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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

ASSEMBLIES OF THE MEMBER STATES OF WIPO

Forty-Fifth Series of Meetings
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GENERAL REPORT

adopted by the Assemblies

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INTRODUCTION

1. This General Report records the deliberations and decisions of the following 19 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, thirty-sixth (18th extraordinary) session
- (2) WIPO Conference, twenty-seventh (9th extraordinary) session
- (3) WIPO Coordination Committee, fifty-ninth (39th ordinary) session
- (4) Paris Union Assembly, fortieth (22nd extraordinary) session
- (5) Paris Union Executive Committee, forty-sixth (44th ordinary) session
- (6) Berne Union Assembly, thirty-fourth (16th extraordinary) session
- (7) Berne Union Executive Committee, fifty-second (39th ordinary) session
- (8) Madrid Union Assembly, fortieth (23rd extraordinary) session
- (9) Hague Union Assembly, twenty-sixth (10th extraordinary) session
- (10) Nice Union Assembly, twenty-sixth (8th extraordinary) session
- (11) Lisbon Union Assembly, twenty-third (6th extraordinary) session
- (12) Locarno Union Assembly, twenty-sixth (9th extraordinary) session
- (13) IPC [International Patent Classification] Union Assembly, twenty-seventh (11th extraordinary) session
- (14) PCT [Patent Cooperation Treaty] Union Assembly, thirty-eighth (22nd extraordinary) session
- (15) Budapest Union Assembly, twenty-third (9th extraordinary) session
- (16) Vienna Union Assembly, nineteenth (7th extraordinary) session
- (17) WCT [WIPO Copyright Treaty] Assembly, sixth (3rd extraordinary) session
- (18) WPPT [WIPO Performances and Phonograms Treaty] Assembly, sixth (3rd extraordinary) session
- (19) PLT [Patent Law Treaty] Assembly, fifth (3rd extraordinary) session

meeting in Geneva from September 22 to 30, 2008, 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/36/13.), WIPO Conference (WO/CF/27/1), WIPO Coordination Committee (WO/CC/59/2), Paris Union Assembly (P/A/40/2), Paris Union Executive Committee (P/EC/46/1), Berne Union Assembly (B/A/34/1), Berne Union Executive Committee (B/EC/52/1), Madrid Union Assembly (MM/A/40/5), Hague Union Assembly (H/A/26/4), Nice Union Assembly (N/A/26/1), Lisbon Union Assembly (LI/A/23/2), Locarno Union Assembly (LO/A/26/1), IPC Union Assembly (IPC/A/27/1), PCT Union Assembly (PCT/A/38/6), Budapest Union Assembly (BP/A/23/1), Vienna Union Assembly (VA/A/19/1), WIPO Copyright Treaty Assembly (WCT/A/6/1), WIPO Performances and Phonograms Treaty Assembly (WPPT/A/6/1) and the Patent Law Treaty Assembly (PLT/A/5/2).

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, 2008, is set forth in document A/45/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/45/1) were presided over by the following Chairs:

Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 22, 23, 25 and 26	Mr. Martin Ihoeghian Uhomoibhi (Nigeria), and in his absence Mrs. Laura Thompson Chacón (Costa Rica), Vice-Chair of the General Assembly)
Items 14 and 15	Mr. James Otieno-Odek (Kenya), Chair of the Paris Union Assembly
Item 16	Mr. Li-Feng Schrock (Germany), Chair of the Madrid Union Assembly
Item 17	Mrs. Maria Ludovica AGRÒ (Italy), Chair of the Hague Union Assembly
Item 18	Mr. Christophe Guilhou (France), Chair of the Lisbon Union Assembly
Item 19	Mrs. Ásta Valdimarsdóttir (Iceland), Chair of the PCT Union Assembly
Item 20	Mrs. Alexandra Grazioli (Switzerland), Ad Hoc Chair of the Patent Law Treaty Assembly
Items 21 and 24	Mr. Alberto Dumont (Argentina), Chair of the WIPO Coordination Committee

5. The Agenda, as adopted, and the list of participants will appear in documents A/45/1 and A/45/INF/3, respectively.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The forty-fifth 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 19 Assemblies and other bodies concerned by Mr. Martin I. Uhomoibhi (Nigeria), Chair of the General Assembly who made the following statement:

“I wish warmly to welcome you all to the 45th series of meetings of the Assemblies of member States of WIPO. At these meetings, important issues of both policy and administrative nature are on the agenda for your consideration and decision. Among these will be the appointment of a new Director General and the consideration of substantive matters relating to the activities in WIPO, such as the work of the various Standing Committees, including the CDIP, SCP, IGC, SCCR and the various unions of WIPO. I have no doubt that we will conduct our work with the thoroughness, candor and high sense of diligence and responsibility that should produce maximum results for our Organization.

“Distinguished delegates, it is indeed an honor and a privilege for me to be chairing not one, but two major gatherings within the United Nations family this week: the Human Rights Council, and this General Assembly of the Member States of WIPO. On the face of it, human rights and intellectual property may not seem to have much in common, but I would maintain that certain fundamental principles should underpin our approach to both. In addressing issues of intellectual property, as in addressing issues of human rights, our mission must ultimately be to contribute to human progress and to the well-being of all peoples; to provide the frameworks and safeguards which enable the human spirit to thrive, both individually and collectively. Our approach to intellectual property, as to human rights, must be based on treating each other decently, respecting rights and obligations recognizing each others’ talents and providing an environment in which those talents can flourish to the greater benefit of mankind.

“No one in this room today needs me to explain the significance of intellectual property in terms of its cultural, social and economic impact. Nor do we need reminding of the vital important role that this Organization, the World Intellectual Property Organization, plays in seeking to ensure that all nations and all peoples are able to benefit from the wealth of the opportunities offered by the use of intellectual property to promote creativity and innovation.

“Excellencies, we are members of this Organization because we all share the belief in the importance of its role, because we believe that intellectual property can contribute to the creation of real and sustainable wealth for all nations. As member States, we share the same commitment to supporting the Organization and its staff as they endeavor to meet the goals which we have jointly agreed. We share the will to help WIPO succeed as it tackles the diverse challenges which it faces.

“It is no simple task. And the task for WIPO has been made all the more difficult by the upheaval and uncertainties of the past year. No one in this room needs to be reminded of the difficult road that we traversed and of the daunting challenges that we faced at the time. It is partly to the great credit of the leadership and staff of the Organization that today the story is different, and for the better. Not only did they not allow the difficulties to slow the pace of their work, nor to interfere with the delivery of their programs, but together, we strained and pulled, to build and to heal, in the best interest of our Organization.

“I have spoken before of the need for healing and reconciliation. I know from the many contacts I have had with you and with WIPO staff during the last few months that that process is now well underway. Now it is up to us as Member States to continue to put together and to provide WIPO with the support, unity and stability which the Organization needs in order to continue to move forward.

“Excellencies, last year at the 44th Assemblies, we took a historic decision of establishing the Developing Agenda in WIPO. That agenda was the product of a collaborative and painstaking effort by both the developed and developing countries, which gives both hope and optimism about the future of intellectual property (IP) and its continued relevance in our developmental endeavors. The agenda must mean much more than a mere document and program of action. The bold plans encapsulated in it, must be translated into concrete actions that lend credibility and sustenance to our collective developmental interest. As with its conceptualization and establishment, the support and commitment of all stakeholders would be imperative, by providing the needed resources, both financial and human, to implement its program.

“The success achieved on the Development Agenda needs to be replicated in the Standing Committee on Patents (SCP), the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) and the Standing Committee on Copyright and Related Rights (SCCR). These three committees represent vital interests of Member States and other stakeholders. Progress in the work of these committees would reinforce the relevance of WIPO in the international IP architecture.

“Excellencies, as you know, this 45th meeting of the Assemblies of the Member States of WIPO is an historic occasion. Today, for only the second time in the 38 year life of the Organization, one distinguished Director General of WIPO will hand the baton of leadership onto his elected successor. It is our responsibility today formally to appoint our new Director General and, in doing so, to ensure that the transition from one administration to another takes place seamlessly, harmoniously and in the spirit of consensus which characterizes the tradition of our decision making at WIPO.

“Once again, it is my great privilege to preside over this occasion. I will say a few words shortly to explain how I propose to deal in procedural terms with the items on the agenda. But first, and much more importantly, I want to take this opportunity to pay tribute to our most distinguished friend and colleague, Director General Kamil Idris, who has led WIPO with skill and conviction for 11 years and who has served the Organization for 25 years since his very first appointment, in 1982, in the Development Cooperation and External Relation Bureau for Africa, as it was then called.

“I cannot begin, in this short space, to do justice to his achievements as Director General. But he will be remembered not least for his determination to demystify intellectual property.

“By popularizing the image of IP as “*a tool for development*”, Kamil Idris took intellectual property out of the realms of abstract, and set about communicating his vision of intellectual property as something very practical; something which should not be seen as the preserve of lawyers and big businesses, but should be brought within the grasp of anyone, at any level of society, in any country, in any part of the world.

“Distinguished ladies and gentlemen, these were not just fine words. Early in his tenure as Director General, Dr. Idris established the WIPO Academy. He created it not to be an elite academic institution for a privileged few. But instead to develop distance learning courses and other programs designed to open doors for individuals all over the world to acquire and use knowledge of intellectual property. Kamil Idris will be

remembered for his desire to take IP to the people. He has presided with pride over the growing popularity of World IP Day.

“In the short time since it was instituted seven years ago, World IP Day has become the focus of an annual celebration of intellectual property and innovation in our schools, businesses, media and in government offices, worldwide.

“In short, Kamil Idris has made WIPO, if not yet a household name, then certainly we might say a famous brand. Kamil Idris has faced challenges with single-minded determination, unbending in his convictions. We will remember him not only for his professional accomplishments, but also for his personal qualities. A man of compassion. He took a sincere interest in his staff as individuals, in their well-being. He took time to listen and never overlooked the human dimension, whether of staffing issues or organizational matters. Above all, those of us who have also come to know him well will miss him as a colleague with great warmth and generosity of spirit and as a dear friend. I know that you will all join me in wishing Kamil Idris well in his future endeavors. With his many qualities and talents we can be confident that he will continue to make a positive contribution to economic, social and cultural development at the global, regional and national levels.

“I will immediately after these preliminary remarks invite Director General, Kamil Idris himself to address the Assembly. I realize that many of you will wish to respond to his remarks and are impatient to pay your tributes to him. I will invite you to do so after we have appointed the new Director General, and I would ask you therefore please to patiently withhold your responses until we come to Item 5 of the Agenda (General Statements).

“We have a weighty agenda before us. To avoid any confusion, I will quickly clarify how I propose to deal with the first items on the agenda: after Dr. Idris’ address, we will deal with Agenda Item 2 (Adoption of the agenda) and Agenda Item 3 (Election of the Officers) before proceeding to Agenda Item 4 (Appointment of the new Director General).

“In terms of procedure, I would just remind you that item 4 on the appointment of the Director General consists of two parts: firstly, the appointment itself; and secondly, the establishment of a working group to fix the conditions of the appointment of the Director General. Accordingly, immediately following the appointment of the new Director General, I will propose to establish the working group for this purpose and then to adjourn Agenda Item 4 so as to enable the working group to prepare recommendations for the General Assembly.

“And now, I will hand the floor to Dr. Kamil Idris, the distinguished Director General of World Intellectual Property Organization.”

8. At the invitation of the Chair of the General Assembly, Ambassador Martin Ihoeghian Uhomoibhi, the Director General made the following statement:

“Mr. Chairman,
Distinguished delegates,

“This is my last official statement at WIPO, and I will soon be returning with great anticipation to my grassroots, to a civilization that dates back to the 4th and 5th millennium BC.

“Before I leave, I wish to express my gratitude to you, the Member States, for your support and unfailing commitment to WIPO. I sincerely hope that this partnership will continue in the years to come.

“It has been a privilege and an honor for me to serve as Director General of this Organization which has benefited so much from the active collaboration and involvement of its Member States. My interactions with you over the past years have been warm, cordial and respectful. I shall cherish the memories of these interactions.

“It is a privilege and an honor to work with you, Ambassador Martin Uhomoibhi, both in your capacity as Chair of the General Assembly as well as Permanent Representative of your distinguished country. You have brought with you all the desired qualities of a diplomat. You have been a bridge builder and a seeker of consensus, and have proved yourself to be a worthy and exemplary Chair of the General Assembly.

“I would also like to take this opportunity to convey my gratitude and appreciation to the staff of this Organization. I wish to say an immense thank you to all of you. Without your dedication, support and hard work, all that has been achieved in this Organization over the past years would not have been possible. The energy, high quality and professionalism you have demonstrated over the years have been of immeasurable value in furthering our common goals in the IP field.

“To my successor, Francis Gurry, I wish to express my sincere and heartfelt congratulations on his appointment today, which takes place later this morning. I salute his commitment and dedication to this Organization which span more than two decades. It is my conviction that in his capable and experienced hands, the Organization will continue to achieve notable results in the years to come. The many positions of responsibility that he has held have no doubt prepared him to assume the leadership of WIPO.

“And to all those who have supported me during my tenure of office, I say a big thank you. To all those who did not support me, I say an even bigger thank you. You have helped to forge my experience and my determination to continue to work for consensus and political good will as much as is humanly possible.

“Upon taking up my term of office, I had a vision to open up the Organization and to make it increasingly relevant to users and beneficiaries of the IP system as well as the public at large. Central to this vision was the need to forge close cooperation with Member States. The concrete results of that vision are clear for all to see, and I think we can all be proud of how far WIPO has come in the past decade.

“Several significant achievements have been recorded during the past decade, and mentioning them all here is not possible. An Annex has been attached to this statement in which some of these achievements have been outlined.

Finally, Mr. Chairman, I would like to convey my appreciation and thanks to all Member States for their support during my tenure of office. I also wish to thank the other constituencies of WIPO, namely the users of the IP system – industry groups and civil society members and NGOs – for their fruitful contributions during these years. I sincerely hope that they will extend that same level of cooperation to my successor.

“Thank you all for your attention.”

ITEM 2 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDA

9. Discussions were based on document A/45/1 Prov.3.
10. After due consideration, each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/45/1 Prov. 3.

ITEM 3 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS

11. Discussions were based on document A/45/INF/1 Rev.
12. Following informal consultations among the Group Coordinators, the following officers of the WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee, as well as the Chair of the Lisbon Union Assembly, were elected on September 25, 2008:

for the WIPO Coordination Committee
Chair: Mr. Alberto Dumont (Argentina)
Vice-Chair: Mr. Muktar Djumaliev (Kyrgyzstan)
Vice-Chair: Mr. Mohamed Abderraouf Bdioui (Tunisia)

for the Paris Union Executive Committee
Chair: Ms. Grace Ama Issahaque (Ghana)
Vice-Chair: Ms. Martha Irma Alarcón López (Colombia)
Vice-Chair: Ms. Corlita Babb-Schaefer (Barbados)

for the Berne Union Executive Committee
Chair: Mr. Djaballah Belkacemi (Algeria)
Vice-Chair: Ms. Livia Puscaragiu (Romania)
Vice-Chair: Mr. Udo Fenchel (Germany)

for the Lisbon Union Assembly
Chair: Mr. Christophe Guilhou (France)

13. The list of the officers for the Assemblies and other bodies appears in document A/45/INF/4.

14. The Delegation of Algeria, speaking on behalf of the African Group, congratulated all the officers of the various Committees that had been elected but wished to make comments that had been raised by the Group on the process of elections. The Delegation said that it had observed the process followed in the election of the officers and invited the Secretariat to conduct consultations with the Coordinators of the Groups to establish some clear and transparent rules that would govern elections in the short and long term. The Delegation said that when a Coordinator asked the Secretariat about the practice concerning the distribution among the Groups of the offices in the various governing bodies, the reply was that there was no one consistent practice and that the elections essentially depended on the arrangements between and among the Groups. So in the interest of transparency and geographical balance, the Delegation wished to request the Secretariat to hold consultations so that there could be rules in a codified fashion. This was important as it was difficult to see how WIPO could differ from the other United Nations specialized agencies, such as UNCTAD or WMO, which have adopted clear principles that take care of geographical rotation and other similar principles. The Delegation therefore reiterated its need to have consultations held so that there could be clear, transparent, and balanced rules so that all regions are equitably represented in the committees.

15. The Delegation of Pakistan, speaking on behalf of the Asian Group, expressed its support for the statement made by the Delegation of Algeria and said that there should be clear policies and regulations on how officers are being selected.

ITEM 4 OF THE CONSOLIDATED AGENDA:

APPOINTMENT OF THE NEW DIRECTOR GENERAL

16. See the report of the session of the WIPO General Assembly (document WO/GA/36/13).

ITEM 5 OF THE CONSOLIDATED AGENDA:

GENERAL STATEMENTS

17. See the report of the session of the General Assembly (document WO/GA/36/13)

ITEM 6 OF THE CONSOLIDATED AGENDA:

SUMMARY ANNUAL REPORT OF THE DIRECTOR OF THE INTERNAL AUDIT AND
OVERSIGHT DIVISION (IAOD)

18. See the report of the session of the WIPO General Assembly
(document WO/GA/36/13).

ITEM 7 OF THE CONSOLIDATED AGENDA:

WIPO AUDIT COMMITTEE REPORT ON MEETINGS HELD FROM DECEMBER 2007
TO MAY 2008

19. See the report of the session of the WIPO General Assembly
(document WO/GA/36/13).

ITEM 8 OF THE CONSOLIDATED AGENDA:

REPORT ON THE SESSIONS OF THE COMMITTEE ON DEVELOPMENT AND
INTELLECTUAL PROPERTY (CDIP)

20. See the report of the session of the WIPO General Assembly
(document WO/GA/36/13).

ITEM 9 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE STANDING COMMITTEE ON COPYRIGHT AND
RELATED RIGHTS (SCCR), INCLUDING THE PROTECTION OF AUDIOVISUAL
PERFORMANCES AND PROTECTION OF THE RIGHTS OF BROADCASTING
ORGANIZATIONS

21. See the report of the session of the WIPO General Assembly
(document WO/GA/36/13).

ITEM 10 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE ADVISORY COMMITTEE ON ENFORCEMENT
(ACE), AND THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

22. See the report of the session of the WIPO General Assembly
(document WO/GA/36/13).

ITEM 11 OF THE CONSOLIDATED AGENDA:

PROGRESS REPORT ON THE INTERGOVERNMENTAL COMMITTEE ON
INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL
KNOWLEDGE AND FOLKLORE (IGC)

23. See the report of the session of the WIPO General Assembly (document WO/GA/36/13).

ITEM 12 OF THE CONSOLIDATED AGENDA:

REPORT ON THE WORK OF THE STANDING COMMITTEE ON THE LAW OF
PATENTS (SCP)

24. See the report of the session of the WIPO General Assembly (document WO/GA/36/13).

ITEM 13 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING INTERNET DOMAIN NAMES

25. See the report of the session of the WIPO General Assembly (document WO/GA/36/13).

ITEM 14 OF THE CONSOLIDATED AGENDA:

EXCHANGE OF PRIORITY DOCUMENTS IN THE AREA OF PATENTS

26. Discussions were based on document A/45/2.
27. The Director General-Elect noted that the Assemblies had previously approved the establishment of the digital access service for priority documents, whose purpose was to simplify the submission of priority documents when filing multiple patent applications internationally. Systems development work was underway and the International Bureau was now at the stage of testing system components. No major problems had been encountered and it was expected that development work would be completed in order to enable complete testing of the system in early 2009 with a view to practical implementation in the course of that year.
28. The Paris Union Assembly, the PLT Assembly and the PCT Union Assembly noted the contents of the status report on the digital access service for priority documents set out in document A/45/2.

ITEM 15 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING ARTICLE 6^{TER} OF THE PARIS CONVENTION

29. See the report of the session of the Paris Union Assembly (document P/A/40/2).

ITEM 16 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE MADRID UNION

30. See the report of the session of the Madrid Union Assembly (document MM/A/40/5).

ITEM 17 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE HAGUE UNION

31. See the report of the session of the Hague Union Assembly (document H/A/26/4).

ITEM 18 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE LISBON UNION

32. See the report of the session of the Lisbon Union Assembly (document LI/A/23/2).

ITEM 19 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

33. See the report of the session of the PCT Union Assembly (document PCT/A/38/6).

ITEM 20 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PATENT LAW TREATY

34. See the report of the session of the PLT Assembly (document PLT/A/5/2).

ITEM 21 OF THE CONSOLIDATED AGENDA:

DRAFT AGENDAS OF THE 2009 ORDINARY SESSIONS OF THE WIPO GENERAL ASSEMBLY, THE WIPO CONFERENCE, THE PARIS UNION ASSEMBLY AND THE BERNE UNION ASSEMBLY

35. Discussions were based on document A/45/4.
36. The secretariat introduced document A/45/4 and informed delegates that Annex I of that document would probably be modified for the assemblies in 2009, on the understanding that one of the currently proposed agenda items (accounts for the 2006-2007 biennium) would probably be dealt with at the next session of the Program and Budget Committee.
37. The WIPO Coordination Committee adopted Annexes I and II, the Paris Union Executive Committee adopted Annex III, and the Berne Union Executive Committee adopted Annex IV of document A/45/4.

ITEM 22 OF THE CONSOLIDATED AGENDA:

ADMISSION OF OBSERVERS

38. Discussions were based on document A/45/3.

Admission of International Non-Governmental Organizations as Observers

39. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following five international non-governmental organizations: Association IQSensato (IQSensato); International Committee for the Indians of the Americas (Incomindios); International Trade Union Confederation (ITUC); Special Libraries Association (SLA); and The Institute of Trade Mark Attorneys (ITMA).

Admission of National Non-Governmental Organizations as Observers

40. The Assemblies of the Member States of WIPO, each in so far as it is concerned, decided to grant observer status to the following five national non-governmental organizations: All-China Patent Agents Association (ACPAA); Alliance Towards Harnessing Global Opportunities Corporation (ATHGO); *Fundación para la Difusión del Conocimiento y el Desarrollo Sostenible Vía Libre (Fundación Vía Libre)*; Intellectual Property Institute of Canada (IPIC); and The Korean Patent Attorneys Association (KPAA).

ITEM 23 OF THE CONSOLIDATED AGENDA:

PROGRESS REPORT ON THE NEW CONSTRUCTION

41. See the report of the session of the General Assembly (document WO/GA/36/13).

ITEM 24 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

42. See the report of the session on the WIPO Coordination Committee (document WO/CC/59/2).

ITEM 25 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE REPORTS

43. This General Report was unanimously adopted by the Assemblies and other Bodies of the Member States of WIPO concerned, on September 29, 2008.
44. Each of the ten 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 September 29, 2008.

ITEM 26 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

45. In closing this session of the Assemblies, the Chairman of the General Assembly made the following statement:

“Your excellencies, Director General, distinguished colleagues and dear friends, you will agree with me that we have a tendency in diplomatic and intergovernmental circles all over the world to want to declare every major meeting a success. All too often, however, that process consists simply of papering over of differences with a careful form of words- of applying sticking plaster remedies while deep running sores continue to fester under that skin. It is with a deep sense of elation therefore, that I sit before you today and can sincerely say that during this past week in the WIPO General Assembly and in the weeks leading up to it, we have together achieved so much more, so very much more. Taking that in total diplomatic success. Firstly to the routine, we have adopted in this past week decisions concerning the Committee on Development and Intellectual Property, Standing Committee on the Law of Patents, Standing Committee on Copyright and other Related Rights and Intergovernmental Committee

on Genetic Resources, Traditional Knowledge and Folklore as well as other WIPO bodies. These achievements mark the consolidation of WIPO's norm-setting activities. And to this I must not forget that the Coordination Committee, chaired by the distinguished Ambassador of Argentina, met on staff matters. But perhaps, most significantly together we are focused on the heart of the matter and the future health of our Organization. We have asked ourselves what course of action would best enable us to invigorate WIPO to manage the very substantial challenges which lie ahead in the international intellectual property agenda. By unanimously appointing Francis Gurry to be our Director General, we the Member States of WIPO have put behind us the rancor of the past and have jointly embraced a new departure. Excellencies, we have achieved the seamlessly smooth harmonious transition for WIPO, which this time last year seemed so elusive and almost near impossible. We have in short a worthy send-off for our dear friend and brother, Kamil Idris, who has served WIPO tirelessly for 27 long years. We have welcomed our new Director General with such genuine warmth and affection as we can leave him in no doubt as to the faith and confidence placed in him by the Member States of every regional group by the developed nations and those with economies in transition, by the developing and least-developed countries. And as we listened to his moving acceptance speech last Monday we were united by his vision of a WIPO ready to tackle the big questions and to assume its rightful place as a pre-eminent global forum for IP discourse. Many of you have commented on the constructive atmosphere and goodwill which has characterized this General Assembly. As Chairman it has been an uplifting experience for me. Let us do our utmost to ensure that this positive spirit continues to infuse our work together in the coming months, and indeed in the coming years. I will not keep you any longer from your desks or indeed from your homes. Allow me before you depart to thank you all, to thank every regional group and every Member State for your part in this successful Assembly and for your effective cooperation and collaboration. I also share thanks to the Vice Chair of the General Assembly, my dear friend Laura Thompson, who has stepped in so ably and kept the wheels turning smoothly during the long periods when I was not able to be here. I thank also the Secretariat for the excellent support and service provided to me in the preparation and conduct of these meetings. And allow me to express the gratitude and profound thanks on behalf of all of us to the wonderful team of interpreters who have as ever done such a splendid job. And finally, it remains only for me to wish Kamil Idris, from all of us, every success and happiness for his future work in Sudan. I wish those of you who are returning to your capitals a *bon voyage* and I wish the staff of WIPO *bonne route* as they move forward under the new leadership. Thank you very much."

46. In response the Director General-Elect made the following statement:

"Thank you very much Mr. Chairman, your Excellencies, distinguished delegates. Our thanks go first of all to you Ambassador Uhomoibhi for the very able leadership that you have displayed over the past months and indeed of course this past week. If the meeting has been a success, then that in the first place has been due to your leadership. Your very careful preparation of this meeting, ensured its success at the outset and your very careful guidance of the meeting throughout this week have ensured that it was indeed a successful meeting. And may I join you also in extending our thanks to your Vice Chairs, but in particular to Ambassador Laura Thompson for standing in when you were unable to be with us last week. Let me extend my thanks also to all of the delegations, first of all for your very warm words of welcome to me which I appreciate profoundly. I am very grateful to you all for the start that we have got off to. We face

many challenges, of course, in the future, as you have said Mr. Chairman and there are challenges on all sides of the multilateral spectrum. But what has been particularly heartening this week has been the genuinely constructive spirit and atmosphere that has prevailed amongst all of the delegations. And I think this is a good sign that we will have a very good basis on which to tackle the many challenges that we confront in the future. My particular thanks also go out to the Group Coordinators for their hard work in ensuring that there was a very good understanding between the Groups in respect to the questions that we confronted in this past week. If I may, Mr. Chairman, I should also like to join you in thanking my colleagues, we have a report before us in a very short time. It was of course prepared over the weekend, it was translated into all languages and made available in all languages. I am very grateful to those who worked to prepare this report, but also grateful to all of my colleagues for the preparation of the documentation for the work this week. Let me join you also, Mr. Chairman, in thanking the interpreters and for those of you who will be celebrating shortly the appearance of the new moon, let me extend my warmest wishes to you for the celebration that is to come. And I join you also Mr. Chairman in wishing my friend and colleague, Kamil Idris, all the best for the future. Thank you.”

47. The Delegation of Germany commended the Chair on the skillful and elegant way in which he had led the General Assembly to the adoption of the report. The Delegation wished to thank the US Delegation for having coordinated Group B since the previous year’s General Assembly. More specifically it was grateful to Lisa Carle who had in the mean time taken up another challenging task in Saudi Arabia and to Deborah Lashley-Johnson who had taken over from Lisa and who had so passionately been steering the fate of Group B during the General Assembly.

48. The Delegation of Pakistan, speaking on behalf of the members of the OIC and the Asian Group wished to thank the Chair for steering the meeting in an excellent manner. Similarly the delegation wished to thank the Ambassador of Costa Rica for her able steermanship of the meeting. It wished the new Director General good luck in all his future endeavors and assured him of its full support and wished every member of the gathering a very happy Eid fete for the following day.

49. The Delegation of Cuba, speaking of behalf of GRULAC, congratulated the Chair and vice chairs on their work in conducting the general assemblies. The fact that they had completed the agenda in an efficient way showed the new dynamic of the Organization. The regional group would like this new dynamic to be reflected in the work of the various committees. The regional group associated itself with the thanks expressed to the Chair and wished to congratulate Mr. Gurry again on his election to the post of Director General and wished him every success in his future work.

50. The Delegation of Algeria wished to express his thanks to all those working towards consensus.

51. The Delegation of Romania, speaking on behalf of the Group of Central European and Baltic States, wished to join the previous speakers in congratulating the Chair and Vice chairs especially Ambassador Laura Thompson for presiding over the historic meeting in such a skillful manner. The Delegation also wished to thank all the Chairs who led the work of the various assemblies that took place the week before. At that final stage it reiterated how pleased it was to have witnessed such an important decision as was the election of

Mr. Francis Gurry as the new Director General of WIPO. The Delegation was looking forward to cooperating with him and wished the greatest success to him and to all WIPO staff.

52. The Delegation of Bangladesh, speaking on behalf of the least developed countries thanked the Chairman for the efficient manner in which he had conducted the successful work concluded at the meetings and also thanked Her Excellency Laura Thompson of Costa Rica and the other Chairs of the other Assemblies. The Delegation appreciated the Chair's effective role in ensuring a smooth leadership transition in WIPO leading to a new Director General, Mr. Francis Gurry and was very happy to see the manner in which the new Director General put his wisdom and expertise to the service of the membership during the session. The LDCs were encouraged by his statement following his election and looked forward to constructively engaging with him to advance the common concerns of the LDCs. The Delegation also thanked other delegations for their positive spirit and looked forward to working with them in the coming months in the various standing committees where the LDCs had particular interests collectively. Finally, the Delegation thanked the Secretariat for their excellent support to the Assemblies.

53. The Delegation of the Russian Federation speaking on behalf of the Group of Central Asian, Caucasus and Eastern European countries, heartily congratulated the Chair for his remarkable work in leading the session and considered that the session of the General Assembly of WIPO had opened a new page in the history of the Organization, in this connection the Delegation wished the chair and the newly elected Director General of the Organization, Mr. Francis Gurry, every success and assured them that it was ready to work with them so as to achieve a flourishing future for the Organization.

54. The Chair, Ambassador Martin Uhomoibhi concluded the session of the Assemblies.

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