. It extended its sincere gratitude to WIPO for its contribution to the development of the national intellectual property system, referring in particular to: the expert recommendations on the draft Law on Amendments to Several Legislative Acts of Ukraine on the Legal Protection of Intellectual Property which were subsequently taken into account during the updating and adoption of the Law in question, thereby allowing the legislation of Ukraine to be brought fully into compliance with the rules of the TRIPS Agreement; the assistance in creating the automated system for Trade-marks and Service Marks, which allowed the quality of examinations to be significantly enhanced, and the period for examining applications to be reduced; the assistance in holding seminars aimed at demystifying intellectual property; and, training of IP specialists. Finally, the Delegation expressed the hope that in the future WIPO would actively support the development of national intellectual property institutions in developing countries and in countries with economies in transition, within the framework of its cooperation program.

125. The Delegation of Uruguay said that, in view of the importance that its Government attached to intellectual property in the globalized economy, the National Directorate of Industrial Property was taking an active part in the negotiating forums of the Free Trade Area of the Americas (FTAA), Mercosur and the European Union, as well as Mercosur's subregional negotiations, the bilateral negotiations between Uruguay and Mexico and those within the sphere of the World Trade Organization (WTO). In the same context, the Delegation highlighted the action undertaken in promoting and publicizing the industrial property system in environments such as universities, companies and academic and research circles, with a view to achieving greater awareness of the significance and overriding importance of industrial property in research and development work and in the marketing of goods and services, especially as far as SMEs were concerned. The Delegation congratulated WIPO on the work done on the demystification of intellectual property and on the work and publicity campaigns conducted for the benefit of SMEs. In view of the importance of industrial property to the economies of most countries, it saw a need to continue to expand assistance in order to ensure ever-greater use of the industrial property system by SMEs. The Delegation said that the National Directorate of Industrial Property would also continue to work on promoting innovation and inventive activity through the planning of strategies with which to enhance the innovative potential of its country, the popularization of the patent system and the building up of the community of national inventors, on the model of the agreement signed with the University of the Republic which gave priority to advisory action in patenting matters, tax exemptions and the conduct of technology watch and state-of-the-art studies. It recalled also that an Uruguayan inventor had been presented with an award at the Geneva Invention Fair in 2003, and that the award of the Genesis Prizes to national inventors would take place in October. The Delegation announced that Uruguay was continuing to work on the compilation of trademark search files on a magnetic medium, and that the finishing touches were being put to an adaptive exercise with a view to participation in the WIPO-EPO-SPTO project for the exchange of patent information and electronic publication systems. Finally it requested WIPO support in the field of infrastructure and information technology.

126. The Delegation of Viet Nam expressed its appreciation for the activities carried out and the results achieved by WIPO under the leadership of the Director General, and gave its full support to the objectives and tasks proposed in the WIPO Program and Budget 2004-2005, and in the Medium-Term Plan covering the period 2006 to 2009. The Delegation noted that

WIPO would continue to play its role as the leading international organization responsible for promoting IP protection throughout the world, through cooperation with Members States and other stakeholders. The Delegation expressed its appreciation for WIPO's support and assistance to developing countries aiming at optimizing their IP systems for economic, social and cultural benefits. It noted the considerable attention devoted by WIPO to increasing the awareness of government officials, managers of SMEs, research and development institutions, science and technology institutes, and IP attorneys of the central role of IP assets in creating and sustaining business success in domestic and international markets. The Delegation also highlighted other WIPO activities focusing on topical issues such as commercialization, valuation and management of IP assets, promotion of innovative activities, new developments in the protection of biological inventions and plant varieties, geographical indications, electronic commerce as well as the issue of enforcement of IPRs. Furthermore, the Delegation noted the considerable efforts, and progress made, in improving and modernizing the IP system in Viet Nam, with a view to preparing for the accession to the WTO in 2005. Viet Nam's IP system had thus met the criterion of "adequacy", that is, Viet Nam had provided protection for all IP subject matters required by the TRIPS Agreement, and IP law and regulations in Viet Nam were now basically in conformity with international norms and standards. In addition, public awareness raising activities had resulted in enhanced IP awareness, thus attracting more users to the IP system, as evidenced by the increasing number of industrial property applications filed in Viet Nam. The Delegation noted the attention devoted to the enforcement of IPRs, which had resulted in a better coordination between the enforcement agencies. Despite of this, piracy and counterfeiting remained a problem and a big challenge. The Delegation also noted that since receiving Internet access in 2002 through WIPO support, the access to and search of IP information has been very much facilitated, thus helping to enhance IP administration and services. In view of the accession of Viet Nam to the WTO, a further upgrade of its IP system in 2004 would include: further improvement of IP law and regulations towards meeting international standards set forth in the TRIPS Agreement; commencement of the program for establishing a separate IP law/code that would replace the existing IP law and regulations; enhancement of the capacity of the IPRs enforcement system; improvement of remedies and measures, as well as procedures for their implementation; further strengthening awareness raising, law dissemination and training activities to IP stakeholders and the general public; assistance to SMEs in the use of the IP system and in the protection of their IP assets; further improvement of the procedures for obtaining IPRs through simplification and computerization of the IP administration; further enhancement of the capacity of the IP information system and improvement of the quality of services; and, strengthening international cooperation. The Delegation concluded by acknowledging WIPO's assistance as an important contribution to Viet Nam's achievements in the field of IP, and thanked the Director General and WIPO for the effective co-operation.

127. The Representative of the African Union (AU) addressed his congratulations to the Director General on his re-election, and paid tribute to him for the immense task that he had accomplished in the promotion of the intellectual property concept throughout the world. He assured him of the unfailing support of the AU, and extended his congratulations to the recently elected or re-elected senior officials of WIPO. He endorsed the statement made by the Representative of Zambia on behalf of the African Group, and declared himself pleased with the efforts made by WIPO in the course of the 2002 accounting period, adding that the activities that had taken place in Africa, notably in the field of technical cooperation, had made it possible to alert Governments and all public and private operators more to the intellectual property concept and to the need to make it into an effective instrument of development. For instance, a new registration culture for the protection of knowledge and creation was gradually coming into being, apart from which national intellectual property

structures had been strengthened or created where none existed. He wished to explain that the States members of the AU placed particular emphasis on firmer control of knowledge and technology in order to stimulate the performance of their economies and face up to the laws of competition on favorable terms. He announced that the AU, in collaboration with WIPO, periodically awarded prizes and medals to the best African inventors, and every year organized the African Intellectual Property Day. He also wished to mention the efforts to train African officials, which had been made through the organization of seminars, symposia and workshops and the grant of training fellowships. The Representative ended by highlighting the excellent collaboration that existed between the AU, the African Regional Industrial Property Organization (ARIPO) and the African Intellectual Property Organization (OAPI), and expressed his thanks to the staff of the Cooperation for Development Bureau for Africa.

128. The Representative of the *Organisation internationale de la Francophonie (OIF)* wished to congratulate the Director General on his brilliant re-election, and paid tribute to the work done by the Secretariat as well as to the vitality that the Director General had successfully breathed into it with his strategic choices. She announced that cooperative relations with WIPO had been strengthened notably since the ratification of the framework cooperation agreement between the two Organizations at the thirty-fifth Assemblies. She explained that the agreement had made it possible for the collaborative bonds between the two Organizations to be tightened in the areas of information and concerted action, thanks to regular meetings of a joint working group. It had also made it possible to intensify technical cooperation for the benefit of Member States, in particular developing countries and countries in transition, in that WIPO's expertise in intellectual property matters could be relied upon. She then reviewed the various cooperation programs conducted in collaboration with WIPO in the course of 2002 and the first six months of 2003. Among other things she mentioned WIPO's participation in the various workshops for the training of bank staff in the economic and financial analysis of cultural projects, as part of the program of guarantee funds to cultural industries, which had been held in Rabat in February 2003 and in Tunis in March 2003, and which was to be held in Lomé in November 2003. The workshops had made it possible to alert some ten countries of the South to the intellectual property implications of the financing of small and medium-sized enterprises (SMEs). She also declared herself pleased with the manner in which an intellectual property workshop had been conducted at a seminar on the preparation of the Cancun Ministerial Conference, in which almost 40 French-speaking missions to WTO had taken part the previous June. She went on to announce the forthcoming holding of a training workshop in the framework of the program for the enhancement of francophone expertise in the negotiation of business agreements in collaboration with the WIPO Worldwide Academy. She ended by saying that the implementation in 2004 of regional copyright training and awareness seminars, started in the previous biennium, testified to the convergence of the objectives and concerns of the OIF and WIPO with regard to the promotion and protection of intellectual works, the exploitation of traditional knowledge and the cultural heritage, the use of new information technology and support for economic and social development.

129. The Representative of the African Regional Industrial Property Organization (ARIPO) wished to associate himself, on behalf of ARIPO and its 15 Member States, with the statement made by the Delegation of Zambia on behalf of the African Group. He conveyed the congratulations of the Chairman and the Vice-Chairmen of the Council of Ministers of ARIPO to the Director General on his re-appointment for another six-year term. The Representative noted that these Assemblies were taking place while several emerging intellectual property issues had presented challenges, particularly in light of the effects of

globalization and the increasingly digitized environment. Globalization brought changes and challenges to every country in the world, particularly the developing and least developed countries (LDCs); it was not a new concept, but it had brought new distinctive features, which included new actors and new rules in the form of multilateral agreements on trade, services and intellectual property, all backed by strong enforcement and dispute settlement regimes. ARIPO therefore hoped that the outcome of these series of meetings would enable WIPO to fulfill its mandate and play an effective role, to ensure that IP becomes a tool for wealth creation. During the past five years, ARIPO and its Member States witnessed significant progress and expansion in their intellectual property operations and activities. ARIPO believed that these achievements could not have been possible without the continued support of WIPO and personal interest shown by its Director General. In this respect, ARIPO wanted to record its appreciation to the Director General for his visit to the headquarters of ARIPO on July 23, 2003, to attend the meeting of the Chairman and two Vice-Chairmen of the Council of Ministers of ARIPO as guest of honor. The officers of the Council of Ministers took advantage of his visit to discuss with him important issues concerning the cooperation between WIPO and ARIPO during his second term of office. ARIPO deeply appreciated the assistance provided by WIPO to ARIPO and its Member States, particularly for the WIPONET project. In this respect, ARIPO had recently sent WIPO a proposal about upgrading WIPONET's connectivity and wished to confirm that, following the successful implementation of the POLITE project at ARIPO, jointly with the European Patent Office, ARIPO was ready to link its database to its Member States. ARIPO therefore hoped that the WIPONET project would be implemented in all its Member States in the shortest possible time. ARIPO shared the view that the development of human resources undertaken by WIPO was a step in the right direction. In this context, the activities of the WIPO Academy were of particular importance to ARIPO and its Member States and, to this end, the Administrative Council of ARIPO last year approved ARIPO's construction of the first regional intellectual property training center in Africa, to increase ARIPO's capacity to develop human resources. The construction of this center started in January 2003 and was to be completed in November. The Center would provide training in all aspects of intellectual property, in cooperation with the WIPO Academy, within the framework of the Cooperation Agreement signed between WIPO and ARIPO in May 1999. In view of the commitment made by the Director General of WIPO in 2001 for the provision of equipment for the Regional Training Center, ARIPO had prepared, together with the WIPO consultant based in Harare, a request for the necessary equipment. A first element of such equipment, namely a power generator, had already been installed in August 2003. The Representative also wished to convey the urgent need for ARIPO to participate fully and contribute effectively in the debate on the protection of traditional knowledge, genetic resources and folklore, a topic which the Council of Ministers of ARIPO had decided last year to include in ARIPO's mandate. The Council also resolved that ARIPO should carry out in-depth studies regarding a database for traditional knowledge in the public domain. Following that extension of its mandate, ARIPO approached WIPO for technical assistance in the feasibility study to establish this database and inventory. The ARIPO Council of Ministers also extended ARIPO's mandate to encompass copyright and related rights, to enable the Organization to play a leading role in facilitating policy coordination and harmonization in these fields at the regional level. As a result of the new mandate concerning copyright, ARIPO made proposals to revise all of its basic documents in order to reflect this change. These proposals, including the changing of name of the Organization, would be considered by the Administrative Council of ARIPO in November 2003. ARIPO also looked forward to cooperating with WIPO throughout the implementation of this new mandate. All these important new developments were making it possible for ARIPO Member States to fulfill the ideals and objectives of the Agreement creating ARIPO. The Representative thanked WIPO and in particular the Africa Bureau, for providing ARIPO

and its Member States with technical assistance under WIPO's cooperation for development program, to which several ARIPO Member States had already referred. The Representative hoped that this cooperation would continue, in order to accelerate the integration of intellectual property systems into the economies of developing countries, especially Member States of ARIPO.

130. The Representative of the African Intellectual Property Organization (OAPI) paid tribute to the remarkable work done by the Director General and his Secretariat. He congratulated the Director General on his re-election, and expressed thanks to the staff of the Organization's Africa Bureau. He took the opportunity of reaffirming his determination to consolidate relations with WIPO. He then reported on the various activities conducted in collaboration with WIPO, mentioning the following new initiatives: the holding of the fortieth anniversary of OAPI and the African Day of Technology and Intellectual Property, a study on the harmonization of OAPI and ARIPO procedures, the training of officials for the WIPONET project, a project for the promotion of geographical indications, a meeting of OAPI experts followed by the Ministerial Conference on the initiative on the promotion and exploitation of African inventions in the drug field and the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. He repeated his wish that the work started by WIPO and OAPI might continue in the field of the protection of audiovisual performances, in the development of the international patent system, Internet domain names, a contribution to the introduction of suitable and effective systems for the enforcement of rights, the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, the construction and starting up of the OAPI regional center for intellectual property training, the introduction of intellectual property teaching in universities, the continuation and intensification of the activities of the WIPO Worldwide Academy, the construction and starting up by OAPI of the Intellectual Property Documentation and Information Center in its Member States. He also mentioned that he was following with great interest the work of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Expressions of Folklore, and supported the proposal by the Group of African Countries that the Intergovernmental Committee should be converted into a Standing Committee.

131. The Representative of the Executive Secretariat of the Community of the Portuguese-Speaking Countries (CPLP), extended his congratulations to the Director General on his re-election. He wished him success in his second term of office and expressed his appreciation for all the work achieved during his first mandate and for creating stronger ties between WIPO and the Portuguese speaking countries. Referring to the activities undertaken by WIPO in the last biennium, the Representative attached considerable importance to the signing of the cooperation agreement between WIPO and the CPLP, in April 2002. He also stressed that the decisions taken by the Assemblies to attribute to the CPLP the status of observer and to adopt the Portuguese language as a working language were also of great importance to the CPLP and its Member States: Angola, Brazil, Cape Verde, East Timor, Guinea Bissau, Mozambique, Portugal and Sao Tome and Principe. Finally, the Representative reaffirmed CPLP's interest in maintaining and further strengthening cooperative ties between WIPO and CPLP in the future.

132. The Representative of the Commission of the European Communities (CEC) outlined developments in IP protection in the EU during the last year. Regarding the enforcement of IPRs, the European Commission had adopted a proposal on January 30, 2003 for a Directive on Measures and Procedures to ensure the Enforcement of IPRs, which aimed at creating a

level playing field for right holders in the European Internal Market and a deterrent to offenders, exceeding the minimum obligations in the TRIPS Agreement. The proposal was currently being discussed by the European Parliament, the Council, and the Economic and Social Committee. On July 22, 2003, the Council had adopted an EU regulation on the control of counterfeited and pirated goods at the external borders of the EU (Regulation (CE) No 1383/2003), thereby reinforcing the existing IP protection system when goods are entering or leaving the Community customs territory. Concerning industrial property rights, work had continued in 2003 on the proposal for a regulation on the Community patent, presented by the Commission on August 1, 2000. The new system would coexist with the national patents and the European patent. The Community patent would be granted by the EPO for the entire territory of the Community in accordance with the Munich Convention on the European patent, and it would become a Community patent on the basis of the regulation. This solution would require a revision of the Munich Convention and the accession of the European Community to this Convention. The attractiveness of the future system depended essentially on the cost of the patent as well as on legal certainty. Regarding costs, the Competitiveness Council of the European Union had adopted on March 3, 2003, a common approach that foresees a competitive cost system for the Community patent in comparison with the European patent. As to the legal certainty, the common approach provided for the establishment of a specialized Community jurisdiction on patents, in first instance the Community Patent Court. This jurisdiction would become, in particular, competent for litigation regarding the validity and infringement of the Community patent. The Commission was presently preparing the formal proposals necessary to establish that jurisdiction. Furthermore, on February 20, 2002, the European Commission adopted a proposal for a directive on the patentability of computer-implemented inventions on the basis of Article 95 of the EC Treaty, aiming at harmonizing the protection given to such inventions in the EU through patents. The proposal was currently being discussed by both the European Parliament and Council. The Parliament, adopted its opinion on the proposal in first reading on 24 September 2003. Also, the Council was discussing the first revision of the Community trademark regulation. The Commission's proposal should improve the efficiency of the system, increasing its added value and anticipating the consequences of the enlargement, in particular its budgetary impact. The principal change would be a review of the searching system (Article 39), implying that the conditions concerning reciprocity and nationality for allowing an application for a Community trademark should be abolished. The changes were aimed at making it simpler and more efficient, without affecting the substance of the system or the rights of the parties. The Representative informed the Assemblies that the European Commission was organizing a conference "Industrial Property - *Quo Vadi?*", in Italy, on October 5-7, 2003, which would involve various stakeholders interested in the future direction of European policy on industrial property. Regarding copyright and related rights, the European Commission had adopted the Report on the Authorship of Cinematographic or Audiovisual Works, on December 6, 2002, which was also related to the Rental Directive (Dir. 92/100/EEC) and which touched upon the transfer of rights and contractual practices. The Report examined the functioning of a particular provision of the said Directive requiring all EU Member States to consider the principal director of a film as its author or one of its authors. That provision was repeated in the Cable and Satellite Directive (Dir. 93/83/EEC) as well as in Article 2(1) of the Term Directive (Dir. 93/98/EEC) on the duration of authors' rights and related rights. The Report concluded that the provisions had strengthened the position of film directors in Europe. The European Commission was furthermore preparing a report on the functioning of the Database Directive (96/9/EC), which would address the application of the *sui generis* right of non-original databases. The report was expected to be adopted by the end of 2003. Concerning reciprocity, the first agreement on the extension of the territorial scope of the Database Directive was signed on the March 26, 2003 with the Isle

of Man. Regarding the Directive on the harmonization of certain aspects of copyright and related rights in the Information Society (Dir.2001/29/EC), five EU Member States had to date implemented the directive, and most other Member States were expected to follow before the end of the year. Since the directive was the means by which the European Community and its Member States were implementing the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, the European Commission was monitoring the situation very closely. The Representative expressed his confidence that the European Community and its Member States would be able to adhere to the two WIPO Treaties in the course of 2004. Furthermore the Representative stated that the Commission was preparing a Communication on the management and licensing of IPRs, covering individual as well as centralized or collective rights management. In addition to collective management, the Communication, expected to be adopted before the end of 2003, would also offer observations on other related issues such as territoriality, the call for Community-wide licensing and digital rights management. Finally, the European Commission was also examining the possible need for updating and consolidating the “first generation” Directives, i.e. the “*acquis communautaire*” adopted between 1991 and 1996, and the question if other not yet harmonized issues might call for harmonization. The Commission intended to present a Communication on the issue in early 2004.

133. The Representative of the World Association for Small and Medium Enterprises (WASME) congratulated the Director General on his re-election, and commended him for his dynamic policy thrust and his vision in helping to ensure that the promotion and protection of IPRs had its rightful place on the agenda of policy makers, as well as for his efforts in helping, through increased use of the IP system, in upgrading the competitive capability of business and industry, particularly amongst SMEs. They not only account for a very large percentage of employment in the industrial sector, but also of exports in most countries. The Representative recalled that SMEs employ over 300 million people worldwide. The Representative noted that WASME was the only international NGO for SMEs and that it had a consultative status in a number of UN agencies. Its members and associates were from 112 countries, industrialized, developing and those in transition. The Representative applauded various initiatives undertaken by WIPO in recent years, including the convening of the Global Forum on IPRs for SMEs in Milan, described by its Mayor as Italy’s capital of innovation. The Representative then quoted from the WASME President’s election speech: “the new world economic order portrays immense opportunities for SMEs to expand their business amidst new challenges. Their role as generator of employment has gained additional importance with employment opportunities shrinking in the public and large enterprise sectors owing also to increasing internationalization of production processes. As new opportunities are coming up before the SMEs in an increasingly borderless global market, they need to reorient their business strategies.” The Representative further stated that topical issues confronting SMEs, such as innovation and new technology, marketing and exports in an era of globalization, required IP awareness to be increased through support from WIPO. In this context, the Representative noted his appreciation for WIPO’s continuous efforts in helping building awareness and understanding of IP issues among SMEs. He furthermore stated that WASME was playing an important role in encouraging dialogue and cooperation amongst the public and private sector SMEs support institutions, and that WASME had organized several international conferences worldwide. The Representative highlighted that in the Declaration adopted at the 14th International Conference on SMEs, in Tel Aviv, in September 2003, over 300 participants from 58 countries recommended, *inter alia*, that governments, international organizations, NGOs, and SME support organizations should: provide assistance in improving access to and making an effective use of the IP system for both improving their capacity to innovate and to derive the full benefits from using such innovation in the

marketplace; and, foster innovative marketing approaches for SMEs such as collective trademarks for SMEs in clusters and sophisticated use of technical and business information contained in available patent databases. The Representative also noted that WASME had conducted several training programs for SME entrepreneurs, with particular emphasis on the training of women, and that its bi-monthly News magazine contained the latest information on SME related matters, targeting, directly or indirectly, some two million SMEs worldwide. Furthermore, the Representative stated that WASME was seeking to strengthen its cooperation with WIPO for enhancing the awareness of SMEs on IP related issues, and that it had distributed WIPO's CD-ROM on IP for SMEs to its members and associates. The Representative however also underlined that a majority of SMEs needed practical assistance and support to effectively make use of the IP system, and, in view of its worldwide reach, WASME therefore envisioned its role as a coordinating agency between national SME support institutions and associations and WIPO. Furthermore, the Representative commended the Director General for having established, three years ago, a Division focussing on the IP needs of SMEs, and congratulated WIPO for its comprehensive, user-friendly and regularly updated website on IP for SMEs in six languages, in particular, the "IP for Business" and "IP for E-Commerce" sites. The best practices and case studies on the website highlighted the steps being taken by SMEs support institutions for improving access of SMEs to the IP system, as well as the strategies adopted by the SMEs to benefit from the use of the system. The Representative also considered the monthly e-mail newsletter service to be an effective tool for disseminating information, and thanked WIPO for the copies of the CD-ROM on IP for SMEs, and for permitting WASME to re-publish articles from the WIPO magazine. He also expressed his great appreciation of WIPO's agreement to co-organize a self-financed WIPO/WASME Special Training Program for 26 participants from countries in Asia, Africa and Europe, on better and effective utilization of IP for SMEs, which would be held at WIPO headquarters from October 6 to 9, 2003. The Representative also expressed his satisfaction with the proposed range of activities on IP for SMEs in the Program and Budget 2004-2005, but noted that the successful implementation of those activities would require a greatly increased budgetary allocation, and he therefore appealed to all Member States to support such an increase. In this context he underlined that the activities of the SMEs Division should not be almost totally dependent on the budgetary allocation of the Regional Bureaus for organizing their activities targeting SMEs, but that the budget allocation for the SMEs Division should rather be along the lines of the budget provided for the WIPO World Wide Academy, as the SMEs Division had an equally challenging responsibility worldwide. In this context, the Representative reiterated that SME activities at WIPO should be grouped under a main program and not as a sub program, and that the budget allocation for the SMEs sector should be increased to 3-4 million Swiss francs for the biennium, and therefore requested the Director General to consider such an increase. Furthermore, the Representative noted that training institutes specifically for SMEs existed in some countries but that such institutes and SMEs development centers did not focus on the use of the IP system by SMEs, and therefore urged that they should be helped to include this in their programs. He also noted that WIPO had recently produced a guide entitled "Making a Mark" which was an excellent guide introducing trademarks to SMEs, and was happy to note that WIPO in its new series on IP and Business was planning to bring out similar guides on different aspects of IP. WIPO had also recently undertaken a pilot study, with the Government of Norway, on the use of the IP system by SMEs in that country, and similar studies had been initiated in about 14 countries in Africa, Asia, Latin America, and Eastern Europe. The Representative looked forward to those reports being used to promote the effective use of the IP system by SMEs around the globe. The Representative concluded by highlighting that the Estonian Patent Office had arranged for the translation into English, Estonian and Russian, of a booklet entitled "Industrial Property Rights as a Competitive Tool for Small and Medium Enterprises

- the Finnish Experience”, by the former Director General of the National Board of Patents and Registration of Finland, and noted that it was encouraging that a number of WIPO Member States were promoting the furtherance of IP information among SMEs to enable them to take best advantage of the system.

134. After hearing the various statements made by Delegations on the Program Performance Report for 2002 and the Program Implementation Overview for the first half of 2003, and before leaving the floor open to the Director General, the Chair of the Assembly wished to make a number of comments. He considered that the statements made had been detailed and dealt with very significant points which would be faithfully reflected in the general report. He pointed out that all the Delegations without exception had recalled their profound attachment to intellectual property and to WIPO. He emphasized that the matter was of interest since certain parties had expressed doubts, during the preparatory work for the Beijing Summit, on the unanimous adherence to the very principles of intellectual property. He noted that a very large number of countries had placed emphasis on the development dimension, since intellectual property in itself generated economic development and wealth, and he cited the so-called rich countries which, largely speaking, had undergone their industrial revolutions in the nineteenth century, by means of innovation and research. He highlighted the fact that currently not all countries had equal access to research or to the benefits of innovation. He was very interested for personal reasons to note the specific experiences presented by all the countries which, during the previous year, had benefited from WIPO's technical cooperation. Finally, he noted the very large number of Delegations which had referred to the work in progress in relation to genetic resources, traditional knowledge and folklore. He indicated the need to consider the matter in more detail and to entrust the Intergovernmental Committee with a specific task, since that was a new subject with should be substantially accelerated. He noted that numerous Delegations had underlined the importance they attached to training, in particular through the WIPO Worldwide Academy and distance learning. He considered the teaching experiments conducted in the schools of Trinidad and Tobago, which in particular used cartoons, to be very interesting and original. In general terms, he said that all matters relating to school education were of interest since they had a stake in the future. He recalled the initiatives raised by the Delegations of Malaysia, Tunisia and other countries, which would take place the following year. He concluded by noting the importance which several Delegations attached to the use of languages and paid tribute to WIPO, which was one of the Organizations showing the greatest respect for such use.

135. The Director General thanked all Member States for the extensive support received and for the encouragement and compliments regarding the work undertaken by WIPO, and stated that such reactions and feedback were true incentives for the Organization to work harder. The Director General noted that the Organization counted on the input from Member States in order to craft programs that met with their varied needs and expectations, with the goal of making IP of benefit to all. The Director General also extended his thanks to the staff of WIPO for their dedication, hard work, loyalty and support. Activities had continued to grow in all areas, and he was well aware of the efforts which had been made to absorb the additional work within available resources. Regarding the new management team, the Director General stated: “I welcome the renewed mandates of, in alphabetical order, Mrs. Rita Hayes and Mr. Philippe Petit, as Deputy Directors General, and the appointment of Deputy Directors General, Mr. Francis Gurry and Mr. Geoffrey Yu, who will take up their duties on December 1, 2003, and Mr. Narendra Sabharwal whose term of office will begin on December 1, 2006. It is also a pleasure to welcome the appointment of Mr. Ernesto Rubio and Mr. Khamis Suedi as Assistant Directors General. I look forward to working very closely with them in further enhancing the work of this Organization. Allow me also, distinguished

delegates and dear friends, to use this occasion to pay tribute to two key members of the current management team who will be relinquishing their duties at the end of November this year, Mr. Roberto Castelo and Mr. Shozo Uemura. Both colleagues took up their functions as Deputy Directors General in 1998. They brought with them a wealth of experience that has been of immense value to WIPO and of immeasurable assistance to myself in carrying forward the work of WIPO. Roberto has guided the Sector of Cooperation for Development through five years of intense activities and growth. His dynamism and enthusiasm have driven both the refining of existing programs and the setting up of new resources in the quest to provide deliverables of real and practical benefit to developing countries. He has worked to increase the relevance of nationally and regionally focused action plans. He has sought to assist developing countries in setting up pro-active IP policies designed to extract the value of indigenous invention and creativity. Under his direction, new resources for development activities have been made available, including the services offered by the WIPO Worldwide Academy and the LDC Unit as well as the assistance and advice offered to those countries seeking to fulfill their obligations under the TRIPS Agreement. Throughout his term of office, Roberto has been not only efficient and effective, but also courteous and pragmatic. Thank you very much indeed Roberto for the excellent services you rendered to this Organization. In the area of industrial property, this organization has profited greatly from Shozo Uemura's long experience in administrative, legal and technical matters. Under his direction, this Organization has seen steady evolution and change in the field of trademarks, industrial designs and geographical indications. Electronic means of communication between WIPO and national Offices have been expanded. Activities have been undertaken on several fronts to make the Madrid, Hague and Lisbon systems more flexible, user-friendly and responsive to current needs. His term of office has also seen a remarkable increase in the number of countries participating in the Madrid Protocol which now outnumber the States party to the Madrid Agreement itself. Throughout his term of office, Shozo has demonstrated substantive knowledge, team spirit and integrity. Thank you very much indeed, Shozo, for the excellent services you have rendered to this Organization. Allow me, personally, and on behalf of the organization and you, its Member States, to extend our grateful thanks to Roberto and Shozo for the years they have given to your Organization. We send them our very best wishes for a fulfilling future in which their many skills and talents can be used to full advantage." The Director General further stated that he had listened with great interest to the wide-ranging and open discussions that had taken place under the agenda item, and gave his assurance to Member States that the very relevant comments and proposals made would be duly taken into consideration in the future organization and planning. Furthermore, the Director General pledged that, to the maximum extent possible, WIPO would seek to give positive response to the various proposals and suggestions received. The Director General concluded by saying that the present Assembly of WIPO was an excellent symbol of how the international community could work effectively in the name of all Member States in order to serve humanity, and once again providing concrete evidence that IP was an effective tool for social development and economic growth.

136. The Assemblies of the Member States of WIPO, each as far as it is concerned, approved the contents of document A/39/7, and noted the information contained in document A/39/8.

ITEM 5 OF THE CONSOLIDATED AGENDA:

ACCOUNTS FOR THE 2000-2001 BIENNIUM; INTERIM FINANCIAL STATEMENT
FOR 2002; ARREARS IN CONTRIBUTIONS

137. Discussions were based on documents A/39/9 and A/39/10.

138. In presenting the item, the Secretariat recalled that the accounts for the 2000-2001 biennium had been examined in detail by the Program and Budget Committee at its sixth session, held from April 29 to May 1, 2003, and that the Committee had recommended their approval to the Assemblies of the Member States. Regarding document A/39/10, the Secretariat announced that Zimbabwe had settled its contributions in arrears for 2001 and 2002. The Secretariat thanked the Director of the Federal Audit Office of the Swiss Confederation for his presence for this agenda item.

139. At the invitation of the Chair, and representing the Organization's External Auditor, the Director of the Federal Audit Office of the Swiss Confederation said that the audit had been conducted in accordance with generally accepted international auditing standards and the additional Terms of Reference that formed an integral part of the WIPO Financial Regulations. He was pleased to note that the recommendations formulated in his audit report had been duly taken into consideration by the Secretariat, and that outstanding issues had been dealt with. He also stated that his colleagues had examined the conformity of the use of a flexible approach in transfers from one budget heading to another, and that they had checked the distribution of common expenditure according to the flexibility formulas. As a result of the audit, he was in a position to confirm that the financial statements gave a satisfactory account, on all essential points, of the financial position as at December 31, 2001, and of the results of operations and movements of funds for the financial period ending on that date, in accordance with the specified accounting policies of WIPO, as set forth in the Notes to the 2000-2001 Financial Management Report and which had been applied in a manner consistent with the previous accounting period. The External Auditor confirmed that the findings of his audit were satisfactory; in his opinion WIPO operations checked by sampling in the course of the audit had, on all essential points, been consistent with the Financial Regulations and the authority given by the deliberative bodies of the Organization. He wished to express his thanks to the senior members of the Administration and to the heads of the various departments, and indeed to all officials whose cooperation had been sought, for the information and clarifications that they had given to his team. He thanked the Chair and the distinguished delegates for the attention given to the work of his colleagues and to his reports. The External Auditor ended by recommending to the Assembly that it approve the accounts for the 2000-2001 accounting period.

140. The Chair addressed warmest thanks to the External Auditor and to all his staff for the service rendered to WIPO, and for the quality of the report on the Organization's financial position.

141. The Assemblies of the Member States of WIPO, each as far as it was concerned, and having also paid due regard to the information given orally, approved the accounts for the 2000-2001 biennium and the Financial Management Report on the same period, and also noted the interim financial position for 2002 and the status of the payment of contributions and the working capital funds as of September 17, 2003.

ITEM 6 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

142. See the report of the session of the PCT Union Assembly (document PCT/A/32/8).

ITEM 7 OF THE CONSOLIDATED AGENDA:

PROPOSED PROGRAM AND BUDGET FOR 2004-2005; MEDIUM-TERM PLAN

143. Discussions were based on documents A/39/4, A/39/5 and A/39/6.

144. Referring to documents A/39/4 and 6, the Chairman of the General Assembly invited Mr. Jae-Hyun Ahn (Republic of Korea), Chairman of the Program and Budget Committee to report on the results of the discussions that had taken place at the seventh session of that Committee, held from September 8 to 10, 2003.

145. The Chairman of the Program and Budget Committee, referring to the issues contained in documents for consideration under Agenda item 7 (documents A/39/4 and A/39/6), recalled that informal consultations had already started the previous year. The draft program and budget proposal (documents WO/PBC/6/2 and WO/PBC/6/3), was examined by the Committee at its sixth session in April 2003 at which a number of recommendations were put forward by Member States. Following further informal consultations, those recommendations were taken into consideration as much as possible in the preparation of documents "Revised Proposal for Program and Budget 2004-2005" (WO/PBC/7/2), "Comparison Between Revised Proposal for Program and Budget 2004-2005 and Initial Proposal for Program and Budget 2004-2005" (WO/PBC/7/3), "Matters Concerning the New Construction" (WO/PBC/7/4). Issues dealt with in those documents were discussed thoroughly at the seventh session of the Program and Budget Committee held earlier this month and were reflected in the document "Report of the Seventh Session of the Program and Budget Committee" (A/39/6). The Chairman of the Program and Budget Committee summarized the deliberations of the Committee as follows: "The Committee welcomes the submission of the Revised Proposal for the Program and Budget 2004-2005 included in documents WO/PBC/7/2 and WO/PBC/7/3 and commends the Secretariat for the comprehensive and transparent presentation. In particular, delegations noted with appreciation the efforts of the Secretariat to reflect in the Revised Proposal comments and suggestions made by delegations during the previous meeting of the Program and Budget Committee and the subsequent consultations. I note the broad support for the Revised Proposal for Program and Budget as submitted. I also note that a number of delegations called for the strengthening of activities related to Cooperation for Development. In particular, suggestions have been advanced to increase the resource allocation in this area on a priority basis should additional resources become available. While a few delegations called for further reductions of PCT fees, a very large majority of the Committee supported the proposed levels of PCT fees. I also note that decisions on PCT fees will be taken by the PCT Assembly. While supporting the proposed budget, a few delegations expressed concern over income projections. I note suggestions with regard to the establishment of a follow-up consultation process within the framework of the Program and Budget Committee between interested delegations and the Secretariat in order to carefully monitor developments and implementation of the Program and Budget, in particular

to validate financial projections and underlying assumptions. I also note that many delegations underlined the indicative nature of the Program and Budget proposal.” He further stated that as the PCT Assembly had adopted the PCT Schedule of Fees, proposed in document PCT/A/32/1, as further modified by the Director General’s proposal, he, in his capacity as the Chairman of the Program and Budget Committee would hereby submit the decision made by the Program and Budget Committee to the Assemblies of the Member States recommending approval of the Revised Proposal for Program and Budget 2004-2005 (A/39/4) and the proposal for supplementary storage parking facilities for the new construction as contained in document A/39/6 and its annex (WO/PBC/7/4).

146. The Delegation of the United States of America expressed its appreciation for the work of the Secretariat in formulating the program and budget. It recalled having a consistent policy of advocating budget discipline, prioritization and increased efficiency in international organizations and stated that its view of the proposed WIPO budget reflected this position. It believed that more could and should be done to ensure that WIPO is using its resources in the most efficient manner possible and looked forward to engaging in further discussions in this regard. It underlined that the success in achieving the goals outlined in the budget needed to be measured by results, not merely by the amounts of money spent or the number of meetings held. It believed all WIPO members have an interest in ensuring that the Organization’s activities are being conducted in the most effective manner possible. It also wished to associate itself strongly with the statement made by the Chairman of Group B earlier this week, which underlined the need for periodic updates on PCT revenues, reserves and the status of building projects. It believed that with this increased transparency, WIPO members could better assess what should be the appropriate level of the Organization’s income, spending and reserves. Regarding future spending, it noted that recent WIPO budgets had included major spending on one-time capital projects, such as the information technology upgrade and the building of new facilities. It expected that once these projects would be completed and their efficiency gains realized, the budget would be adjusted accordingly.

147. The Delegation of Costa Rica, speaking on behalf of GRULAC, noted that even if the Group had joined the consensus in approving the Revised Proposal for Program and Budget 2004-2005, it should be noted that budget allocations had impact on programs of substantive importance for countries in the region. In particular, cooperation for development would remain as the most important point of the budget. It hoped that WIPO will have an all encompassing approach to cooperation, not limited to infrastructure support, as it believed it is necessary to go beyond an approach based merely on assistance to cooperation. In this respect, WIPO should be an engine which encourages knowledge and creativity in order to boost the results of important research in the area of intellectual property. It stated that GRULAC is ready to continue working with a view to outline in a more systematic way in the areas which should be included in the coming budgets, hoping that resources which should be allotted to development cooperation under this new vision will be better addressed. Furthermore, it expressed its concerns on the budget allocations for the WIPO Worldwide Academy, which should be strengthened. Meanwhile, the activities of the Academy in the Latin American and Caribbean region, have in fact been reduced if not done away with as in the case of the English-speaking part of the Caribbean. It hoped that the coverage of the Academy’s activities will be extended to a larger number of beneficiaries, and that distance learning should not replace in its entirety other training modalities. It believed that WIPO should not only include right-holders but also users, judges, academics, journalists, police and custom officers. Having stated the main concerns of the Group with the revised proposal for program and budget, it joined the consensus on the proposal contained in document A/39/4, hoping that their concerns will be properly addressed in the future.

148. The Delegation of Zambia endorsed the summary of the Chairman of the Program and Budget Committee and supported the Revised Proposal for Program and Budget 2004-2005 as presented. It also thanked the Program and Budget Committee and its Chairman for the good work done.

149. The Chair of the General Assembly thanked the delegations for their comments. In light of the support expressed for the recommendations set out in document A/39/4, and noting the content of document A/39/6 as well as the amended PCT Schedule of Fees as adopted by the PCT Assembly, he stated:

150. The Assemblies of the Member States of WIPO and the Unions administered by WIPO, each as far as it was concerned, approved the revised proposals for Program and Budget 2004-2005 as contained in document A/39/4, and the supplementary storage/parking facilities for the new construction as contained in document A/39/6 and its annex.

151. The Secretariat, upon introducing document A/39/5, recalled that every fourth year, the Director General presents a medium term plan covering the four years to come when a proposed Program and Budget is presented. It was further recalled that the Director General outlined important strategic directions in his acceptance speech made at the last meeting of the Assemblies in May 2003. Most of the components included in that speech had been elaborated in document A/39/5. The Secretariat wished to draw the attention of Member States to paragraph 14 of document A/39/5 in which strategic deliverables to realize WIPO's vision were proposed. They consisted of (1) promotion of an IP culture, (2) development of balanced international IP laws, (3) provision of consistent and customized assistance to Member States in developing national/regional IP systems, (4) enhancement of global protection systems such as PCT, the Madrid and The Hague system, (5) further streamlining of the management and administrative processes within WIPO.

152. The Delegation of Costa Rica, speaking on behalf of GRULAC, thanked the Secretariat for document A/39/5, which contained the Director General's vision on the strategic direction of WIPO for the four years between 2006-2009, following the 2004-2005 biennium. GRULAC attached particular importance to the focus the Organization gave to its work. It believed that WIPO work must follow a vision and direction focusing fully on development and on intellectual property. GRULAC recognized the important role WIPO had been playing and was convinced that it would become increasingly important to give paramount importance to the role intellectual property had acquired in the international arena. It believed that the main challenges for the Organization were to ensure the effective and full implementation of the development dimension in all the activities and proposals the Organization would be developing. It thought that only in this context would intellectual property indeed become an engine for the different economies and in particular for developing countries. The Group thanked the Secretariat for drawing up the document, and considered it very important that the specificity of the different States be taken into consideration. It believed that an identical model could not be applied to all nations and therefore considered it absolutely essential that the Organization established flexible criteria for the implementation of its plan and program. Furthermore, it hoped that when fixing priorities in its policies, particularly budget priorities, cooperation for development activities be taken on board first, as it was a key element for the development of institutional activities.

153. The Delegation of Italy, speaking on behalf of the European Communities and its member States as well as acceding countries, thanked the Secretariat for the presentation of the medium term plan. The Delegation welcomed WIPO's role in proclaiming the universal value of intellectual property as an issue which belonged to all peoples, at all times, and cultures and as a mark of the world's evolution. The Delegation stated that it was widely recognized that technology, as well as knowledge, played an important role in recent economic growth particularly by increasing the level of sophistication both in hard and soft industries. The Delegation further stated that intellectual property protection was also regarded as an instrument of industrial policy with wide-ranging ramifications in the economic system which could have a positive impact on the technological progress of a country at the macro-economic level. Globalization, technological development and the Internet were leading entrepreneurs and innovators for a new understanding of IP in building a solid bridge between technology and the market. This consisted of important challenges due to the widening knowledge divide, the reduction of poverty and the attainment of prosperity for all. The success of a country to meet with those challenges would greatly depend upon its ability to develop, utilize and protect its national creativity and innovation. A reliable IP system aligned together with a proactive policy and proper strategic planning would help governments to promote and to protect its intellectual assets, steering economic growth in favor of a general creation of wealth. In this regard, the Delegation strongly believed that the next medium plan for 2006-2009 should continue to reflect the essential role of IP as an important tool for development, economic growth and wealth creation. The building up of a public awareness of IP was the key to understanding and respect of IP as well as of the system that promoted and protected it. In order to convince the public audience, including the most active ones in society, it was essential to lead them from the start with the aim to let them appreciate the fairness and the consistencies of the IP system. To do so, they must be included in an inclusive dialogue granted by the system. The Delegation expressed its support to WIPO to emphasize the development of an IP culture during 2004-2005. Several programs had been refocused to ensure that WIPO's activities would concentrate on the creation of an effective IP culture. The adoption by the WTO of the Doha Declaration on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement and public health as well as the decision on the implementation of paragraph 6 of the Doha Declaration were important evolutions which would have to be reflected in WIPO's technical assistance activities for the coming years, as the implementation of the Doha Declaration by developing and least developed countries would face serious structural changes. Therefore technical assistance and capacity building would be paramount in enabling those countries to give effect to the Doha Declaration. In this regard, it was critical that WIPO, as a main technical assistance provider on intellectual property, fully integrated the Doha Declaration, in its technical assistance policy. The WIPO legal and technical assistance programs must integrate fully and completely the effects of the Doha Declaration, and steer towards a stance appropriate to the specific needs and level of the development of a recipient country. Particular emphasis would be given to the global protection system and services, such as the PCT, Madrid, Hague and Lisbon Systems in 2004-2005 programs.

154. The Delegation of Zambia, speaking on behalf of the African Group, stated that it would like to thank the International Bureau, particularly the Africa Bureau, which was directly responsible for their activities. The Delegation also wanted to welcome the appointment of the new Deputy Directors General and the Assistant Directors General. The Delegation also wished to thank the Director General on the work that he had been undertaking. The African Group was proud of the work that the Secretariat and, in particular the Director General, had undertaken and it was that pride that made him make the following comments on the item that was being discussed with a view to contributing so that further

work could be enhanced and improved. The Delegation stated that for the African Group, it was becoming common now that integrating the development dimension in the IP system would certainly be one of the important challenges in order to make IP an effective means for social, cultural and economic development. In this regard, the Group supported the general orientation of the Director General's vision and strategy as presented in his medium term plan for WIPO programs and activities contained in document A/39/5. In particular, the Delegation wished to note that strategic deliverables of WIPO now included the strengthening of IP's role in the development of national policy supported with the analysis of the economic development of IP as well as the strengthening of national human resources capabilities including training of IP professionals. The Delegation encouraged the Director General to continue pursuing relentlessly the integration of the development dimension including the concerns and interests of developing countries in general, and Africa in particular, in all the WIPO activities. The key element of what constituted the development dimension and the position of the African Group on that issue were well-known. In terms of some specific issues mentioned in the vision document the Delegation wished to make the following two suggestions for the Director General's consideration. While the Delegation stated that it agreed with paragraph 3 where it stated that "any erosion of the existing protection should be prevented" it wished to add an attachment indicating that developing countries should be able to take advantage of flexibility in existing systems to adapt IP regimes to meet their national priorities. In that respect they could then agree with paragraph 11(b) of the document. The second point was in reference to paragraph 7 where the document stated that "WIPO seeks to continually enhance its role as the leading international organization ... on effective international cooperation in the area of IP." Whilst agreeing to the statement, WIPO should tackle the hard and controversial issues and provide developing countries with useful information on the options available to them. For instance, issues of access to medicines, issues on the impact of IP on developing countries, and issues of geographical indications. The Delegation encouraged WIPO to interpret treaties and to provide not only single answers but rather with a range of possible options and implications under existing treaties which would be helpful for developing countries. The African Group was happy that in several cases the Director General had taken steps to address the issue of providing two sides of the coin and encouraged him to do more.

155. The Delegation of Haiti congratulated the Secretariat on the high quality of document A/39/5 and welcomed the ideals that were expressed in that document and stated that it described for the Delegation the vision and the strategic direction of WIPO, which was also given further information on the policy framework and the strategic goals and program evaluation of WIPO within the context of the medium term plan. The Delegation believed that all of this was fully in line with the basic constitution of WIPO and noted in particular the idea that the program and budget for the 2004-2005 biennium was only in fact valid if it corresponded to the objectives that had been set. As far as the Delegation was concerned it was one of the key ideas in document A/39/5 that the intellectual property system should be an instrument to promote social development, economic growth and wealth generation. With that in mind, the Delegation quoted an important statement in paragraph 7, namely, WIPO was now "assisting developing countries in their capacity building for greater access to, and use of, the IP system." The Delegation endorsed the idea put forward by GRULAC at the seventh session of the Program and Budget Committee. The idea was that the whole concept of cooperation for development could not be minimalist otherwise it would simply distort the implementation of certain processes that were genuine driving forces for development. The Delegation wished to promote development through intellectual property and recognized that it was extremely important that the Least Developed Countries (LDCs) should not be left out of the process that was being undertaken. The Delegation believed that all that was done by

WIPO must fully take account of the concerns of poor countries and the priorities that they themselves had established. With that in mind the Delegation endorsed the concerns expressed by GRULAC about the activities undertaken by the WIPO Academy in its region. Those activities had been reduced rather than stepped up and it was sad to see that. Further, the Delegation would like to express the hope that in future resources allocated to cooperation could better reflect the aspirations of such cooperation.

156. The Delegation of Sudan associated itself with the views which had been expressed by the Delegation of Zambia on behalf of the African Group on the medium term plan. The Delegation thanked the Director General for his elaborate and guiding memorandum, which brought together vision and strategic direction of WIPO into its various activities for the period 2006-2009. The Delegation appreciated that paragraph 7 noted WIPO's commitment to assisting Member States in establishing IP necessary infrastructures and conducive working environments to increase awareness and understanding of intellectual property contributions to economic, social and cultural development. The Delegation believed that this had been, and remained to be, the viable approach to make real effect through intellectual property systems in the life of people. It considered that a priority should be given to the eight principles of the policy framework, outlined in paragraph 10 of the document. The Delegation noted, in particular, necessary support in capacity building and the development of appropriate infrastructure, strengthening of human resources, and collective efforts to make use of intellectual property systems to reap user's benefits. In that context, the Delegation supported the Director General's major undertaking and directions indicated in his acceptance speech when he was re-elected in May 2003, as reflected in document A/39/5. The Delegation believed that the achievements and future plans illustrated in the document would be taken on board in the course of the implementation of program activities, and should serve as a model for the utilization of valuable intangibles to achieve tangible economic and social benefits. The Delegation supported the stated role of the mid-term year plan reflecting the central role of intellectual property as an important tool for economic and social development. The stated role articulated the aspirations of many governments and stakeholders in seeing it integrate further the development dimension into intellectual property systems from which economic and social benefits were derived, improving the livelihood and well being of all stakeholders.

157. The Delegation of Benin, speaking on behalf of LDCs, commended the Director General's memorandum on a medium term plan for WIPO program activities, vision and strategic direction. The Delegation very much felt that the general thrust of the document did correspond to its concerns and anxieties. The Delegation said that while it appreciated what had been achieved by WIPO so far, it would have to bear in mind that there remained a great deal to be done, given the fact that the needs of developing countries and LDCs in particular were extremely varied and constantly increasing. This would clearly involve the need for enhanced technical cooperation. That being so, the Delegation stressed the importance of paragraph 10(g) within document A/39/5 and drew attention to a slight concern. The Delegation stated that a reference to LDCs could have been included in that document. LDCs represent a category of countries recognized by the entire UN system.

158. The Delegation of Brazil referred to the general debate which had been held on the previous day and noted that at a given time a certain evaluation was carried out on the content of the discussions that took place in Geneva at the beginning of the year, during the preparatory process of the Beijing Summit. According to that evaluation some States had questioned the validity of the system of intellectual property or had even rejected the usefulness of intellectual property. The Delegation stated that it did not agree with such an

evaluation of the results of that discussion. To the contrary, the Delegation did not consider that the validity of the IP system had been called into question at any time by any delegation. What had taken place was a fruitful and constructive dialogue on the different possibilities and alternatives relating to IP. There were alternative perspectives on IP. According to one of these perspectives or visions, the protection of intellectual property must be promoted as an end in itself. The Delegation did not share that vision. It believed intellectual property must be used as a means to an end, which could only be the economic, social and cultural development of all peoples and nations. The Delegation quoted some of the comments and conclusions contained in the Report of the Commission on Intellectual Property Rights, which had been established by the UK Government. In particular, it recalled that, according to the CIPR Report, IP protection of some kind is appropriate at some stage for developing countries, but that incentives for innovation work differently, depending on the supply response they evoke. They may impose costs on consumers and on other users of protected technologies. The balance of costs and benefits will vary according to the how the rights are applied and according to the specific circumstances of the each country, which meant that standards of IP protection that may be suitable for developed countries may produce more costs than benefits when applied in developing countries, which rely in large part on knowledge generated elsewhere to satisfy their basic needs and foster development. The Delegation believed that those comments served as a good basis for understanding the development dimension which should be part and parcel of the IP system. Developing countries must have the necessary flexibility to be able to implement their obligations and their systems of intellectual property in a manner which is compatible with their public policy goals in the economic, social, environment, technological, scientific, educational and public health fields. Furthermore, it noted that the report of the CIPR also said that higher standards of protection should not be imposed on developing countries without a serious assessment or an objective evaluation of their impact on development. On the content of the document A/39/5, the Delegation believed that the strategic direction that the Organization must follow in the coming years was the full integration of the development dimension into intellectual property. Consolidation of a vision which integrated intellectual property and development must be the objective and common goal of the Organization's members. Furthermore, the Delegation was satisfied that the memorandum of the Director General recognized the need for the development of IP laws which are balanced and sufficiently flexible to accommodate national policy objectives. It also recalled that the memorandum reasserted the importance of keeping a balance between the interests of right holders of intellectual property rights and the interest of the public at large. The Delegation was sure that the Director General would know how to lead the Organization in the coming years, in full respect of the interests and priorities of the Member States.

159. The Delegation of Angola supported the statement made by the Delegation of Zambia on behalf of the African Group, and the statement made by Benin on behalf of the LDCs. Angola as an LDC State would indeed like to strengthen the request made by Benin that is that in paragraph 10(g), that improvement in technical assistance for LDCs be mentioned.

160. The Delegation of Egypt expressed its support for the intervention made by the Delegation of Zambia on behalf of the African Group. The Delegation also expressed its appreciation for the work done by the Director General in preparing document A/39/5. It was to be considered a valuable document for a number of reasons. Most importantly, it was ambitious and realistic at the same time, striking a compromise between various points of view and opinions. For example, the document underlined the importance of intellectual property in promoting innovation and creativity while acknowledging that the IP system should seek to achieve a balance between the interests of intellectual property holders and

those of the society at large. It referred to WIPO's mandate with regard to the promotion of intellectual property while situating it in the wider framework for the achievement of the purposes and principles of the United Nations system - to which the Organization belonged - particularly the Millennium Development goals. The document highlighted the importance of developing the international framework for the protection of intellectual property while also underlining the need for balanced international legal norms, which were flexible and took into consideration national goals in different public policy domains. The Delegation availed itself of the opportunity to stress the importance it attached to the diversity of views and opinions with regards to intellectual property matters, as it reflected the vitality of this area of international interest attached to it. As the Delegation had emphasized, on more than one occasion, a narrow vision of intellectual property, which took into consideration a limited number of interests and believed that intellectual property protection was an end in itself, did not serve well the interests of intellectual property nor did it promote its status. In this context, the Delegation stressed the need to promote a balanced vision of intellectual property where intellectual property protection was not seen as an end in itself but as a means for development. This balanced vision believed in the benefits of intellectual property protection while also pointing to its cost – in particular for developing countries – and worked towards ensuring that the benefits outweighed the costs. The Delegation was fully convinced that the future of the intellectual property system as a whole rested in the promotion of this balanced vision of intellectual property protection which enjoyed wide international support. The Delegation underlined the great importance it attached to integrating the development dimension in intellectual property rights, a matter highlighted by many delegations in their general statements. However, it mentioned that there was a need to clarify what was meant by this assertion. Indeed, for some, intellectual property protection will lead in itself to development. The Delegation stated that although it did not necessarily disagree altogether, it wished to add that enhancing the contribution of intellectual property protection to development, required the formulation of balanced international norms which took into consideration differences in the levels of development as well as the specific conditions of each country. It also required encouraging developing countries to make full use of the flexibilities in existing norms. In addition, it required directing technical assistance provided to developing countries towards building their national capabilities with a view to maximizing the benefits from the use of the flexibilities referred to, particularly in areas relating to public policy objectives such as the protection of public health and the environment. Finally, the Delegation stated that it looked forward to further efforts towards integrating the development dimension in intellectual property rights. It reiterated its appreciation for the document prepared by the Director General and the efforts towards taking into consideration the different points of view reflecting the priorities of all Member States of the Organization.

161. The Chair stated that it was very important work to look into those different problems which were sometimes even philosophical in nature or at least those which acted as guides for the future. The Chair thanked the Director General and his team for preparing such a very important document and invited the Assemblies to take note of the memorandum with all comments being duly noted and recorded in the report.

162. The Assemblies of the Member States of WIPO, each as far as it was concerned, noted the contents of document A/39/5.

ITEM 8 OF THE CONSOLIDATED AGENDA:

COMPOSITION OF THE PROGRAM AND BUDGET COMMITTEE

163. See the report of the session of the WIPO General Assembly (document WO/GA/30/8).

ITEM 9 OF THE CONSOLIDATED AGENDA:

CONSTITUTIONAL REFORM

164. Discussions were based on documents A/39/2 and A/39/3.

165. The Secretariat informed the Assemblies that this was the final stage of a process that had been underway for some three years. It was recalled that, as a result of the work of the Working Group on Constitutional Reform whose recommendations were adopted by the Assemblies last year, it was proposed that three amendments be introduced to the constitutional structure of WIPO and the Unions administered by WIPO. These were: (i) that the WIPO Conference be abolished as a body; (ii) that the changes that were introduced in practice in the early 1990s to the classes of contributions and the establishment of the unitary contribution system, be formalized in the text of the treaties administered by WIPO; and (iii) to reflect what had also become a practice, that the periodicity of the sessions of the various Organs of WIPO and its Unions be changed to once every year rather than once every two years. All those amendments were set out in documents A/39/2 and A/39/3, and the proposed texts had been sent to the Member States by the Director General in January 2003, that is, more than six months in advance of the consideration of the texts by the present Assemblies.

166. The Assemblies of the Paris and Berne Unions and the WIPO Conference, each in so far as it was concerned, adopted the proposed amendments to the WIPO Convention as set out in the Annex to document A/39/2.

167. The Assemblies of the Member States of WIPO, each in so far as it was concerned, adopted the proposed amendments to the Paris Convention and to the other WIPO-administered treaties¹ as set out in the Annex to document A/39/3.

¹ The WIPO-administered treaties that are to be amended in order to implement the decision of the Assemblies are: Convention Establishing the World Intellectual Property Organization (the WIPO Convention), Paris Convention for the Protection of Industrial Property (the Paris Convention), Berne Convention for the Protection of Literary and Artistic Works (the Berne Convention), Madrid Agreement Concerning the International Registration of Marks (the Madrid Agreement), Hague Agreement Concerning the International Deposit of Industrial Designs (the Hague Agreement), Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of Registration of Marks (the Nice Agreement), Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the Lisbon Agreement), Locarno Agreement Establishing an International Classification for Industrial Designs (the Locarno Agreement), Patent Cooperation Treaty (PCT), Strasbourg Agreement Concerning the International Patent Classification (the Strasbourg Agreement), Vienna Agreement Establishing an International Classification of the Figurative Elements of

ITEM 10 OF THE CONSOLIDATED AGENDA:

DIPLOMATIC CONFERENCE ON THE PROTECTION OF
AUDIOVISUAL PERFORMANCES

168. See the report of the session of the WIPO General Assembly (document WO/GA/30/8).

ITEM 11 OF THE CONSOLIDATED AGENDA:

AGENDA FOR DEVELOPMENT OF
THE INTERNATIONAL PATENT SYSTEM

169. Discussions were based on documents A/39/13 and A/39/13 Add.1 to Add.4.

170. On taking up this Agenda item, the Chair noted that documents A/39/13 Add.1 to Add.4 contained four studies, which had been carried out by independent experts from four different geographical regions. He also noted that those studies reflected only the positions of the authors.

171. The International Bureau recalled that the WIPO Patent Agenda had been initiated by the Director General some two years ago. The studies had been commissioned following a request by a number of delegations at the Assemblies for the preparation of a study that would address, in particular, the development dimension of the international patent system.

172. The Delegation of the Philippines, speaking on behalf of the Asian Group, stated that it had reservations about the upward harmonization of patent laws. It considered that a “one-size-fits-all” system of intellectual property rights would not work, given the vast diversity in development levels among Member States. It felt that any futuristic patent agenda should be rooted in ground realities in order to address all concerns effectively, including legislative implications for national patent laws, the sovereign prerogative, and the extent of administrative changes and restructuring envisaged. The Delegation further stated that the Asian Group’s other concerns related, among others, to issues of public awareness and opinion, human resource issues and those relating to transfer of technology, traditional knowledge and public health. The Asian Group, however, believed that the four studies would form a good starting point for the further exchange of views, and it looked forward to discussing the options and measures put forth in the continuing discussion.

173. The Delegation of Italy, speaking on behalf of the European Community and its Member States, as well as the States that were in the process of acceding to the European Community, expressed sincere appreciation and gratitude for the continued efforts to develop a streamlined and simple system for obtaining patent rights, particularly with respect to the

[Footnote continued from previous page]

Marks (the Vienna Agreement) and Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (the Budapest Treaty).

ongoing discussions in the Standing Committee on the Law of Patents (SCP) and efforts regarding reform of the Patent Cooperation Treaty (PCT). The Delegation was particularly grateful for the studies on the impact of the international patent system on developing countries, and expressed its appreciation to the authors for their thorough work. The Delegation welcomed further research in this area, since the studies highlighted the difficulties that developing countries faced in taking advantage of the international patent system. The Delegation believed that an efficient patent system and appropriate means of enforcement were prerequisites for transfer of technology and investments since, without effective patent protection, no business would be comfortable in disclosing its technologies or investing in research and development. Further, the Delegation noted that the use of patent information for strategic business advantage might be even more effective than the use of technical content. In this regard, the Delegation stated that patent offices and the International Bureau should ensure streamlined and effective processes and a high quality of service. The Delegation stated that the Member States, as well as the acceding countries, of the European Community fully supported the ongoing development of common IT standards and databases as important tools for potential business partnership and licensing opportunities. Further, the Delegation added that the work of WIPO, in conjunction with Member States, on matters such as developing comprehensive electronic filing and application handling systems in the PCT-SAFE and PCT-IMPACT projects, as well as developing information infrastructure such as WIPONET, would be of a great benefit to users and patent offices alike. The Delegation also believed that the future evolution of the international patent system should not only make it more user-friendly and accessible, but also provide an appropriate balance between the rights of inventors and the interests of the general public. While patents were an essential component of economic strategy for both developed and developing countries, the Delegation considered that the WIPO Patent Agenda should take into account the specific implications for developing countries, especially for those still in the process of developing their intellectual property system. The Delegation stressed the importance of effective use of technology transfer opportunities and of patent information in all of the facets in which such information could be useful. Public policies to promote the use of such information were likely to bear fruit in terms of the cycle of creation of new technologies. The Delegation further stated that patent databases could also help developing countries to find licensors of technologies that were needed, licensees of technologies that were being locally developed, investors and business partners. In conclusion, in warmly welcoming the proposal to improve and facilitate the international patent system, the Delegation stressed the necessity of taking into account the interests not only of patent administrators and users but also of government and civil society as a whole. Finally, the Delegation stated that the Member States, as well as the acceding countries, of the European Community remained ready to discuss further these important issues.

174. The Delegation of South Africa congratulated the Director General and the International Bureau for putting forward the WIPO Patent Agenda and for commissioning the four expert studies. The Delegation proposed that their findings be summarized in a readable document, which could recommend issues that should be kept on the agenda, while those issues which could be agreed should be adopted. The Delegation also stated that developing countries, if they were serious about their claims in respect of traditional knowledge, folklore and genetic resources, should put in place a system of substantive search and examination of patent applications. The Delegation believed that this would avoid the imposition on developing countries of policies that might result from search and examination undertaken in other countries. In South Africa, for example, certain plants were not patentable, or they were patentable only subject to compliance with certain requirements related to benefit-sharing or the disclosure of biological material. Although such a system would generate costs, these

costs would be outweighed by the benefits of the system. On the issue of establishing traditional knowledge databases, the Delegation stated that, while this process should not be stopped, the public should be informed that, where knowledge was revealed in a database, its secrecy would be lost, and that reliance on trade secrets was another alternative. The Delegation further suggested that developing countries, in particular, should put in place legislation providing that non-use of a patent for a time to be determined should lead to certain consequences, as was the case in respect of the non-use of trademarks in many countries. Concerning the question of technology transfer, the Delegation stated that such a transfer was flowing from developing countries to industrial countries and *vice-versa*, and that, since nobody had a prerogative on the issue of technology transfer, it was important to establish good dispensation systems, such as franchising and licensing schemes. In view of the obligations in respect of technology transfer contained in the TRIPS Agreement, the Delegation invited WIPO to develop some mechanism whereby developing countries and least developed countries could start to emphasize the duties that Member States had to transfer technology to their countries. On the issue of traditional knowledge and genetic resources, the Delegation expressed the view that much discussion had already taken place on this topic and that it would continue to be discussed, hopefully leading to an agreement among countries.

175. In response to the suggestion of the Delegation of South Africa, the Secretariat acknowledged the merits that a synthesis of the four studies would have, but expressed the concern that attempting to summarize them would do an injustice to them, since each was comprehensive and reflected the multiplicity of issues involved, and since no single approach emerged from them.

176. The Delegation of India commended the Director General for having initiated the international patent agenda which sought to achieve a cost-effective, uniform, harmonized and efficient patent granting procedure and to minimize duplication in the processing of patent applications. However the Delegation also considered that, not only would the framework of an international patent system, in both the short and medium term, need to be clearly understood and outlined, but also that Member States, especially those from developing countries, would need to be made fully aware of the scope of the proposed system. It would be necessary to address a number of matters, including: the jurisdictional aspect of an international patent system; the territorial concept of international patent laws; the likely encroachment upon national policies and the development-related flexibilities already available, achieved recently under existing international agreements and treaties; the extent of changes which would be needed in the national patent laws of Member States; and the extent of administrative restructuring and the cost factor. Against the backdrop of these concerns, previously highlighted by the Delegation during the 2002 Assemblies, the Delegation was satisfied to note the initiative taken by WIPO in commissioning studies to assess the possible implications of the international patent system on developing countries. The efforts put into these studies and the issues highlighted were considered to deserve appreciation. However, the Delegation found it difficult to conclude that the impact analysis provided by the studies was comprehensive, or that their view was representative of a variety of disciplines. It was not clear to what extent the views of other stakeholders, such as business, industry, researchers, academicians, civil societies and non-governmental organizations, had been taken into account. While the Delegation considered that the objective of being able to secure valid patent protection in several countries at a reasonable cost was laudable, it noted that it was not possible to ignore the problems caused by the increase in volume, type of innovations and the complexities of evolving technologies, which were leading to backlog and strain on the patent system all over the world, especially in developing countries. The requirements of national

systems in terms of protection of public health and various other local issues also needed to be taken into account as they had important implications for policy making and economic development. The Delegation considered that the studies commissioned by the International Bureau did not fully take into account these complexities and problems, which confront developing countries at different levels of development. The likely impact that the international patent system would have on their economies needed to be spelled out more concretely. The studies also did not take into account the structure of the international patent system envisaged, a factor which would inhibit meaningful discussion. The implications for the flexibility of the present system, which was based on the clearly executed principle of territorial jurisdiction and sovereignty as reiterated in the Doha declaration, also needed to be specifically addressed. In sum, the Delegation considered that, before any meaningful discussion could take place, it would be necessary to assess the impact on developing countries in terms of economic growth, employment, investment and research and development in the private sector, access to foreign technology, domestic innovation process, public health and the like. The Delegation also recalled concerns that the exercise relating to the evolution of the international patent system might be aligned more with the most advanced patent systems and might not give adequate weight to the problems and challenges facing the developing countries. This would result in the imposition of additional responsibilities on developing countries without ensuring advantages and support, perhaps at the cost of existing flexibilities under national laws. The Delegation therefore felt that, at this stage, substantive work on a “one-size-fits-all” system would be too ambitious, especially when economic, industrial and social structure requirements varied so sharply between the developing and least developed countries on the one hand, and the developed countries on the other. However, this did not mean that initiatives should not be continued to further rationalize, harmonize and modernize the intellectual property system. The Delegation recalled that last year the Director General had stated that a decision did not have to be taken immediately, but rather that the Patent Agenda denoted an ongoing process that would give some guidance to the international intellectual property community and to WIPO in the shaping of an international patent system. The Delegation considered that this should remain the approach. The Member States might indeed proceed, but should do so with caution. Hasty progress without reconciliation of different concerns with the desired objectives could only be counterproductive. The Delegation therefore advocated additional detailed studies, more representative of situations prevailing in different countries and comprehensively addressing the issues and concerns which the Delegation had highlighted. The Delegation also considered that WIPO was the most appropriate, competent and objective forum to work on this issue. Only in this way would it be possible to avoid going beyond the boundaries of intellectual property or the policy implications arising therefrom.

177. The Delegation of China thanked the four experts, who came from the Arab region, Asia, Latin America and Africa, for their detailed studies on the impact of the international patent system on developing countries. The Delegation also expressed its appreciation to the Director General and the International Bureau for their attention to the concerns of Member States. The Delegation noted that the studies adopted a global point of view so as to give a better and more comprehensive understanding of the impact of the international patent system on developing countries. As stated in the studies, the Delegation expressed the view that consideration should be given to the special needs of developing countries and that particular attention should be given to issues such as the protection of traditional knowledge. The Delegation believed that an adequate international patent system should meet a variety of needs and support the participation of all Member States. In its view, full attention should be given to the different levels of development of different countries, and especially to the situation of developing countries and the benefits they sought, in order to make sure that the

international patent system would be conducive to the transfer of technology to developing countries, to the dissemination of technology and knowledge in the world, and to the sharing of benefits with developing countries, especially least developed countries. The Delegation supported the continuation of activities concerning the WIPO Patent Agenda under the leadership of the Director General. From a long-term point of view, the Delegation further took the position that the future international patent system should consider further reduction of the costs of obtaining patents. The Delegation stated, however, that in order to solve the issues, the process should be gradual and would take time because of the complexity of the matter. The Delegation stressed that the future international patent system should be designed carefully on the basis of thorough studies in order to achieve accessible solutions.

178. The Delegation of Costa Rica, speaking on behalf of GRULAC, considered that the intellectual property system had great potential as an instrument for development. To gain the benefit of this potential it was necessary to draw up an effective intellectual property policy, bearing in mind always the dimension of development. The Patent Agenda needed to be analyzed, as it could not be seen clearly whether the benefits to be obtained for developing countries would be greater than the cost involved. GRULAC was greatly concerned that the Patent Agenda might result in the disappearance of the flexibility available to Member States. GRULAC was also concerned that the process did not seem to allow developing countries the freedom to establish a legal system for patents in accordance with their specific interests and conditions. It was stressed that the developing countries should not be forced to accept a patent system which imposed too many obligations and did not allow them the flexibility to consider their public policy needs in certain fields, such as that of health. The Delegation recalled that this matter was highlighted in the report of the Commission on Intellectual Property Rights, established by the Government of the United Kingdom, which considered future possibilities for the international patent system. In GRULAC's view, the discussions on the Patent Agenda should not disregard accomplishments achieved in other fora, where the sovereign rights of Member States had been recognized to protect and promote their public policies. For GRULAC, it was important that questions of development be included in the processes taking place within WIPO in the field of patents and the PCT, such as in the SCP, and that there should be consistency in the work carried out. Discussions in any WIPO forum should not disregard discussions within other bodies, whether of WIPO or of other international agencies or institutions. The Delegation thanked the International Bureau for commissioning the four studies on the impact of the international patent system on developing countries, but GRULAC did not think that the studies fully reflected the possibilities within areas of potential difficulty, such as those relating to health, nutrition and biodiversity, nor with regard to mechanisms that would allow developing countries to establish appropriate balances. One of the most important objectives for GRULAC was a study of a cross-cutting nature. The present studies were from the perspective of national offices and the interests of the users of the patent system, but in considering the possible effects of patent protection, GRULAC stressed the importance of taking into account the interests of other players, including government, consumers, researchers, and civil society as a whole. Furthermore the patent system needed to be considered in relation to technological development. The problem of setting up a universal system in the face of differences in technology, financing and infrastructure for research and development needed to be taken into account. GRULAC felt that there was a gap in what was being studied and that efforts should be strengthened to reduce that gap. More opportunities should be opened up for developing countries. The Delegation emphasized that GRULAC recognized the overload of work in patent offices, including those of developed countries. GRULAC encouraged simplification of patent procedures in all countries and wished to take a constructive part in deliberations leading towards financial and administrative reforms and the streamlining of patent procedures.

National patent offices should also be strengthened through technical cooperation. GRULAC called for studies that would allow States to find elements which would counterbalance the defects of the current system. This was important for developing countries so as to give balance to future work in the context of the Patent Agenda, which would take their needs into account. The Delegation stated that the studies commissioned by the International Bureau contained important, factual data that allowed conclusions to be reached on the present scope of the international patent system. For example, it was indicated that, in developing countries, not all patents are exploited or worked, reflecting commercial trends. Patents in developing countries represented 6% of the worldwide total, but only 1% of the holders were from these countries, so there was an important role for patents and technology transfer. But patents represented less than 2% of the technology transferred to the developing countries. On this basis, GRULAC requested that the Secretariat prepare a more in-depth and cross-cutting report on the impact and possible benefits for developing countries resulting from the implementation of the Patent Agenda.

179. The Delegation of the People's Democratic Republic of Korea stated that it had carefully studied document A/39/13 and the four expert studies and appreciated the efforts made by the Director General and the International Bureau in the area of further developments of the international patent system, as well as the work undertaken by the authors of the studies. The Delegation stated that this work would render the international patent system more user-friendly and accessible to a great variety of users and would be beneficial for both developing and developed countries. The Delegation thus found that it could fully support the initiative on the development of the international patent system as well as the terms of references of the studies on the impact of the international patent system on developing countries, and looked forward to having more opportunities for detailed analyses of, and consultation on, the impact of the international patent system on developing countries in the future.

180. The Delegation of Mexico thanked the International Bureau for commissioning the studies on the impact of the international patent system on developing countries. The Delegation stated that it was very important that the authors of the studies came from different regions, had a great experience in the subject, and represented a variety of professional and academic experience, resulting in a cross-cutting approach that would be very useful in future discussions. The Delegation further noted that the complexity of the topic made it unrealistic for a single study to provide all the answers to the concerns of all parties in the current international patent system. However, it expressed the belief that the studies would contribute to developing countries being able to better engage in discussions on how the international patent system should be shaped. The fact that the four studies pointed out that the international patent system had not only positive aspects for developing countries, but also raised a number of problems, underlined the fact that these concerns needed to be taken into account so that the system could remain viable on a long-term basis. In the Delegation's view, the best way to overcome those problems and to ensure that the needs and concerns of developing countries were taken into account in a new international patent system would be to ensure active participation in future discussions on the topic at international level. The Delegation was convinced that the WIPO Patent Agenda was extremely significant for developing countries and constituted an opportunity for them to take part constructively in establishing the orientation and the objectives of a new international patent system.

181. The Delegation of Brazil fully supported the statement made by the Delegation of Costa Rica on behalf of the countries of GRULAC. The Delegation was of the view that the discussions that had taken place over the last year in the SCP on the draft Substantive Patent

Law Treaty (SPLT) and in the Working Group on Reform of the PCT, had reinforced the concerns and doubts that the developing countries had expressed in the last meeting of the Assemblies regarding the direction that the future evolution of the international patent system may take in the context of the WIPO Patent Agenda. The Delegation recalled that, in the discussions on the draft SPLT, developing countries had tabled important and constructive amendments to the text for the purpose of safeguarding areas of public interest, which had met with open opposition on the part of other participants. This had strengthened the Delegation's concerns regarding the implications of substantive patent law harmonization. The discussions had confirmed its fears that harmonization would actually represent the harmonization of laws and practices of the majority in accordance with the norms and practices of a minority of States. The Delegation also noted that, in the context of the reform of the PCT, new initiatives were arising that would seem to take the process of reform much beyond the mere simplification and streamlining of procedures, in the direction of radical changes in the nature of PCT that may have serious potential implications for the developing countries. The Delegation stated that such proposals and initiatives should be considered carefully by all Member States, particularly developing countries. The Delegation also recalled that the same delegations that supported negotiations of the SPLT and possible radical changes to the PCT had also insisted on the need to reduce PCT fees and resources allocated to WIPO'S Cooperation for Development Program, which only went to strengthen its fears that proposals relating to the future evolution of the patent system only had in mind the users of the system to the detriment of the interests of the public at large and capacity building in the patent offices of developing countries. The Delegation stressed that intellectual property policies had wide social implications and that discussions on the future evolution of the international patent system should thus engage a commensurately wide range of stakeholders. The issue should be approached on the basis of broad public interest considerations. The Delegation stated that, a truly interdisciplinary approach was needed, like the work that had been undertaken by the Commission on Intellectual Property Rights (CIPR), established by the Government of the United Kingdom. The report of the Commission continued to constitute an important reference and had made an important contribution to the debate on the evolution of the international patent system. While appreciating the efforts made by the Secretariat to take into account the requests of the Member States, and recognizing the significant credentials of the four authors of the studies, the Delegation stated that the studies had serious drawbacks. Firstly, the Delegation was concerned about the choice of the authors. In its view, geographical representation was not enough to ensure a balance and cross-sectoral approach. Among the four experts who drew up the studies, three were members of patent offices. Although the know-how of experts and the contribution of patent offices were appreciated and recognized, the Delegation was of the view that a cross-cutting approach should be adopted on the basis of a broad range of different interests of society so that a wider range of expertise could be involved, as was done by the CIPR. Secondly, the Delegation was concerned that the studies did not seem to respond to, or sometimes seemed to ignore the concerns expressed by developing countries during the last session of the Assemblies. The Delegation recalled that developing countries were still struggling to implement the obligations of the TRIPS Agreement and should not, therefore, be pressured into accepting new obligations without a serious study of their possible impact and costs. The Delegation stated that the four studies did not satisfactorily evaluate the possible costs and benefits of the proposals and recommendations of the WIPO Patent Agenda. The studies had not really produced any real evidence regarding the potential impact of the Patent Agenda on developing countries. In some cases, the Delegation found that some of the authors seemed to repeat unfounded assumptions and assertions regarding the patent system and intellectual property, which did not contribute to the understanding of the problems faced by developing countries. The Delegation concluded that, given all the

limitations and methodological deficiencies of the studies, it could not concur with the conclusions of the authors.

182. The Delegation of Egypt expressed its appreciation to the International Bureau for commissioning the studies as requested by Member States at last year's Assemblies. The Delegation pointed out that the studies dealt with complex and multidimensional issues, a matter that further underscored the need for caution before reaching any predetermined conclusions. The Delegation was of the view that the concerns which had been expressed by a number of developing countries regarding the memorandum submitted by the Director General last year on the development of the international patent system (A/37/6), remained valid. They related to the fact that developing countries might have to bear significant expenses while, at present, they were still bearing the costs of implementing the TRIPS Agreement, a matter which required substantial efforts such as the introduction of new legislation and the modernization of national institutions in the field of the intellectual property, particularly patents. The Delegation expressed doubts as to whether the benefits of the proposals outweighed the costs to be borne. On the other hand, it expressed the view that the studies gave the impression that developing countries doubted the benefits of the international patent system. This was not the case, since developing countries were part of the current international patent system. The Delegation emphasized that the concerns of developing countries were directed towards proposals that would impact negatively on the flexibilities retained by developing countries under the current system and on their capacity to shape patent regimes which took into consideration their specific socio-economic needs and worked towards achieving the goals of transfer of technology and economic development. The Delegation further expressed concerns that the proposals, regarding the future evolution of the international patent system, might marginalize the role of patent offices in developing countries as far as search and examination of patents was concerned, taking into consideration that these offices had recently been modernized in order to deal with sophisticated technology. The Delegation stated that, in an era where there was wide awareness regarding the effects of the patent system on many aspects of public policy, any proposal to develop the international patent system had to take into consideration not only the interests of the users of the system, but the interests of society as a whole. Its premise should be the drive towards integrating the development dimension in the intellectual property system. In conclusion, the Delegation stated that it was willing to continue the dialogue and the examination of the matter, but that it might be useful to focus on the means of strengthening patent offices in developing countries, in order to maximize the benefits of the patent system for these countries. In addition, the Delegation did was ready to consider a limited number of technical measures in order to raise the standards and enhance the efficiency of patent offices, as long as the very delicate balance that currently prevailed in the international patent system was maintained.

183. The Delegation of Oman thanked the Director General and the International Bureau for their efforts towards the development of the international patent system. The Delegation supported the statement made by the Delegation of Egypt. It stated that the patent offices of developing countries were facing many difficulties and challenges, especially due to their limited resources. The Delegation noted that the studies and the previous statements made by other delegations had expressed many concerns about the international patent system. In particular, the Delegation stated that many developing countries had not yet completely assimilated the TRIPS Agreement, for instance, in relation to traditional knowledge and public health. The Delegation stressed the importance of taking into account the interests of developing countries in the development of the international patent system, and of their participation in the process. The Delegation further emphasized that sufficient time should be

given to developing countries to enable them to obtain the necessary resources to develop their patent offices.

184. The Delegation of Venezuela supported the statements made by the Delegations of Brazil and India, which fully reflected the Delegation's concerns. It further stated that, by examining the expert studies, its view had been strengthened that it would be very difficult, having regard to the insurmountable differences of opinion between developed and developing countries, and even among the latter themselves, to set up a universal system which met all needs. In the Delegation's view, the interests of national civil society should prevail over all other considerations. Thus, it repeated the request made by its country to the Director General on the occasion of his re-election to take fully into account the concerns, views and recommendations of developing countries in the context of the present subject, and recalled the commitment on the part of the Director General, when he referred to the statement by the Delegation of Argentina, to take all these concerns fully into account. The Delegation stated that it was necessary, therefore, for the International Bureau to draw up new studies on the impact resulting from the implementation of the WIPO Patent Agenda, and that additional time was needed by delegations for further reflection and analysis.

185. The WIPO General Assembly, the Paris Union Assembly and the PCT Union Assembly took note of the contents of document A/39/13 and of the studies published in documents A/39/13 Add.1 to Add.4.

ITEM 12 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE
ADVISORY COMMITTEE ON ENFORCEMENT

186. See the report of the session of the WIPO General Assembly (document WO/GA/30/8).

ITEM 13 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE
INTERGOVERNMENTAL COMMITTEE ON INTELLECTUAL
PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE
AND FOLKLORE

187. See the report of the session of the WIPO General Assembly (document WO/GA/30/8).

ITEM 14 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE MADRID UNION

188. See the report of the session of the Madrid Union Assembly (document MM/A/35/2).

ITEM 15 OF THE CONSOLIDATED AGENDA:
MATTERS CONCERNING THE HAGUE UNION

189. See the report of the session of the Hague Union Assembly (document H/A/22/2).

ITEM 16 OF THE CONSOLIDATED AGENDA:
MATTERS CONCERNING THE IPC UNION

190. See the report of the session of the IPC Union Assembly (document IPC/A/21/2).

ITEM 17 OF THE CONSOLIDATED AGENDA:
INTERNET DOMAIN NAMES

191. See the report of the session of the WIPO General Assembly (document WO/GA/30/8).

ITEM 18 OF THE CONSOLIDATED AGENDA:
DESIGNATION OF THE AUDITOR

192. Discussions were based on document A/39/14.

193. On behalf of all the Member States, the Chair thanked the Swiss authorities for having taken on the task of auditing the accounts in the past and for having agreed to continue to do so for the next four years. The Chair also expressed the Organization's profound gratitude to the authorities.

194. The Delegation of Costa Rica, speaking on behalf of the Latin American and Caribbean Countries (GRULAC), made the following statement:

“GRULAC would like to refer to this agenda item simply to thank the Swiss Government for agreeing to continue until 2007, as the auditor of the WIPO accounts, the Unions administered by WIPO and the technical assistance projects undertaken by WIPO and funded, in particular, by the United Nations Development Program (UNDP); we wish to reiterate that the Swiss Government has the full support and trust of this regional group in carrying out its duties.”

195. The Delegation of Switzerland stated that as a member of WIPO, but also as the host country, Switzerland was very happy to be able to contribute to the work carried out within an international organization and that the task of auditing the accounts constituted a very important element of the policy of participation by Switzerland in efforts made to achieve international settlements. Switzerland thanked the Member States of WIPO and the

International Bureau for the trust shown in the Swiss Government in asking it to renew its mandate. The Delegation added that its Government had already assured the WIPO Director General that everything would be done to guarantee that the competent departments of the Swiss authorities could continue their duties with all requisite care and attention and in the best possible conditions, similar to those which had prevailed during previous years.

196. On an opinion by the WIPO Coordination Committee, the WIPO General Assembly and the Assemblies of the Unions of Paris, Berne, Madrid, the Hague, Nice, Lisbon, Locarno, the International Patent Classification (IPC), the Patent Cooperation Treaty (PCT) and Vienna renewed the designation of Switzerland as auditor of the accounts as referred to in paragraph 3 of document A/39/14 up to and including the year 2007.

ITEM 19 OF THE CONSOLIDATED AGENDA:

REPORT OF THE PERMANENT COMMITTEE ON COOPERATION FOR
DEVELOPMENT RELATED TO INTELLECTUAL PROPERTY (PCIPD)

197. See the report of the session of the WIPO Conference (document WO/CF/21/2).

ITEM 20 OF THE CONSOLIDATED AGENDA:

RESOLUTIONS AND DECISIONS OF THE UNITED NATIONS;
REPORTS OF THE JOINT INSPECTION UNIT (JIU)

198. See the report of the session of the WIPO General Assembly (document WO/GA/30/8).

ITEM 21 OF THE CONSOLIDATED AGENDA:

COMPOSITION OF THE WIPO COORDINATION COMMITTEE; ELECTION OF THE
MEMBERS OF THE EXECUTIVE COMMITTEES OF THE PARIS AND BERNE
UNIONS AND DESIGNATION OF THE *AD HOC* MEMBERS OF THE WIPO
COORDINATION COMMITTEE

199. Discussions were based on document A/39/12.

200. Following informal consultations among the Group Coordinators,

(i) the Paris Union Assembly unanimously elected the following States as *ordinary* members of the *Paris Union Executive Committee*: Algeria, Argentina, Bangladesh, Barbados, Brazil, China, Cameroon, Colombia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Finland, Ghana, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Latvia, Luxembourg, Madagascar, Nepal, Netherlands, Norway, Oman, Philippines, Poland,

Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Sri Lanka, Switzerland (*ex officio*), Tunisia, Turkey, Uganda, United Kingdom (41);

(ii) the Berne Union Assembly unanimously elected the following States as *ordinary* members of the *Berne Union Executive Committee*: Australia, Austria, Belgium, Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Egypt, El Salvador, France, Germany, Greece, Guatemala, Honduras, Hungary, Jamaica, Kazakhstan, Libyan Arab Jamahiriya, The former Yugoslav Republic of Macedonia, Malaysia, Morocco, Nicaragua, Nigeria, Pakistan, Panama, Peru, Portugal, South Africa, Spain, Sweden, Switzerland (*ex officio*), Tajikistan, Thailand, United States of America, Uruguay, Venezuela, Zambia (37);

(iii) the WIPO Conference unanimously designated the following States as *ad hoc* members of the *WIPO Coordination Committee*: Angola, Ethiopia, Myanmar (3);

As a consequence, the WIPO Coordination Committee for the period September 2003 to September 2005 is composed of the following States: Algeria, Angola (*ad hoc*), Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Brazil, Bulgaria, Cameroon, Canada, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Egypt, El Salvador, Ethiopia (*ad hoc*), Finland, France, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Latvia, Luxembourg, Libyan Arab Jamahiriya, The former Yugoslav Republic of Macedonia, Madagascar, Malaysia, Morocco, Myanmar (*ad hoc*), Nepal, Netherlands, Nigeria, Nicaragua, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, South Africa, Spain, Sri Lanka, Sweden, Switzerland (*ex officio*), Tajikistan, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States of America, Uruguay, Venezuela, Zambia (80).

ITEM 22 OF THE CONSOLIDATED AGENDA:

APPROVAL OF AGREEMENTS WITH INTERGOVERNMENTAL ORGANIZATIONS

201. See the report of the session of the WIPO General Assembly (document WO/CC/51/3).

ITEM 23 OF THE CONSOLIDATED AGENDA:

ADMISSION OF OBSERVERS

202. Discussions were based on document A/39/11.

Admission of Intergovernmental Organizations as Observers

203. The Assemblies of the Member States of WIPO, each in so far as it was concerned, decided to grant observer status to the following intergovernmental organizations: African, Caribbean and Pacific Group of States (ACP Group); and *Rede de Informação Tecnológica Latino-Americana* (RITLA).

Admission of International Non-Governmental Organizations as Observers

204. The Assemblies of the Member States of WIPO, each in so far as it was concerned, decided to grant observer status to the following four international non-governmental organizations: *Association pour la promotion de la propriété intellectuelle en Afrique* (APPIA); Computer Law Association (CLA); Co-ordinating Council of Audiovisual Archives Associations (CCAAA); and International Music Managers Forum (IMMF).

Admission of National Non-Governmental Organizations as Observers

205. The Assemblies of the Member States of WIPO, each in so far as it was concerned, decided to grant observer status to the following six national non-governmental organizations: American Association for the Advancement of Science (AAAS); British Copyright Council; Copyright Research and Information Center (CRIC); Creators' Rights Alliance (CRA); *Sociedade Portuguesa de Autores* (SPA); and South African Institute of Intellectual Property Law.

206. The Delegation of Portugal expressed its gratitude for the admission of the *Sociedade Portuguesa de Autores* (SPA). In the Delegation's view, this decision strengthened the participation in WIPO of the most representative institutions in the area of intellectual property, and thus also strengthened links and partnerships between WIPO and civil society institutions in the international and national fields. In addition, opening up to private institutions with different cultural characteristics reaffirmed the principle of the international dimension of culture and good knowledge of several languages as an instrument for cooperation in the service of development.

207. The Delegation of South Africa expressed its support for the admission of the South African Institute of Intellectual Property Law, which is based in Pretoria in South Africa. The Delegation noted that one of the Institute's aims was to oppose legislation that it considered detrimental to the profession and to the owners of intellectual property. The Delegation emphasized that South Africa would continue to pass legislation which was progressive and aimed at broadening the scope of intellectual property to all provinces of South Africa, and that the country's policies would encompass people of all races and color, taking into account the national interest of South Africa.

208. The Delegation of Zambia, speaking on behalf of the African Group, said that it was of the view that all applicants met the criteria for admission, having submitted all the necessary information as required, which included information on structure and objectives, lists of members, composition of governing bodies and also information on activities and interests. The African Group particularly endorsed the admission of the African, Caribbean and Pacific Group (ACP); *Rede de Informação Tecnológica Latino-Americana* (RITLA) of Latin America; *Association pour la promotion de la propriété intellectuelle* (APPIA) of Cameroon, which also has its members in Benin, Central African Republic, Burkina Faso and Togo; and the

South African Institute of Intellectual Property Law. The Delegation of Zambia observed that by becoming observers, the four organizations would get an opportunity to follow up closely the activities of WIPO and therefore enhance their cooperation with the Organization, thereby serving better their organizations as well as their regions in general. The Delegation opined that the aim of granting observer status to such organizations was to foster intellectual property for the economic development and prosperity of Africa and the developing world in general.

ITEM 24 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

209. See the report of the session of the WIPO Coordination Committee (document WO/CC/51/3).

ITEM 25 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE REPORTS

210. This General Report was unanimously adopted by the Assemblies and other Bodies of the Member States of WIPO concerned, on October 1, 2003.

211. Each of the 18 Assemblies and other Bodies of the Member States of WIPO unanimously adopted the separate report concerning its session, at a separate meeting of the Assemblies and other Bodies of the Member States of WIPO concerned, on October 1, 2003.

ITEM 26 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

212. The Delegation of Portugal, speaking on behalf of Group B, thanked the Chair for his very wise, pleasant and skillful conduct of the meeting, especially during the most controversial and sensitive moments. With his assistance the Delegations achieved consensus. He thanked the Chairs of all the Bodies of the WIPO Assemblies and sincerely thanked Dr. Idris, the Director General and the Deputy Directors General for the excellent preparatory work they had done in preparation and conduct of the Assemblies. The Delegation was confident that given their leadership confidence, the decisions taken would be implemented in such a way that intellectual property, and the benefits that flow from it, will be spread further throughout the world. The Delegation also expressed their appreciation for

the kindness, cooperation and excellent work done by everyone, including the interpreters and translators. The Delegation noted that they had dealt with many items in the course of the Assemblies and had achieved a great deal. In conclusion, he expressed appreciation to all delegations and Group Coordinators for the very open and cooperative way in which they had dialogued in the spirit of compromise.

213. The Delegation of Zambia, speaking on behalf of the African Group, wished to thank the delegates and the Secretariat for the work that they had done. More importantly he wished to thank the Chairman for guiding the work of the Assemblies. The African Group had supported his nomination and was very pleased to see that a successful conclusion had been reached. The Group had followed the proceedings with interest and would be happy to see Ambassador Kessedjian in the Chair again next year exhibiting the same cooperation that he had during this meeting. The African Group hoped that it made a modest contribution to the success of the meeting.

214. The Delegation of Costa Rica, speaking on behalf of GRULAC, thanked the Chair, the Member States of WIPO and the Intergovernmental Organizations and noted that the 39th Series of Meetings of the Assemblies of Members States of WIPO had concluded their work. GRULAC was very pleased with the results and with the Assembly and hoped that the development of intellectual property would be fully incorporated into the work of the Organization, so that IP would become a genuine tool for economic, social, cultural and technological development of Member States, and in particular developing countries. GRULAC appreciated the consideration to be given in the coming days to the permanent rotation for the chairmanship of the three main bodies of the Organization and hoped that in undertaking the consultations amongst the regional groups, an effective system for its implementation would be decided. GRULAC felt that equitable participation by all countries in the chairmanships of the Bodies would serve as a guarantee of adequate representation of States in the Organization. On behalf of GRULAC, the Delegation wished to thank the Chair for the way in which he had conducted the work and the way he helped the Groups achieve consensus. They realized that it had not been easy and thanked the Director General and the Deputy Directors General for their assistance during the Assemblies. They also thanked the Secretariat for the assistance given to GRULAC during the discussions, and also thanked the translators and the interpreters, who, during the working sessions, enabled them to maintain constructive dialogue.

215. The Delegation of Kazakhstan, speaking on behalf of the Group of countries of Central Asia, the Caucasus and Eastern Europe, thanked the Chair for having taken on the considerable responsibility, again, as Chair of the Assemblies. He emphasized that an excellent team had conducted the meetings. All of the officers had been excellent and the presence of the Director General had enabled the Member States, once again, to see what a skilled diplomat and leader the Director General is. He thanked the Director General, the Secretariat, and all of the delegates for their participation and substantive contribution to ensure that the 39th Series of meetings concluded successfully, and wished everyone a very happy and safe return home to their capitals. Personally, it had been a great pleasure to work with the other Group Coordinators, when they met to coordinate or discuss positions on given issues and he thanked them for the great flexibility and mutual understanding which had prevailed during those meetings. Referring to the proposal which had originally been made by GRULAC, he hoped that at the next session, consideration could be given to the issue of permanent rotation of the officers at the Bodies of the Assemblies and concluded by thanking all delegates, the Secretariat and particularly the Chairmen and the Director General, Dr. Idris, for their attention.

216. The Delegation of Italy, on behalf of the members of the European Union as well as the 10 acceding countries to the Union, expressed his compliments and appreciation to the Chair for the outstanding work that he had done in leading the General Assembly of WIPO. The Delegations were very proud of the positive results achieved and the way in which the work had been done. He also wished to thank the Director General, Dr. Idris, who, through his talent and intelligence, had led the Assemblies, the members of his Secretariat, including the Deputy Directors General and expressed his appreciation for the excellent work done by the interpreters and those in charge of documentation. The Delegation wished all colleagues a safe trip home and thanked them for the patience and tolerance exhibited which ensured the success of the Assemblies.

217. The Chair of the Assemblies said that in his own name, and also on behalf of the other Chairs and Vice-Chairs of all Bodies represented on the podium he was very pleased by the quality of the work and the excellent results that had been achieved. He noted that a great many issues had been taken up, some very sensitive, but everything had been achieved within an excellent environment. Solutions had been reached by consensus, as was the tradition in the Organization. The Program and Budget for 2004-2005 had been adopted and he congratulated the Organization for all of the work done to provide the Assemblies with very complete and innovative programs, despite the budgetary restrictions that they had been subjected to because of the economic situation. Reform of the constitution had been approved which would help to rationalize the structure of the Organization. WIPO had commissioned some extremely interesting studies on the development of an international patent system. The present series of meetings had also seen the introduction of the Spanish language to the Madrid Protocol by the announcement of the future accession of the European Union to that Body, and the future participation of the United States of America. These were events which were important for the future of WIPO and he hoped that this body would very quickly also be able to welcome other Spanish-speaking countries. Finland had been admitted as international PCT authority; a great number of changes had been adopted in the implementation of regulations for the PCT, the Hague and Madrid Agreements and a measure had been taken of the scope of work that was done by the Secretariat, together with the various Bodies of WIPO. The seats for the various Bodies had been pragmatically distributed, particularly those of the Program and Budget Committee, and the meeting had welcomed various Organizations as observers, including the African, Caribbean and Pacific Group (ACP) of Geneva. He stressed the importance of the decisions that had been taken regarding the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and was aware of the different approaches that exist in respect of such issues, but far from having a paralyzing effect, those differences had become formative ideas that had enabled the Assemblies to move forward and make progress in its understanding of those complex issues in respect of intellectual property, and in finding appropriate responses thereto. The work would not end, of course, with annual sessions, but would continue during formal consultations as often as is necessary. The Chair took the opportunity to acknowledge the outstanding work that had been done by the Coordinators of the regional groups. An *ad hoc* meeting on Audiovisual Performances had been set up for November 6 and 7, 2003, to assess whether or not the time had come to go back to work on that subject. There were other matters that could be raised with the Coordinators such as the Mexican initiative, for example, on the rotation of leadership responsibilities in the various Bodies. The Chair very much hoped that the work that would lead towards Beijing could be resumed. Thanks to the Director General's sense of balance, justice and his willingness to listen, the Assemblies had been able to respond to the most difficult issues without anything being left aside. In conclusion the Chair thanked the

Director General very warmly for the excellent preparatory work that had been done, in particular by the Secretariat for the Assemblies; thanks to their constant support, understanding and the excellence of the staff members of the Organization, both those seated at the podium and those who were working behind the scenes, they worked harmoniously. He also thanked the interpreters who had enabled the Delegations to understand each other. He once again welcomed and congratulated the new leadership team around the Director General who would take up their posts at the end of November and expressed gratitude to all those Delegations, and to the Deputy Directors General, Mr. Uemura and Mr. Castelo, who were leaving the Organization. At a time when other Organizations were assailed by doubts, in the very complex international context in which we live, WIPO was carrying out its mandate in an exemplary manner. He stated that it was with great enthusiasm that he had presided over the work, and was convinced that intellectual property, which was a powerful engine for growth and progress, should be placed in the service of development day-by-day, so that it can serve everyone, as a universal instrument producing benefits that could be equitably shared.

[Annex follows]

ANNEX

INDEX OF INTERVENTIONS BY DELEGATIONS OF STATES; REGIONAL GROUPS
AND REPRESENTATIVES OF INTERNATIONAL INTERGOVERNMENTAL
ORGANIZATIONS AND INTERNATIONAL NON-GOVERNMENTAL
ORGANIZATIONS

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² On behalf of the Group of Least Developed Countries (LDCs)
³ On behalf of Latin America and the Caribbean (GRULAC)
⁴ On behalf of the European Community
⁵ On behalf of Central Asia, the Caucasus and Eastern Europe
⁶ On behalf of the Member States of the South Asian Association for Regional Cooperation (SAARC)
⁷ On behalf of the Asian Group
⁸ On behalf of Group B
⁹ On behalf of the Group of Central European and Baltic States
¹⁰ On behalf of the African Group