

Assemblies of the Member States of WIPO

Forty-Ninth Series of Meetings Geneva, September 26 to October 5, 2011

ADMISSION OF OBSERVERS

Memorandum of the Director General

I. ADMISSION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

1. At their previous sessions, the Assemblies of the Member States of WIPO (Assemblies) adopted a set of principles to be applied in extending invitations to international non-governmental organizations (NGOs) to attend the meetings of the Assemblies concerned as observers (documents AB/X/32, paragraph 17, and AB/X/17, Annex V; documents BP/A/I/2 and 5, paragraph 5; documents V/A/I/1, paragraphs 25 to 29, and V/A/I/2, paragraph 7).
2. The international NGOs admitted to attend the meetings of the Assemblies as observers, and which have been invited to attend the Forty-Ninth series of meetings of the Assemblies and the Unions administered by WIPO, are listed in Annex I to document A/49/INF/1.
3. Once an international NGO is admitted to attend the meetings of the Assemblies as an observer, it is also invited to attend meetings of committees, working groups, or other bodies subsidiary to the Assemblies, as an observer, if their subject matter seems to be of direct interest to that NGO.
4. Since the Forty-Eighth series of meetings of the Assemblies, from September 20 to 29, 2010, when decisions were last taken concerning the admission of international NGOs to attend the meetings of certain Assemblies as observers (document A/48/2 Rev., paragraphs 1 to 6, and document A/48/26, paragraph 137), the Director General has received requests, with the requisite information, from each of the following international NGOs for admission to attend the meetings of the Assemblies as an observer:

- (i) *Association des praticiens du droit des marques et des modèles* (APRAM)
- (ii) European Composer and Songwriter Alliance (ECSA)
- (iii) European Network for Copyright in Support of Education and Science
- (iv) International Council of Museums (ICOM)
- (v) Medicines Patent Pool

5. A short profile of each of the NGOs mentioned in paragraph 4, above – its objectives, structure and membership – appears in Annex I of this document. It is proposed that, as concerns each of the NGOs mentioned in paragraph 4 above, the Assemblies include the said NGOs in the category of international NGOs.

6. *The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 5, above.*

II. ADMISSION OF NATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

7. At the Thirty-Seventh series of meetings, from September 23 to October 1, 2002, the Assemblies, each in so far as it was concerned, agreed to adopt the following proposals as principles applicable in extending invitations to national NGOs, as observers (document A/37/14, paragraph 316):

- (a) The organization shall be essentially concerned with intellectual property matters falling within the competence of WIPO and shall, in the view of the Director General, be able to offer constructive, substantive contributions to the deliberations of the Assemblies of WIPO;
- (b) The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of WIPO and of the United Nations;
- (c) The organization shall have an established headquarters. It shall have democratically adopted statutes, adopted in conformity with the legislation of the Member State from which the NGO originates. One copy of the statutes shall be submitted to WIPO;
- (d) The organization shall have authority to speak for its members through its authorized representatives and in accordance with the rules governing observer status; and
- (e) The admission of national NGOs to observer status shall be the subject of prior consultations between Member States and the Secretariat.

8. Since the Forty-Eighth series of meetings of the Assemblies, from September 20 to 29, 2010, when decisions were last taken concerning the admission of national NGOs to attend the meetings of certain Assemblies as observers (document A/48/2 Rev., paragraphs 7 to 10 and document A/48/26, paragraph 138), the Director General has received requests, with the requisite information, from each of the following national NGOs for admission to attend the meetings of the Assemblies as observers:

- (i) Association for the Promotion of Scientific Innovation (APSI)
- (ii) *Asociación Mexicana para la Protección de la Propiedad Intelectual* (AMPPI)
- (iii) Institute for Intellectual Property and Social Justice (IIPSJ)
- (iv) Iranian Intellectual Property Law Association (IRIPLA)
- (v) Polish Chamber of Patent Attorneys

9. A brief profile of each of the NGOs mentioned in paragraph 8, above – its objectives, structure and membership – appears in Annex II of this document. It is proposed that, as concerns each of the NGOs mentioned in paragraph 8 above, the Assemblies decide in accordance with the principles set out in paragraph 7 above, whether to include the said NGOs in the category of national NGOs.

10. *The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 9, above.*

[Annexes follow]

PARTICULARS CONCERNING INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS
(ON THE BASIS OF INFORMATION RECEIVED FROM THE SAID NGOS)

1. Association des Praticiens du Droit des Marques et des Modèles (APRAM)

Headquarters: APRAM was established in Paris, France, in 1978.

Objectives: APRAM has the purpose to gather practitioners specialized in trademarks and designs. The association aims to protect, assist and promote their common interests, to create centers for studies and action regarding problems specific to trademarks, designs and intellectual property in general, in France and abroad.

Structure: The main bodies of the Association are the General Assembly, the Executive Board and its Office and the Commissions. The officers include the President, two Vice-Presidents, the Treasurer and Assistant Treasurer, the Secretary and Assistant Secretary.

Membership: APRAM has approximately 800 members made up of practitioners of trademark and design law and more generally of intellectual property law.

2. European Composer and Songwriter Alliance (ECSA)

Headquarters: ECSA was founded in 2009 and has its place of incorporation and office in Brussels, Belgium.

Objectives: Its main objective is to protect and promote the rights of music composers on a national, European and international level. Other objectives are: to combine the efforts of European organizations and/or federations of composer's rights in a manner that will lead to an increase of their role at a European and international level; to defend and protect the rights of music composers at a European and international level; to strengthen the perception regarding the cultural and economic value of music in Europe and in the world; to persuade political figures and regulation authorities to encourage the creation of music of any nature; to contribute in a substantial manner in the workings of the European Union and UNESCO on "The Statute of the Artist" and "The Declaration on cultural diversity"; and to create fair commercial conditions for all authors and music composers and encourage the adoption of "conduct codes" in order to ensure the social and economic development of music creation in Europe.

Structure: The main governing bodies are the General Assembly and the Executive Board. The Executive Board appoints the Secretary General and it can also appoint a Deputy Secretary General or a spokesperson if necessary.

Membership: ECSA represents 36 organizations of composers and songwriters in 28 European countries and speaks for over 12,000 European composers and songwriters.

3. European Network for Copyright in Support of Education and Science (ENCES)

Headquarters: ENCES was established in Berlin, Germany, on February 11, 2010.

Objectives: ENCES is an EU wide network of organizations and individuals in education and research who advocate for an education and research-friendly copyright. Its main objectives are: to promote the access to knowledge and information produced in science, research, education, the arts and culture for the general public; to advocate for a copyright system framed in a way that it does not encumber the justifiable interests of all scholars in an unhindered access to knowledge and information in the digital age and preserves the right of all citizens of our society to have free access to the objects of artistic and cultural value for the purpose of education, especially via the internet.

Structure: The bodies of the Association are the General Assembly and the Executive Board and the officers consist of the Chairperson and two Deputy Chairpersons.

Membership: ENCES has 11 members consisting of legal entities or natural persons willing to support the objectives of the Association.

4. International Council of Museums (ICOM)

Headquarters: ICOM was created in 1946, with headquarters in Paris, France.

Objectives: ICOM is the international organization of museums and museum professionals which is committed to the conservation, continuation and communication to society of the world's natural and cultural heritage, present and future, tangible and intangible and the protection of cultural goods. ICOM's missions include fighting the illicit traffic of cultural goods, risk management, culture and knowledge promotion, and protection of tangible and intangible heritage. ICOM establishes professional and ethical standards for museum activities, makes recommendations on such issues, promotes training, advances knowledge and raises public cultural awareness through global networks and cooperation programs.

Structure: The governing bodies are the General Assembly, the Executive Council which is responsible for the managerial aspects of ICOM and the Advisory Committee. The officers consist of the President, two Vice-Presidents and the Treasurer.

Membership: ICOM has about 30, 000 members consisting of institutions and museum professionals.

5. Medicines Patent Pool

Headquarters: The Medicines Patent Pool was established on July 16, 2010, in Geneva, Switzerland.

Objectives: The purpose of the foundation is to improve health by providing patients in low and middle income countries with increased access to quality, safe, efficient, more appropriate and more affordable health products, through a voluntary patent pool mechanism, in the area of antiretroviral pharmaceutical products, pediatric antiretroviral products and new fixed dose combinations.

Structure: The governing bodies are the Governance Board, the Expert Advisory Group and the External Auditors. The officers consist of the Executive Director and the President of the Board.

Membership: The members are made up of three founding assembly members, natural persons contributing to the foundation's objectives.

[Annex II, follows]

PARTICULARS CONCERNING NATIONAL NON-GOVERNMENTAL ORGANIZATIONS
(ON THE BASIS OF INFORMATION RECEIVED FROM THE SAID ORGANIZATIONS)

1. Association for the Promotion of Scientific Innovation (APSI)

Headquarters: APSI was founded on April 17, 1993, in Khartoum, Sudan.

Objectives: To foster and promote innovation and innovators; to build awareness in society of the importance of science and innovations; to identify and encourage young talented scientists and researchers; to promote and enhance the development and utilization of Sudanese research, innovators and innovations; to provide an intellectual challenging environment for innovators; to promote the culture of intellectual property and invention protection; to link knowledge and sciences with humanity's virtuous values.

Structure: The officers consist of the Executive Director and the Deputy Executive Director.

Membership: 51 members drawn from academia, public sector organizations, private sector companies, non-governmental organizations, inventors and researchers.

2. Asociación Mexicana para la Protección de la Propiedad Intelectual (AMPPI)

Headquarters: AMPPI was founded in 1965 in Mexico City, Mexico.

Objectives: AMPPI has among others objectives: to promote, between its members, the dignity and professional ethics in the exercise of their activities regarding intellectual property; to promote the development and unification of national and international laws regarding intellectual property; to administer the intellectual property protection and represent the collective interests of its members, natural persons or legal entities, before any competent authority.

Structure: AMPPI is represented and governed by the following organs: the General Assembly, the Board of Directors and the President of the Board of Directors.

Membership: AMPPI has around 389 members including lawyers, engineers, and professionals specialized in intellectual property.

3. Institute for Intellectual Property and Social Justice (IIPSJ)

Headquarters: IIPSJ was established in Washington D.C., USA, in October 2002.

Objectives: IIPSJ's mission is to advance the political, social and economic empowerment of historically disadvantaged and excluded groups through facilitating their creation, use and exploitation of intellectual property. IIPSJ's work ranges broadly and includes scholarly examination of intellectual property law from the social justice perspective; advocacy for social-justice awareness interpretation, application and revision of intellectual property law and policy; effort to increase the diversity of those who practice IP law; and development of programs to empower historically and currently disadvantaged and under-included groups to exploit IP effectively. IIPSJ is dedicated to promoting fairness of access to knowledge, information, and the tools and benefits of creative expression and innovative development.

Structure: The IIPJS is controlled by a Board of Directors. The organization is otherwise composed of officers elected by the Board of Directors, an Executive Committee and advisory boards and panels.

Membership: The IIPJS is not a membership organization. It works with and for a variety of marginalized communities within the United States, providing access, training and information on IP law and policy.

4. Iranian Intellectual Property Law Association (IRIPLA)

Headquarters: IRIPLA was established on November 3, 2010, in Tehran, Iran.

Objectives: To expand and upgrade the scientific level and improve educational and research issues in the fields of literary, artistic, and industrial property; to carry out national and international scientific and cultural research together with scientists and specialists who are dealing with intellectual property law; to cooperate with executive and research organizations in case of evaluation, review and execution of plans and any project related to scientific education and research affairs; to publish scientific books and articles.

Structure: IRIPLA is governed by the General Meetings, the Board of Directors and the Inspectors, and the main officers consist of the Chairman, the Vice-Chairman and the Treasurer.

Membership: IRIPLA has 58 individual members made up of legal professionals and scientists.

5. Polish Chamber of Patent Attorneys

Headquarters: The Polish Chamber of Patent Attorneys was established on January 9, 1993, in Warsaw, Poland.

Objectives: To take actions in order to ensure conditions for due performance of the profession of patent attorney; to represent patent attorneys and patent attorney trainees and protect their professional interests; to cooperate in the creation and application of intellectual property law, as well as in the scope of organizing and performing the profession of patent attorney; to improve professional qualifications of patent attorneys and education of trainees; to supervise due performance of the profession of patent attorneys and patent attorney trainees; to carry out research in cases concerning intellectual property issues.

Structure: The main body of the Polish Chamber of Patent Attorneys is the National Convention of Patent Attorneys. Other bodies are: the National Council of Patent Attorneys composed of 26 persons; and the Audit Committee (12 persons) which has a control function.

Membership: The Polish Chamber of Patent Attorneys has 934 members representing patent attorneys.

[End of Annex II and of document]