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GOVERNING BODIES OF WIPO AND THE UNIONS ADMINISTERED BY WIPO

Twenty-Third Series of Meetings Geneva, September 21 to 29, 1992

GENERAL REPORT

adopted by the Governing Bodies

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INTRODUCTION

1. This General Report records the deliberations and decisions of the following nine Governing Bodies:

- (1) WIPO Coordination Committee, thirtieth session (23rd ordinary)
- (2) Paris Union Assembly, nineteenth session (9th extraordinary)
- (3) Paris Union Conference of Representatives, twentieth session (10th extraordinary)
- (4) Paris Union Executive Committee, twenty-eighth session (28th ordinary)
- (5) Berne Union Assembly, thirteenth session (3rd extraordinary)
- (6) Berne Union Conference of Representatives, thirteenth session (3rd extraordinary)
- (7) Berne Union Executive Committee, thirty-fourth session (23rd ordinary)
- (8) Madrid Union Assembly, twenty-fourth session (15th extraordinary)
- (9) PCT [Patent Cooperation Treaty] Union Assembly, twentieth session (12th extraordinary)

meeting in Geneva from September 21 to 29, 1992, where the deliberations took place and the decisions were made in joint meetings of two or more of the said Governing Bodies (hereinafter referred to as "the joint meeting(s)" and "the Governing Bodies," respectively), except the joint meetings of the Assembly and the Conference of Representatives of the Paris Union and of the Assembly and the Conference of Representatives of the Berne Union. The deliberations and decisions of those joint meetings are covered in the separate reports on the sessions of the Assembly of the Paris Union and the Berne Union, respectively.

2. In addition to this General Report, separate reports have been drawn up on the sessions of each of the Governing Bodies (see documents WO/CC/XXX/6, P/A/XIX/4, P/CR/XX/2, P/EC/XXVIII/1, B/A/XIII/2, B/CR/XIII/2, B/EC/XXXIV/1, MM/A/XXIV/4 and PCT/A/XX/5).

3. The list of the States members of the Governing Bodies and the observers admitted to their sessions as of September 18, 1992, is set forth in document AB/XXIII/INF/1 Rev.2.

4. Meetings dealing with items 1, 2 and 3 of the Consolidated Agenda (see document AB/XXIII/1 Rev.2 and paragraphs 16 and 17, below) were presided over by the outgoing Chairman of the WIPO Coordination Committee, Mr. Max A. Engels (Netherlands), whereas those dealing with items 4, 9bis, 10, 11, 12, 12bis and 14 were presided over by the new Chairman of the WIPO Coordination Committee, Mr. Mounir Zahran (Egypt) or the first Vice-Chairman Mr. Jean-Claude Combaldieu (France). The meetings dealing with the following items of the Consolidated Agenda were presided over by the following officers: items 5 and 6, the Chairman of the Paris Union Assembly, Mr. Gao Lulin (China); item 7, the Chairman of the Berne Union Assembly, Mr. György Boytha (Hungary); item 8, the Chairman of the Madrid Union Assembly, Mr. José Mota Maia (Portugal); item 9, the Chairman of the PCT Union Assembly, Mr. Alfons Schäfers (Germany); item 13, the Chairman (or, in his absence, a Vice-Chairman, or in the absence of the Chairman and both Vice-Chairmen, an ad hoc Chairman) of one of the nine Governing Bodies

concerned, that is, for the General Report and the report of the WIPO Coordination Committee, Mr. Mounir Zahran (Egypt); the report of the Paris Union Assembly, the report of the Paris Union Conference of Representatives and the report of the Paris Union Executive Committee, Mr. Gao Lulin (China); the report of the Berne Union Assembly and the report of the Berne Union Conference of Representatives, Mr. György Boytha (Hungary); the report of the Berne Union Executive Committee and the report of the Madrid Union Assembly, Mr. Roland Grossenbacher (Switzerland); the report of the PCT Union Assembly, Mr. Alec Sugden (United Kingdom).

5. The list of participants appears in document AB/XXIII/INF/4.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The twenty-third series of meetings of the Governing Bodies of WIPO and of the Unions administered by WIPO was convened by the Director General of WIPO, Dr. Arpad Bogsch (hereinafter referred to as "the Director General").

7. The sessions of the Governing Bodies were opened in a joint meeting of all the nine Governing Bodies by the outgoing Chairman of the WIPO Coordination Committee, Mr. Max A. Engels (Netherlands).

8. The declarations reproduced in paragraphs 9 to 12, below, were made right after the opening of the sessions, that is on September 21, 1992.

9. The Delegation of the United Kingdom, speaking on behalf of the European Community and its Member States, made the following statement:

"I have the honour to speak on behalf of the European Community and its Member States.

"The European Community and its Member States have given long and careful thought to the position of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the United Nations. They have made it clear on numerous occasions, most recently at the second plenary meeting of the forty-seventh session of the United Nations General Assembly, that they do not accept the automatic continuity of the Federal Republic of Yugoslavia (Serbia and Montenegro) in international organisations, including the United Nations.

"It is clear that the Federal Republic of Yugoslavia (Serbia and Montenegro) does not have any right to claim the seat of the former Socialist Federal Republic of Yugoslavia. Its position in this regard is no different from that of other components of the former Socialist Federal Republic of Yugoslavia. The European Community and its Member States therefore support the resolution adopted by the Security Council on 19 September which, *inter alia*, recommends to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership of the United Nations and that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not participate in the work of the General Assembly. A draft resolution has been submitted to the General Assembly, *inter alia* by the Twelve, and the Assembly is expected to act on this draft very shortly.

"In these circumstances, the presence of representatives of Serbia and Montenegro at United Nations meetings in general, and at this meeting in particular, is accordingly without prejudice to the position of the European Community and its Member States and to further action they may take to oppose participation of Yugoslavia in the work of United Nations bodies pending the submission, and acceptance by the appropriate organs of the United Nations, of their application for membership of the United Nations."

10. The Delegation of the United States of America made the following statement:

"The Socialist Federal Republic of Yugoslavia no longer exists. Serbia-Montenegro is not the continuation of the Socialist Federal Republic of Yugoslavia. Therefore, Serbia-Montenegro is not entitled to assume the seat of the former Socialist Federal Republic of Yugoslavia in international organizations. Serbia-Montenegro must apply for membership if it wishes to participate in the United Nations and its specialized agencies.

"The United States believes that the United Nations Security Council and General Assembly are the appropriate bodies to resolve the question of the membership of Serbia-Montenegro in the United Nations system. The Security Council already has expressed itself clearly on this issue. The participation of the representatives of Serbia-Montenegro in these meetings, therefore, should be viewed as without prejudice to the disposition of this question by the General Assembly and any further action on this issue which may be required here."

11. The Delegation of Japan made the following statement:

"The Government of Japan does not agree to the automatic continuity of Yugoslavia's membership of international organizations, including the World Intellectual Property Organization. Our Government considers that the participation of the Delegation of the Federal Republic of Yugoslavia in this meeting is without prejudice to our future decisions on this and related issues."

12. The Delegation of Austria made the following statement:

"The Austrian Government has repeatedly voiced its opinion that there is no legal basis for an automatic continuation of the legal existence of the former Socialist Federal Republic of Yugoslavia by the newly proclaimed Federal Republic of Yugoslavia, which therefore cannot be considered to continue the Yugoslav membership of the former Yugoslavia in the United Nations. Austria therefore supports the resolution adopted by the Security Council on 19 September which, inter alia, recommends to the General Assembly that it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership of the United Nations and that the Federal Republic of Yugoslavia should not participate in the work of the General Assembly.

"Consequently, any form of participation of the so-called 'Federal Republic of Yugoslavia' at the twenty-third series of meetings of the Governing Bodies of WIPO and the Unions Administered by WIPO can in no way be considered to prejudge any future decisions taken by the appropriate United Nations bodies nor as any form of recognition by Austria.

"Let me also emphasize that for an eventual international recognition of the Federal Republic of Yugoslavia, the criteria which were determined by the European Community on 16 December 1991 for the succession of States to the former Yugoslavia must also be applied."

13. During the discussions on item 4 of the Consolidated Agenda (Activities from July 16, 1991, to June 30, 1992) at the end of the first day, September 21, 1992, of the meetings, the following intervention was made by the Delegation of Australia and on September 23, 1992, the following additional intervention was made by the Delegation of the United States of America.

14. The Delegation of Australia made the following statement:

"Australia has not accepted the claim of the Federal Republic of Yugoslavia to be the continuing State of the Socialist Federal Republic of Yugoslavia.

"Australia therefore reserves its position on the status of the Federal Republic of Yugoslavia and on issues dealing with its representation in international organisations. The presence of representatives of the Federal Republic of Yugoslavia is without prejudice to any actions that might be taken following the adoption of Security Council resolution 777."

15. The Delegation of the United States of America made the following statement:

"I take the floor to note that both the Security Council and the General Assembly of the United Nations have determined that the former Yugoslavia has dissolved and that they are of the opinion that Serbia and Montenegro must now re-apply for membership in the United Nations. Serbia and Montenegro will have to demonstrate that it is able to fulfill the obligations of the United Nations Charter, including the obligation to comply with binding resolutions of the Security Council. We would hope that this desire to become a member of the United Nations will provide the necessary incentive for Serbia and Montenegro to honor these obligations. Until such time as it applies and is formally admitted to the United Nations, Serbia and Montenegro, like any other country that is not a member of the United Nations, cannot participate in the work of the General Assembly or its committees or the specialized agencies unless specifically invited to do so. Since this matter has only recently been resolved in New York, we are not in a position at this point to offer a formal resolution to this body, but we will in due course, hopefully soon, introduce an appropriate resolution to address the action taken by the General Assembly in New York. My Delegation wishes that this point be noted for the record to ensure that there is no question that we wish to pursue this matter in this body."

ITEM 2 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDAS

16. Following a proposal made by the Delegation of Argentina, on behalf of the Latin American countries, the following item was added to the draft agenda of the WIPO Coordination Committee: "Study of the Proposal Contained in Document AB/XXII/19." With the addition of the said item, the WIPO

Coordination Committee, as well as each of the other Governing Bodies, adopted, on September 21, 1992, their agendas as proposed in document AB/XXIII/1 Rev.2 (hereinafter referred to in this document and in the documents listed in paragraph 2, above, as the "Consolidated Agenda"). The new item on the agenda of the WIPO Coordination Committee became item 12bis on the Consolidated Agenda.

17. On September 24, 1992, the Delegation of the United States of America presented a proposal that the agendas of each of the Governing Bodies in session be amended to add an item entitled "Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro)" and that this item be considered immediately (see document AB/XXIII/5, paragraph 1). The proposal was adopted on the same day by all the nine Governing Bodies. The report on the consideration by the Governing Bodies of this new item on the Consolidated Agenda is contained under item 9bis "Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro)," below.

ITEM 3 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS

18. After a discussion in their meetings, and following consultations among the delegations, on whether to establish a nominations committee and on its composition, the WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee decided not to establish a nominations committee, but that the outgoing Chairman of the WIPO Coordination Committee, as their presiding officer, should undertake consultations with representatives of various delegations with a view to arriving at a consensus on a proposal to be made by him to those Committees as to the officers to be elected by each of the said Committees. On the basis of such a proposal of the Chairman of the WIPO Coordination Committee, the said Committees elected their officers. The list of the said officers appears in document AB/XXIII/INF/5.

ITEM 4 OF THE CONSOLIDATED AGENDA:

ACTIVITIES FROM JULY 16, 1991, TO JUNE 30, 1992

19. Discussions were based on documents AB/XXIII/2 and 3.

20. The Director General introduced those documents by referring to the summaries of activities contained in them. He said that since the September 1991 sessions of the Governing Bodies, 25 countries had adhered to one or more of the treaties administered by WIPO. He enumerated those countries and the treaties in question and expressed the satisfaction of both the member States of WIPO and the International Bureau with such an enrichment of the membership of treaties. The adhesions are described in the two said documents, except for the following that occurred after the writing of those documents: Armenia in respect of the WIPO Convention; Ukraine in respect of the Paris Convention, and Brazil in respect of Articles 1 to 12 of the same Convention; New Zealand, Portugal and Ukraine in respect of the PCT; and Ukraine in respect of the Madrid (International Registration of Marks) Agreement.

21. The delegations of the following 57 States, four intergovernmental and one international non-governmental, organizations made statements: Algeria, Argentina, Australia, Austria, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Croatia, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Egypt, El Salvador, Finland, France, Germany, Ghana, Guatemala, Hungary, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Japan, Jordan, Lesotho, Malawi, Mexico, Morocco, Netherlands, Norway, Pakistan, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovenia, Spain, Sudan, Sweden, Switzerland, Thailand, Turkey, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zambia, Zimbabwe, ARIPO, CEC, EPO, OAPI and IFPI.

22. All the said delegations voiced their satisfaction with the content of the reports submitted by the Director General, praising, notably, the clear, concise and comprehensive picture given of the Organization's work during the period under review. Appreciation was expressed for the range of activities that had been carried out, the depth of the treatment received and the efficiency with which they were accomplished. In the view of the delegations, the objectives of the activities were attained and demonstrated the capacity of the International Bureau, under the guidance of the Director General, in adapting to new circumstances and demands with imagination and verve.

23. All the delegations highlighted the development cooperation activities for the benefit of developing countries. The delegations of the recipient developing countries underlined in particular the undisputed importance of assistance to developing countries, given the role that intellectual property was recognized as playing in social, cultural and economic development. Such a role had recently been enhanced by the position assigned to intellectual property rights in international trade and technology transfer, especially in the next century. The wish was expressed that WIPO's development cooperation program be continued and strengthened, so that developing countries could develop intellectual property systems consonant with their developmental status and yet compatible with world trends. Several delegations pledged to continue their existing support, both in funds and in kind, to WIPO and its development cooperation program. Regarded as most useful development cooperation activities were those dealing with training (both general and specialized), assistance in the preparation of legal texts, the streamlining of administration, including computerization, patent information services to the public using, increasingly, CD-ROM technology, and the teaching of intellectual property at university level. A number of delegations were concerned about the decline in the UNDP resources available to WIPO for its development cooperation activities and suggested that the International Bureau further pursue its requests to UNDP and explore new sources of funding, including allocating more money from its regular budget.

24. Many delegations further underlined the importance they attached to WIPO's work in both norm-setting and international registration work. Selected for special commendation, together with expressions of support for the continuation of such work, were the progress made in concluding the proposed Patent Law Treaty, the preparations for a possible Protocol to the Berne Convention, a proposed treaty for the settlement of intellectual property disputes between States, the proposed trademark harmonization treaty, as well for a proposed model law on the protection of producers of sound recordings.

25. A number of delegations found the activities in the international registration unions satisfactory in general, and singled out for special mention the continuing increase in the number of Contracting States and the high rate of growth in the use of the PCT, which was a clear sign of the treaty's usefulness to industry.

26. The Delegation of Argentina said that besides participating actively in WIPO's programs and benefitting from them, its country also provided some modest assistance to other countries. Argentina was embarked on a deep transformation and modernization of its management and productive structures, the liberalization of the market and privatization in conjunction with Brazil, Paraguay and Uruguay as members of MERCOSUR, a regional integration scheme for the four countries. Such a program of change necessitated basic changes to the outmoded legal structure. In this regard, as intellectual property was assuming greater importance, the country was therefore modernizing its intellectual property legislation, including acceding recently to the Rome Convention and the Film Register Treaty. In addition, a draft new patent law was being considered by Parliament in which patents would be granted for pharmaceutical products, the term of patent would be extended to 20 years from the filing date of the application, while a draft law on adhesion to UPOV was being considered. Preparations were under way for a new copyright law and for possible accession to the Nice Agreement and the Patent Cooperation Treaty. In all these activities, WIPO provided useful information and advice. In the context of MERCOSUR which aimed at creating a common market of almost 200 million people, its member States were formulating the terms of reference of the assistance which they wished to obtain from WIPO. Naturally, more activities would require more resources. The Delegation expressed confidence that WIPO would face such a challenge successfully.

27. The Delegation of Sweden stated that it was particularly pleased to announce that the fourth cycle of assistance provided by Sweden to WIPO's development cooperation under a Funds-in-Trust arrangement for the period 1992-95, for an amount of six million Swedish kronors, had started earlier in 1992. Sweden and other Nordic countries were providing assistance to the Baltic States in close cooperation with the International Bureau. As regards the PCT, the Delegation noted with satisfaction the increase in the number of applications and in the number of contracting States. It welcomed the International Bureau's initiative to facilitate the use of the PCT by applicants from Spanish-speaking countries. In the same vein, the new PCT Regulations would further promote the use of the PCT through simplification of procedures. The Delegation also noted that an ad hoc Working Group of the PCIPI had been set up to consider further development of the International Patent Classification (IPC), an activity which it considered very important. As concerns legislative developments in Sweden, the Delegation said that a new Patent Bill providing, among others, for post-grant opposition--instead of the present pre-grant opposition--procedures was expected to be passed by its Parliament in Spring 1993. Among the legislative items being studied were the possible introduction of a patent reexamination system and also supplementary protection certificates for pharmaceutical patents within the framework of the harmonized European patent laws. In the field of copyright, the Delegation of Sweden supported the work being carried out in relation to the proposed Protocol to the Berne Convention. Appreciation and support were also expressed for the on-going activities relating to the preparation of a model law on the protection of producers of sound recordings and on the possible creation of an arbitration mechanism to resolve intellectual property disputes between private parties.

28. The Delegation of Jordan expressed appreciation for the assistance extended by WIPO to Arab countries, in particular in the revision of national intellectual property laws, general and specialized training and the strengthening of administrative infrastructures. It wished to see more cooperation activities organized in the future for Arab countries, notably for Jordan, where a proposed UNDP-financed country project was being studied. Under preparation was a revision to the current trademark law. The Delegation hoped that it would soon be possible to increase the number of WIPO meetings in which interpretation from and into Arabic would be provided for.

29. The Delegation of China described its country's development cooperation with WIPO in the past year, which included the holding of national and regional seminars and courses on industrial property and copyright matters, the training of officials abroad and on the job, as well as the exchange of visits of WIPO and Chinese officials in Beijing and Geneva on legislative matters. Within the country, important progress was achieved in raising the level and widening the scope of intellectual property protection as well as improving administration. In November 1991, a Leading Group for Intellectual Property of the State Council was created. In July 1992, China deposited its instrument of accession to the Berne Convention. In addition, regulations dealing with the implementation of the Copyright Law, with the copyright protection of computer software, and with the implementation of international copyright treaties had been or were being formulated. A collective administration society for music works had also been established. The revised Patent Law would enter into force on January 1, 1993. The major amendments included the protection of pharmaceutical and chemical products, food and beverages, extending the term of protection from 15 to 20 years from the filing date, protection for the product obtained directly from a protected process, including importation as a patent right and replacing pre-grant opposition by post-grant revocation. It was anticipated that as a consequence of this revision, patent applications would surge. The Delegation gave statistics on the number of patent applications received so far in 1992. The draft revised Trademark Law had been submitted to the State Council for examination in July 1992. The changes foreseen included extending protection to service marks, associated marks, certification marks, collective marks and defensive marks, well-known marks, strengthening the protection of the exclusive right to use trademarks and imposing heavier punishment on trademarks infringers. As with patents, the number of trademark applications had also grown significantly so far in 1992. Another development in China was the establishment of the China Intellectual Property Training Center and the China Intellectual Property Training Fund. It was China's intention to continue perfecting its intellectual property system in conformity with international standards. In this regard, China hoped to accede to the Phonograms Convention and to the PCT in 1993.

30. The Delegation of Hungary expressed appreciation for the attention which WIPO had paid to the Central and Eastern European countries. As examples, it cited meetings, in the patent field, which WIPO had organized in Budapest in late 1991 for those countries. In the same vein, the Delegation wished to maintain the proposal which its government made on the occasion of the September 1991 sessions of the Governing Bodies on the establishment of a WIPO Center for Intellectual Property Information, Research and Training for Central and Eastern European Countries, in Budapest and voiced the hope that the situation in the region would develop favorably so that the Director General would soon be in a position to consider the proposal positively.

In respect of development cooperation activities, the Delegation stressed the importance of the introductory copyright courses held in two languages which allowed trainees from different legal systems to exchange experiences. The Hungarian Bureau for the Protection of Authors' Rights (ARTIJUS) was prepared to organize with WIPO such courses every three years and to receive each year WIPO trainees for four weeks altogether. Appreciation was expressed for the availability of PCT applications in CD-ROM form which facilitated the storage of useful patent information. Two laws, one dealing with utility models and the other with micro-chip semiconductor products, prepared with WIPO's help, entered into force in January 1992. In the field of the setting of international norms and standards, the importance of the work on a possible Protocol to the Berne Convention and of devising mechanisms for the settlement of disputes between both States and private parties was highlighted.

31. The Delegation of Slovenia reiterated its country's firm intention to establish an intellectual property protection system which would fully comply with international standards. In this regard, the following would be done in the nearest possible future: adoption of a law on the protection of semi-conductor chips along the lines of the European Communities' Directive; amendment to the recent Industrial Property Law by extending the term of protection of pharmaceutical inventions, in conformity with the European Patent Convention, which would pave the way to accession to that Convention. The Industrial Property Law would also be amended to clarify the situation of existing rights previously applied for or granted at the Federal Patent Office, and to afford full assurance to the holders of rights that their rights continued to be valid in Slovenia. A new copyright law was under preparation which would reflect the most recent international developments. Slovenia intended to accede to the PCT, the Budapest Treaty, the Nairobi Treaty, the Rome Convention and the Phonograms Convention. The Slovenian Industrial Property Office, which had been operational for less than six months, had already received an encouraging number of applications. Slovenia was also intensifying bilateral cooperation with other patent offices.

32. The Delegation of the Netherlands said that it attached great importance to WIPO's norm-setting activities, including the preparation of model laws and assistance to countries for the modernization of their legal systems. The fruitful cooperation established between WIPO and the EPO, in particular for the joint exploitation of new technologies for patent information, and the promotion of CD-ROM technology in developing countries, should also be noted. The continuing success of the PCT system was a result of the recognition by governments and private users of the merits of that system.

33. The Delegation of Morocco expressed appreciation of the cooperation extended by WIPO to its country in particular and to Arab countries in general. WIPO had provided assistance to Morocco in training and in the modernization of the national industrial property office through a UNDP-funded project. It welcomed increased assistance from WIPO, especially for Arab countries needing to improve their industrial property infrastructures.

34. The Delegation of Argentina, speaking on behalf of the Group of Latin American countries, described a number of development-cooperation activities which had been particularly useful, including training courses in patent examination, patent documentation, copyright and a regional seminar on industrial property and innovation in universities, which reinforced the links

between universities and commercial enterprises. In addition, WIPO had organized or co-organized meetings for member countries of the Latin American Economic System (SELA) and the Andean Group as well as for Central American countries. Appreciation was expressed to the Government of Spain for the organization, with WIPO, of the first Ibero-american Copyright Congress which took place in Madrid in October 1991. It was noted with pleasure that the cooperation activities expanded at some occasions to officials of various government areas, and not only to those from the intellectual property offices. WIPO's continued assistance was requested, including in training for customs officials and the judiciary. The International Bureau was also requested to continue to provide the very useful papers it prepared from time to time on the advantages of acceding to its treaties as those papers would help to promote accessions of countries in the region to the Paris Convention and the PCT.

35. The Delegation of El Salvador, speaking also on behalf of the other Central American countries (Guatemala, Honduras, Nicaragua, Costa Rica and Panama), mentioned the consultations that were held between the Permanent Representatives of those countries in Geneva and the Director General of WIPO at the beginning of 1992 on the question of those countries adhering to the Paris Convention. Four of those countries, namely, Costa Rica, El Salvador, Guatemala and Nicaragua were bound by a Central American Convention on Industrial Property, under which they could only adhere to further treaties jointly. To overcome this problem, the six Central American Governments adopted, in San Salvador on September 8, 1992, at a ministerial-level meeting, a Declaration in which they expressed the will of their respective countries to accede to the Paris Convention and their decision to speed up the necessary procedures and actions in order to conclude the accession process in the shortest possible time. As regards the countries party to the Central American Convention on Industrial Property, this Declaration constituted the joint action required in order to accede to the Paris Convention and to other WIPO-administered treaties open to accession by countries party to the Paris Convention. At that meeting, the six countries agreed on a request to the Inter-American Development Bank to finance the modernization of their intellectual property systems with the technical assistance of WIPO.

36. The Delegation of Brazil said that the reduction in WIPO's extra-budgetary resources from UNDP could result in a higher demand for resources from WIPO's regular budget. The use of funds obtained through UNDP should, therefore, be pursued. But the level and quality of WIPO's development cooperation activities should not hinge solely on UNDP sources. Better allocation of resources and increased use of funds from the regular budget should also be considered. The Delegation declared that its country wished to repeat a successful series of seminars on patent documentation held in Brazil in 1991. Brazil, on its part, had also extended cooperation to other developing countries, through the use of Brazilian experts as speakers in seminars organized by WIPO in several developing countries. Also, Brazil and WIPO jointly organized yearly training courses on industrial property. Brazil was overhauling of its industrial property and software legislation for the better integration of the country in the international economy. The Delegation hoped to continue to count on WIPO's expertise in projects related to intellectual property in the implementation of the MERCOSUR Treaty for the establishment of a Southern Common Market. The Delegation was also of the view that WIPO's cooperation with SELA should be continued. As concerns WIPO's norm-setting activities, the Delegation stated that they had been

affected by the GATT Uruguay Round of trade negotiations. Brazil and many other developing countries had advocated a central negotiating role for WIPO. However, substantial negotiations on intellectual property norms had not, to the Delegation's disappointment, involved WIPO in any significant way and apparently would not grant it a leading role in the implementation of the new rules. This fact, the Delegation was sure, had led to uncertainty over the future role of the Organization as a negotiating forum. This Organization had been instrumental in producing the technical inputs needed for the elaboration of new rules. WIPO contained, or could garner, the best pool of knowledge and expertise on intellectual property and related matters which were indispensable for the understanding of the applicability and operation of intellectual property protection for economic and cultural development and, as such, continued to deserve the full support of Brazil. At a time when membership in the treaties administered by WIPO was increasing, it would be unwise to restrain its activities to that of a supporting actor. The Delegation expressed its hope that certain factors would not continue to prejudice WIPO as a meaningful forum for the discussion and negotiation of norms.

37. The Delegation of Egypt said that in the field of development cooperation, important subjects were, in particular, the development of human resources, the modernization of legislation and of industrial property offices. The Delegation asked the developed countries to increase their cooperation activities so as to encourage developing countries in the modernization and development of their institutions, which in turn would contribute to promoting foreign investment, strengthening creative intellectual activities, facilitating the transfer of technology and protecting the environment. It invited WIPO to promote the increase of the transfer of technology protected by patents, especially those related to protection of the environment. It thanked the International Bureau for the industrial property training course held in Cairo in July 1992. It thanked in advance for the assistance which WIPO would provide to the Government of Egypt in the implementation of the new copyright law and for a symposium on copyright which WIPO would organize in Egypt 1993. In view of the decrease of funds made available by UNDP, the Delegation invited WIPO to intensify contacts with international organizations in order to obtain the necessary resources. In this respect, the rational exploitation of the reserve funds of the registration unions would be beneficial as that would foster accession to the WIPO registration treaties, accession to which was one of WIPO's major objectives. As regards items 5 and 6 of the agenda of the current sessions of the Governing Bodies, the Delegation wished to inform that it supported the proposals of the Director General on the continuation of the Diplomatic Conference on the Patent Law Treaty. The Delegation followed with close attention the work relating to a proposed Protocol to the Berne Convention and supported the proposal to adjourn for one year at least the examination of the question in order to enable the interested countries to reflect on their positions.

38. The Delegation of Japan stated that trade in products and technology to be protected by intellectual property rights was growing, and the intellectual property system supporting them was consequently becoming increasingly important. For this reason, it had become essential to harmonize patent laws in terms of standards and enforcement, including the procedures for applying for and obtaining a patent. Under those circumstances, the Delegation was aware of the necessity of making every possible effort to finish the work on

the Patent Law Treaty. At the first part of the Diplomatic Conference on the Patent Law Treaty held in June 1991 at The Hague, the Delegation of Japan had stressed the importance of a grand package agreement including all substantive provisions of patent law, in particular the first-to-file principle, early publication of patent applications and the starting dates of the patent term. The Delegation realised that various countries might face domestic difficulties when changing their existing laws and practices for the purpose of harmonization, but every country should be determined to overcome such difficulties and make efforts to reach the necessary national consensus. In the case of Japan, the Industrial Property Council, which was an advisory committee of the Minister of International Trade and Industry, had been deliberating on the matter of internationally harmonized patent and utility model systems and their practices since May 1991, and would continue to do so taking into consideration the situation prevailing in international fora. Regarding the paperless project of the Japanese Patent Office, at the end of 1991, some 95% of all patent and utility model applications were being filed electronically without any serious difficulties. In addition to such computerization, the Japanese Patent Office had increased the number of patent examiners and other officials by more than 200 over the past four years, despite the fact that every government department had been strictly requested to reduce its staff. Comprehensive measures, including computerization and steady recruitment, had the effect of shortening the average period for patent examination. The Japanese Patent Office was continuing its efforts to reduce the examination period further. The revised Trademark Law to make service marks registrable and to introduce the International Classification of Goods and Services as the main classification system came into effect on April 1, 1992. In Japan, the Intellectual Property Committee of the Industrial Structural Council, an advisory committee of the Minister of International Trade and Industry, reviewed the Unfair Competition Law in order to strengthen the protection afforded by that Law, taking into account the ongoing international discussions. Japan had been updating its Copyright Law continuously, taking into account the technological developments and prevailing social and economical circumstances. With a view to establishing an updated international framework of copyright protection, Japan put great importance on the successful outcome of the work on the possible Protocol to the Berne Convention. The Delegation also referred to the funds in trust made available to WIPO by Japan since 1987, in order to contribute to a wide variety of development cooperation activities. Such a contribution would continue.

39. The Delegation of France said that its country was very attached to WIPO's development cooperation program and contributed substantially to it. At present, for instance, the yearly WIPO/CEIPI (the International Center for the Study of Intellectual Property) training course on industrial property, supported by French funds in trust, was taking place at the CEIPI Center in Strasbourg. The Delegation was especially pleased to note the continuing success of the Patent Cooperation Treaty. The EPO contributed to this success in that it chose a fee scale adapted to PCT applications entering the European regional phase. Concerning the international registration of marks, WIPO had made a significant effort towards increasing awareness of the Madrid Agreement, in particular with the creation of the CD-ROM product ROMARIN (for trademarks) and the distribution of CD-ROM workstations to the industrial property offices of developing countries. CD-ROM products containing patent information were also being produced by WIPO. In this way, even the least developed countries had access to the information contained in this form.

Some two years ago, work started within WIPO on the protection of geographical indications. For various reasons, this project had not yet led to a concrete outcome but the Delegation of France expressed the strong and firm wish that WIPO continued its work towards a new international instrument of protection.

40. The Delegation of Germany said that a draft new Trademark Law which took into account European developments in the context of the EC and international developments such as the Trademark Harmonization Treaty and the Madrid Protocol, was being prepared in Germany. Germany now contributed the second highest number of applicants under the PCT. In international trademark registrations and renewals under the Madrid (Marks) Agreement, Germany surpassed France for the first time in the first half of 1992. Germany was involved in development cooperation, in particular through the German Patent Office, and would continue to support the activities of the Organization. On the national level, Germany had concluded the process of integrating the intellectual property rights of the former German Democratic Republic by a Law which entered into force on May 1, 1992. WIPO was thanked for having informed its member States of the effects of that Law. The Delegation said it was prepared to explain further the effects of that unification at the request of any member State. As regards the last session of the Committee of Experts on the Settlement of Intellectual Property Disputes Between States, that Committee had asked the Governing Bodies at their current sessions to give guidance on its further work.

41. The Delegation of the Republic of Korea said that the Korean Industrial Property Office had computerized its trademark examination, and was now computerizing its patent examination work. In order to strengthen the protection of industrial property, the Korean Industrial Property Office revised the Unfair Competition Prevention Law, which would afford protection to trade secrets and which would come into force in December 1992. The Korean Industrial Property Office was organizing a seminar on developments in biotechnology and patent protection in October 1992, in cooperation with WIPO. In addition, the International Intellectual Property Training Institute (IIPTI) would continue its regional training programs and seminars to promote intellectual property protection in developing countries in Asia and the Pacific. In the view of the Delegation, the main priority in WIPO's programs should be to assist developing countries in reducing some of the burdens of having to adapt rapidly to world standards in the protection of intellectual property. Continuous encouragement of inventive and innovative activities, and an appropriate arrangement for effective, mutually beneficial technology transfer procedures would not only greatly contribute to the industrial and economic development of countries, but also mitigate the technological gap between developing and advanced countries. Toward this effort, the Delegation of the Republic of Korea was of the opinion that WIPO should organize meetings dealing with licensing procedures, dispute settlement procedures and measures for the protection of newly-emerging technologies.

42. The Delegation of Peru said that the period under review was particularly fruitful for Peru, as a country and as a member of the Andean Group. In the area of copyright, WIPO trained Peruvian officials in several international and national courses and seminars. It mentioned the first Ibero-american Copyright Congress, which was organized by WIPO and the Government of Spain in 1991. In the industrial property field, Peru received equally valuable assistance from WIPO in the holding of national seminars on patent documentation and appellations of origin as well as in the successful revision

of Decision 85 of the Cartagena Agreement. During the same period, the Andean Group adopted extremely important decisions which modified the common regime of industrial property, to coincide with the trend towards trade and investment liberalization. A new industrial property regime was provided for in the new Decision 313 which replaced the said Decision 85. Decision 313 introduced important changes such as the patentability of pharmaceutical products providing, however, for a transition period of up to 10 years for the member countries. This constituted an important step towards an international-level regime of intellectual property rights. In Peru, the possibility of accession to the Paris Convention was being analyzed in depth and the Delegation hoped to be able to announce the positive conclusion of this analysis in the near future. It requested for help in promoting the teaching of intellectual property law at the university level in Peru, including the elaboration of curricula for such training. Also useful would be training for the judiciary in Peru. Finally, the Delegation wished also to continue receiving WIPO's support in strengthening the Peruvian Registry of Copyright so that it could be transformed into an efficient instrument for the protection of Peruvian authors.

43. The Delegation of Chile said that on September 30, 1991, the new Industrial Property Law of Chile entered into force. The Law represented significant progress in protection conforming to international standards, such as the absence of restriction for patentable inventions. On the same date, the accession to the Paris Convention entered into force. The Government was in the process of completing a draft law creating an Industrial Property Institute, which would be submitted to Parliament in the near future and would strengthen the administration of industrial property. Chile was studying the advantages of acceding to other WIPO treaties. As regards copyright, on September 17, 1992, a law concerning collective administration of copyright was promulgated. Still in relation to copyright, in April 1992, the 7th International Congress on the Protection of Intellectual Rights, was successfully held in Santiago. The event was cosponsored by WIPO. The Director General of WIPO participated in this event. Chile offered to organize jointly with WIPO a regional seminar on intellectual property, mainly designed for foreign service officials of Latin American countries, which could be held in the Diplomatic Academy of Chile. 1992 marked the celebration of the 25th anniversary of the WIPO Convention. The vision of those who, 25 years ago, created the Convention, which transformed BIRPI--in existence for nearly a century--into a modern intergovernmental organization, should be commended. Congratulations should also go to those who, within the next few years, helped complete this modernization process by transforming it into a United Nations specialized agency, thereby elevating intellectual property to the rank of those fields of special interest to the international community. The celebration of the 25th anniversary of WIPO led the Delegation to reflect on what could be expected from the Organization in the next 25 years. Such reflection had the objective of integrating the Organization, and thus of intellectual property, into the world of economy, industry, commerce, services, competition, research, technology, education and culture. In order for the future program of WIPO to be valid, and that it fully take into account the important changes the world has recently undergone, the Delegation stressed that the Organization should hold the widest possible consultations, as only in this manner would the Secretariat have all the necessary elements to elaborate and successfully implement such a program. There should not be any difficulties for WIPO to finance the new activities that this vast process of consultations would generate. The proposed "TRIPS" agreement of the GATT

Uruguay Round of trade negotiations constitutes a good example of what a global approach to inter-related matters could achieve. It has further demonstrated the will of governments to elevate the protection of intellectual property at the world level. Notwithstanding that proposed agreement, the discussion on intellectual property is far from being exhausted and the Governments which negotiated it all had the greatest interest in the continuation of work on the subject within WIPO, which had great experience. In effect, there are many themes that need to be discussed with a different approach so that they may have the impact the actual world situation requires. There are several such issues like, for example, the scope of rights granted by various national laws, more practical and secure forms of international protection for marks, the whole subject of service marks, the revision of the international classifications, and examining all questions related to geographical indications, in order to better determine the most suitable legal régime for this important institution which can be important to increase the economic value of some goods, particularly for developing countries. Finally, as regards training, the possibility of more specialized studies on a long-term basis should be explored.

44. The Delegation of the United Republic of Tanzania said that for many less developed countries, some essential directions remained valid for enabling them to build up their own capability and capacity in the field of intellectual property development and regulation. For instance, it would be useful to consider whether it was worthwhile training lawyers to deal with the registration and regulation of patents in the absence of scientists, engineers, and technicians to give substance to such administration. The very real dilemma of utilizing scarce scientific and technological capacity available presently to these countries when infrastructural development also needed urgent and sustained attention, merited study. Stimulation and encouragement of the incipient potential for scientific and technological innovation needed to be given priority attention by WIPO on behalf of the technologically more advanced countries. The question of resource availability was thus very significant. Patent protection in advanced countries was of course costly, being a product of research and development requiring considerable resources. The Delegation urged that some part of the incomes derived from patent sales as well as from the practical application of the resulting technology be used for the development of intellectual property in the less developed countries. It was hoped that the advanced countries would see it in their advantage to provide adequate specific funding to effective partners in developing countries, as international trade and exchange expanded. The Delegation looked forward to new initiatives aimed at making judicious selection of expired patent rights which could be applied productively in accordance with its country's current phase of social and economic development.

45. The Delegation of the United Kingdom described its country's contribution to WIPO's development cooperation activities. In the area of development and harmonization of laws, the Delegation looked forward to the successful conclusion in 1993 of the Patent Law Treaty. The work aimed at consolidating and harmonizing copyright protection, through the development of the Protocol to the Berne Convention, was extremely important as was the work on a model law for the protection of producers of sound recordings. It was equally important to also work on neighboring rights to cover the interests of performers, phonogram producers and broadcasters. The United Kingdom Patent Office had relocated to Newport as part of a drive to reduce costs. An

intensive publicity and marketing operation had been developed to enlighten small businesses and research establishments on all aspects of intellectual property. The Delegation was very pleased to see that the PCT system continued to expand. It was becoming a very important system for small- and medium-sized enterprises, as well as for large firms. The Delegation reminded the meeting that the international agreements under which the United Kingdom Patent Office acted as an International Preliminary Examining Authority would expire in 1993, and that the United Kingdom Office was in discussion with its partners in the European patent system and the European Patent Office itself, to consider what the consequences of that would be. Ministers of its country regarded it as important that the United Kingdom should have a new and substantive trademark law which would implement accession to the Madrid Protocol. The Ministers remained committed to the project and would introduce the Trademark Bill in Parliament as soon as their legislative program permitted.

46. The Delegation of Sudan was convinced of the role played by industrial property in economic development. The Delegation hoped that the International Bureau would increase its training activities in the field of transfer of technology through licensing. Assistance to countries in respect of national legislation, training, and the establishment and improvement of intellectual property infrastructures should be intensified. The Delegation also attached importance to the teaching of intellectual property law in universities. WIPO had given training to a number of officials and university professors. The Delegation supported the request of the Delegation of Jordan that interpretation from and into Arabic should be ensured in all WIPO meetings, on an equal footing with the other languages.

47. The Delegation of Poland felt that it was necessary to accelerate the work on the settlement of disputes between states and looked forward to the holding of a diplomatic conference for the adoption of a treaty on the subject. Poland's intellectual property system was in a transitional period towards European standards. Legislative work to amend the Patent Law, and to introduce laws on the protection of the topography of integrated circuits, on patent attorneys, on copyright and on unfair competition, was in the final stages. Those proposed laws were expected to be adopted by the end of 1992 and to enter into force in 1993. Among the new provisions in the draft revision of the Patent Law were the extension of the term of patents from 15 to 20 years from the filing date and, most importantly, the granting of patents for pharmaceutical products. The adoption of the copyright law would make it possible for Poland to accede to the substantive provisions of the Berne Convention. A draft intellectual property code was being prepared containing the regulations pertaining to all industrial property titles, and also the functions of the Patent Office. This text was expected to be adopted in 1994 or 1995. The procedure for acceding to the Budapest Treaty was started and the instrument of accession was expected to be deposited at the beginning of 1993. The transformation of the Polish intellectual property system had been actively supported by WIPO and the European Patent Office. The Delegation mentioned the patent symposium held in Budapest in 1991, jointly organized by WIPO and the EPO with the participation of the industrial property offices of Czechoslovakia, Hungary and Poland.

48. The Delegation of Venezuela said that its country needed WIPO's cooperation to complete the process of transformation of the country's intellectual property regime through the following proposed measures: local training of officials in trademarks and patents; additional advice for

drawing up rules for implementing Decision 313 of the Cartagena Agreement; advice for setting-up an autonomous industrial property institute; the preparation of a new industrial property law and its implementing regulations; advice on joining the Paris Convention and the PCT. It hoped to conclude that process next year.

49. The Delegation of Indonesia referred to the development cooperation activities which were of great benefit for Indonesia, such as enhancing public awareness of intellectual property, drafting of industrial property legislation and regulations, and training of intellectual property office personnel. Indonesia began implementation of a new Patent Law on August 1, 1991, and a year later, about 4,500 patent and utility model applications were received. Indonesia also adopted, in August 1992, a new Trademark Law which would become effective in April 1993, and that would give protection also to service marks, collective marks and well-known marks. In the area of copyright, a collective administration society had been established in 1990 by an association of Indonesian composers. Another encouraging development was that university teachers and judges were increasingly interested in the subject of intellectual property.

50. The Delegation of India said that its country's preference for WIPO as the forum for intellectual property norm-setting was well known. A Copyright Amendment Bill was introduced in Parliament in July 1992, which embodied current developments in the international norms in the fields of copyright and neighboring rights, including performers' rights (which would make it possible for India to consider adhering to the Rome Convention in future), rental rights for films, sound recordings and computer programs, computer-produced works, droit de suite, non-voluntary licenses for home-taping and reprography as well as collective administration. WIPO was very responsive in giving assistance in the matter of collective administration of rights which would be useful in implementing the new legislation. India was, in 1992, the venue of a number of regional seminars organized by WIPO, dealing with different subjects of intellectual property. In addition, WIPO was implementing a UNDP-financed project on improving patent information services in the country, and was expected to implement also a proposed trademark computerization project. The Delegation hoped that WIPO's development cooperation activities would grow and be able to retain its existing responsiveness to the needs of developing countries.

51. The Delegation of Ireland wished for a successful conclusion to the work on the Patent Law Treaty, on the possible Protocol to the Berne Convention and the on draft trademark harmonization treaty. The Delegation recalled that Ireland acceded to the Patent Cooperation Treaty this year and in this connection, expressed its thanks to WIPO for the PCT seminar which was recently conducted in Dublin for the staff of the Patents Office and the patent agents.

52. The Delegation of Algeria expressed full satisfaction with the assistance which WIPO provided to its country and to developing countries in general, in international legal protection and development of human resources. The Delegation pointed out that accession to the PCT was under consideration by its Government. It stressed in particular the support provided by WIPO to a government project for modernizing the national patent law. It was satisfied with the increase of 29.4% of the WIPO budget for development cooperation, which should allow the International Bureau to further develop its activities in favor of developing countries.

53. The Delegation of Ghana considered of particular significance WIPO's activities in favor of developing countries, as they contributed to both the qualitative and quantitative development of intellectual property regimes. It recalled that Ghanaian officials had participated in several training programs organized in 1992 by WIPO, and stressed the importance of study tours and support to the development of intellectual property teaching at university level. Appreciation was expressed for the assistance its Government had received in the industrial property and copyright departments.

54. The Delegation of Zimbabwe proposed that WIPO add to its training program long-term scholarships for post graduate studies to deserving cases so as to develop a core of intellectual property lawyers and resource personnel in developing countries. Such training could be carried out at specially selected and WIPO-approved institutions. Its authorities had already put that suggestion to the Director General of WIPO who had been receptive and had suggested that the matter be discussed in November 1992 at the sessions of the WIPO Permanent Committees for Development Cooperation related to Industrial Property and to Copyright and Neighboring Rights. The Delegation of Zimbabwe had consulted with many other delegations which supported the proposal for such long-term training. The Delegation further stated that in terms of institutional modernization, WIPO had supported Zimbabwe in drawing up a project, to be financed by UNDP, for the computerization of the country's industrial property office. The Delegation of Zimbabwe also informed the meeting that the Government was presently working on a model copyright law provided by WIPO and that the organization of a national seminar on that subject, with WIPO support, would be very useful. It also expressed its gratitude to WIPO for the support provided to ARIPO in terms of training and organization of seminars.

55. The Delegation of Zambia said that since its country became a party to the Berne Convention in January 1992, it had received considerable support from WIPO, especially in training and legislative advice. Zambia was now studying the possibility of strengthening the protection of industrial property, including the possibility of acceding to the PCT and the Protocol Concerning the Madrid (Marks) Agreement. In 1993, the Registry of Patents, Trade Marks, Companies and Business Names would be transformed into a statutory board and delinked from the civil service structure. That move should enable the Registry to expand its activities. In due course, WIPO would be asked to advise on how best the new office could be reorganized.

56. The Delegation of Israel gave a brief summary on some important legislative developments which were taking place in Israel in the area of intellectual property. Part one of the draft revision to the Patent Law, dealing mainly with procedural matters, was awaiting First Reading by Parliament. Part two of the proposed revisions, dealing with more substantive matters such as those concerned with Israel's intended accession to the PCT and the Budapest Treaty, had reached an advanced stage and the draft proposals would be submitted to the Ministry of Justice in the near future. In connection with the proposed accession to the PCT, Israel was grateful to the International Bureau's encouragement and assistance extended to the Patent Law Revision Committee. A draft industrial designs law had been submitted to the Ministry of Justice and a draft copyright law was in the process of completion. Further, a committee had been set up for the formulation of a law on integrated circuits and semi-conductor chips, and a committee on the revision of the trademarks law was about to be created by the Ministry of

Justice. As concerns WIPO's development cooperation program, the Delegation of Israel said that its Government was ready, if invited, to undertake additional activities and, thus, to share with others the benefit of its experience in the intellectual property field.

57. The Delegation of Burkina Faso appreciated the diversity of activities undertaken by WIPO in cooperation with various governments and intergovernmental organizations, despite the reduction of UNDP funds. As far as Burkina Faso was concerned, it thanked the International Bureau for the assistance given, which contributed to the modernization of the copyright office and of the collective administration of authors' rights, as well the financing of the setting up of a computerized system acquired by that office. Burkina Faso was grateful to WIPO for the promotion of the Film Register Treaty (FRT), and the functioning of its registration activities. It recalled that Burkina Faso, as party to that treaty, recommended to the International Bureau to take steps to promote the FRT, and noted with satisfaction that, as a result of this, Argentina had joined the Treaty, which brought to six the member countries of the Union. However, these efforts should be multiplied in order to accelerate adherences. The Delegation of Burkina Faso proposed that a WIPO staff member participate in the 13th Panafrican Film Festival, in Ouagadougou, from February 24 to March 2, 1993, to promote further accessions of African countries.

58. The Delegation of the Democratic People's Republic of Korea congratulated the International Bureau for the activities carried out in spite of the decline in the extrabudgetary funds from UNDP. It noted with satisfaction that the Organization had maintained its priority of development cooperation for developing countries. In the view of the Delegation, the norm-setting activities of WIPO should help to promote technology transfer to developing countries and their economic development. Earlier in 1992, its country had become a party to the Hague Agreement. As concerns activities within the Democratic People's Republic of Korea, its Government had approved a UNDP-funded and WIPO-executed project to modernize the Invention Office. Over the last year, that Office had organized exhibitions and competitions to promote greater use of the patent system. Owing to those activities, the total number of applications for inventors' certificates and patents had increased. The first stage of construction of new premises for the Invention Office was completed, and preparations for a national exhibition on inventions and new technologies, to be held in Pyongyang in October, 1992, were well underway.

59. The Delegation of Croatia said that its country was aware of the great importance of a well-functioning industrial property system. On October 8, 1991, after declaring its independence, Croatia continued to apply the former federal laws on industrial property. In December 1991, these regulations were amended to ensure the continuing validity in Croatia of the industrial property rights acquired prior to the said date, and also to safeguard the legal position of applicants who had filed applications with the former Federal Patent Office. Croatia was determined to follow universally-accepted standards and European patterns in the further development of its industrial property legislation. To that end, new legislation was expected to be submitted to Parliament in the first half of 1993. The Croatian Patent Office, which was formally established on January 1, 1992, started functioning only very recently, with problems of staff, organization, training, documentation and computerization to be resolved. In this respect, WIPO's

support and international cooperation was of primary importance. The first such international cooperation was a bilateral cooperation agreement which was signed several days ago with the Austrian Patent Office. The Delegation of Croatia stressed that to enhance the protection of intellectual property, there existed the possibility of the adherence of Croatia to the PCT and other treaties administered by WIPO.

60. The Delegation of the Russian Federation gave information on the situation of industrial property in the Russian Federation. In May and June, 1992, Parliament had adopted a patent law and laws on trademarks, integrated circuits and computer programs. Those laws, which were harmonized with international standards had not yet, however, entered into force. But they were finally expected to be approved in the coming days and signed by the President of the Federation. The Delegation noted that the number of countries using Russian would probably increase; however, there seemed to be a tendency for the use of Russian in WIPO to decrease, and this negative trend should be corrected.

61. The Delegation of Portugal stressed the importance given by its Government to WIPO's activities in favor of the Portuguese-speaking countries of Africa and its readiness to continue to support WIPO in those activities. In this respect, it expressed satisfaction that WIPO's regular budgetary resources in favor of development cooperation activities increased by 29.4% during the biennium 1992-93 and regretted the diminution of UNDP funds for it. It expressed the hope that those States which were not yet members of the Madrid (Marks) Agreement would soon be able to ratify the Madrid Protocol. As for the proposed treaty on the settlement of intellectual property disputes between States, a fifth session of the Committee of Experts should meet. It was not yet possible at the current sessions of the Governing Bodies to establish the date of a diplomatic conference for that proposed treaty, notwithstanding the fact that the program and budget for the 1992-93 biennium provided for such a conference. Finally the Delegation stressed the importance its Government attached to a new treaty on the international protection of geographical indications. It pledged its country's constructive participation in WIPO's norm-setting activities foreseen in the current biennium. It drew particular satisfaction from the recent accession of Portugal to the PCT which would enter into force for the country in November 1992.

62. The Delegation of Guatemala dwelled on the subject of copyright as the Delegation of El Salvador had spoken earlier on behalf of the Central American countries in respect of industrial property matters. It thanked WIPO for the regional and global training courses in which nationals of Guatemala participated, particularly in the first Ibero-american Copyright Congress held in Madrid in October 1991, and in the regional copyright course and International Congress held in Chile in March and April 1992. It also recalled the many useful activities of WIPO on the collective administration of authors' rights in Guatemala and looked forward to Guatemala's participation in a WIPO regional copyright symposium for judges which would take place soon in Costa Rica.

63. The Delegation of Finland recalled the activities which had been organized in its country to commemorate the 150th anniversary of the granting of the first patent in Finland. The Director General had participated in the main events, the theme of which was "Inventiveness, Creativity and Skill,"

aimed at promoting better awareness of the patent system and intellectual property matters, in Finland. A new law on utility models was enacted at the beginning of 1992.

64. The Delegation of Turkey gave information about the situation of industrial property activities in Turkey. It stated that the present Patent Law was the oldest living patent law in the world since it came into force in 1879 and had remained unchanged since then. Its Government had prepared a new draft patent law which complied with international standards and another draft law to set up a semi-autonomous patent institute. Both laws were to be submitted to Parliament in the near future. In order to update the trademark system and establish effective industrial design protection, related laws were under preparation. In addition, the Delegation mentioned that a UNDP-funded two-year country project for the modernization of the Industrial Property Department, which would be executed by WIPO, was expected to start in 1992. That project was expected to be of great benefit to the Turkish industrial property system. The Turkish Delegation thanked WIPO, the industrial property offices of Austria and Bulgaria as well as the EPO for their support in the international symposium which would be held in October 1992 in Ankara to review the patent system in different countries. It also stressed the availability of Turkey to continue to provide consultants and experts for WIPO's development cooperation activities.

65. The Delegation of Pakistan placed great importance on WIPO's program for the development of human resources, which it considered as central to WIPO's activities in developing countries. In wishing that these activities be further strengthened, it expressed the hope that WIPO, from its own sources, would arrange more seminars on copyright and neighboring rights in the developing countries, including in Pakistan. The Delegation of Pakistan also showed interest in long-term training of trainers, in the form of fellowships to university teachers who in turn could transmit their knowledge to students in their countries of origin.

66. The Delegation of the United States of America said that last week, a report containing over 50 recommendations was submitted by an Advisory Commission on Patent Law Reform to the United States Secretary of Commerce. The recommendations were aimed at strengthening the United States patent system, and in doing this, also strengthened the basis upon which the United States of America could participate in the second part of the Diplomatic Conference on the Patent Law Treaty when that was held. In addition, legislation had been approved for submission to Congress to implement and permit adherence to the Madrid Protocol. The Delegation was also pleased to recall its development cooperation activities undertaken, jointly with WIPO, in the field of copyright by the International Copyright Institute, such as a copyright course held in Spanish for Latin American officials in 1991 and an on-going course on copyright for Nigerian and Ghanaian officials, as well as, in the field of industrial property, by the visiting Scholars Program which would take place in October 1992.

67. The Delegation of Thailand announced that in May 1992, its Government has established, under the Ministry of Commerce, a department of intellectual property which was responsible for all fields of intellectual property. The main objective of establishing such a department was to develop a national intellectual property system as a useful tool for national economic expansion and industrial diversification through increasing the degree of technological

self-reliance while maintaining the national culture. In striving to raise the level of intellectual property protection, new trademark and patent laws were adopted earlier in the year. The new Trademark Law came into force in February 1992. It provided protection for service marks, collective marks, certification marks, and wellknown marks. The new Patent Law which would enter into force on September 30, 1992, would extend patent protection to pharmaceutical products, biological processes for the production of plant and animal varieties and agricultural machines. The term of protection would be 20 years from the date of filing, while the rights of the patent holder would include the exclusive right to import the product under the patent.

68. The Delegation of Malawi said that its country had greatly benefitted from WIPO's development cooperation activities, especially in the training which its officials received in the field of industrial property. WIPO had also used a national of Malawi as a resource person in a training course in Africa. A patent library was being established in its country to promote the use of technological information. This effort was facilitated by the CD-ROM work station which Malawi received from WIPO, as well as patent information in CD-ROMs. Over the past two years, the Registrar's Department had been in constant dialogue with WIPO regarding the improvement of its industrial property legislation. The new Investment Promotion Act came into force in March 1992, which would facilitate the modernization of the industrial property laws of the country. In 1991, a copyright collective administration society, was set up with the support of WIPO. The Delegation expressed its gratitude to WIPO, in particular for its help in organizing various copyright seminars in different cities in the country earlier in 1992. It requested WIPO to step up its copyright activities for member countries of the Southern African Development Commission (SADC). The Delegation also supported the proposal by the Delegation of Zimbabwe for WIPO to add to its training program long-term scholarships for post-graduate studies so as to develop a core of intellectual property lawyers and resource personnel in developing countries.

69. The Delegation of Romania declared that Romania was passing through a period of transition which was seeing major changes in virtually all fields of activity, including intellectual property where WIPO gave valuable support. In 1991 and 1992, draft laws on all fields of intellectual property were worked out. At the beginning of 1992, a modern Patent Law came into effect. This Law extended the range of patentable inventions to include pharmaceuticals, chemicals and new varieties of plants and animal breeds, while the term of patents had been extended to 20 years from the filing date. Romania acceded to the Hague Agreement in July 1992 and its officials received training with respect to that Agreement. There was a law in Romania on industrial property attorneys and eight private firms were acting as industrial property agents.

70. The Delegation of Austria gave information on the assistance provided by the Austrian Patent Office to developing countries, mainly in cooperation with WIPO. The two sides jointly organized training courses in 1991 and 1992, for example. In addition, the Austrian Patent Office received study visits and gave specialized training in such fields as searching procedures, trademark administration, patent documentation and computerization. The Office also cooperated with the countries of Central and Eastern Europe which were based on bilateral agreements with Poland, Hungary, Czechoslovakia, Bulgaria and Romania. Agreements with Slovenia and Croatia were under preparation and envisaged to be signed in the near future. In 1991, the Austrian Patent

Offices started the production of CD-ROMs of its patent specifications with the assistance of the European Patent Office. As concerns legislation, a modern Industrial Designs Law entered into force in 1991. Its usefulness was demonstrated by the high number of applications. Finally, the Delegation of Austria revealed that Austria was preparing accession to the Vienna Agreement.

71. The Delegation of Canada referred to two recent significant events that affect positively the operations of the Canadian Directorate of Intellectual Property and, more importantly, the quality of services that the Directorate would provide to intellectual property applicants, owners and users. In order to improve the cost-effectiveness of certain services, the Government of Canada announced its intention, in December 1989, to establish Special Operating Agencies (SOA), which would operate under a more flexible set of rules than those that determined the operations of government departments. In April 1992, the Directorate became a Special Operating Agency. That was the first event. The changed status was not akin to privatization, as the Directorate remained part of the Government Department of Consumer and Corporate Affairs. But as a Special Operating Agency, it would be able to operate on a more businesslike basis, in order to deliver improved services. The second event was the signing, on June 19, 1992, of a major contract to automate the operations of the Patent Office. This project, when completed in 1996, would result in the computerization of almost every aspect of the Patent Office's work. In the legislative field, Canada was continuing to improve its intellectual property statutes. On June 23, 1992, the Government tabled a Bill in Parliament that would repeal the compulsory licensing provisions pertaining to foods and medicines in the Patent Act, and which would provide increased powers to the Patented Medicine Prices Review Board. A Bill was presently being drafted that would contain a series of amendments to the Patent, Trade-Marks, Industrial Design and Copyright Acts, designed to modernize and improve the administration of these Acts. The Bill was scheduled for tabling in Parliament later in 1992. Legislation was being prepared that would amalgamate the Trade-Marks Opposition Board and the Copyright Board into an Intellectual Property Tribunal. The Delegation of Canada also mentioned that the Integrated Circuit Topography Act was scheduled to come into effect later this year. With respect to development cooperation, the Intellectual Property Directorate continued to provide training to officials and professionals from various developing countries in industrial property operations. The Delegation expressed its intention to continue, to the best of its abilities, to support this and other important WIPO programs.

72. The Delegation of Spain highlighted some aspects of WIPO's development cooperation program which were carried out in cooperation with Spain, particularly the holding of training courses and study visits for about 50 Latin American officials during the period under review. In addition, five officials from the Spanish Office of Patents and Trademarks acted as WIPO consultants in WIPO advisory missions while seven other officials participated as speakers in six seminars organized by WIPO, in Latin American countries. The Delegation of Spain referred to the Latin-American Center for Patent Documentation. The Center's objective is to provide technological information for the Spanish-speaking countries through the establishment of a worldwide fund of patent documents issued in Spanish and to facilitate the use of technological information contained in patents among the public and private sectors in the Ibero-american region. Considerable progress has been achieved in the constitution of the Center due to the use of CD-ROM technology, and in particular two CD-ROM products containing Spanish-language patent documents

called CD-CIBEPAT and DOPALES-PRIMERAS. CD-CIBEPAT is a CD-ROM version of the online database of the Spanish Office of Patents and Trademarks. This database contains some 700,000 references of bibliographical data and abstracts of Spanish patents and utility models, Latin American patents and European patents, as well as international applications under the PCT designating Spain. DOPALES-PRIMERAS is a product elaborated jointly by the European Patent Office, the Spanish Office of Patents and Trademarks and WIPO and consists of the front pages of Latin American patent documents recorded in facsimile form and the bibliographical data corresponding to those documents in coded form. So far, a first demonstration disc has been produced, containing some 2,600 front pages of patent documents from Latin American countries for the year 1990. The normal production of the series is presently under preparation, starting with documents for the year 1991. This new disc shall incorporate the front pages of Brazilian documents in addition to those of the 18 Spanish-speaking American countries. Also under a joint program of the three said parties, all industrial property offices of the Latin American countries have received, at the end of the first six months of 1992, a CD-ROM workstation and a laser printer which allow them to efficiently use the above-mentioned products. Text processors and specific programs would shortly be made available in order to facilitate the production of standardized first pages and the storing of bibliographical data and abstracts on a magnetic carrier, which would speed up the exchange of documentation within the Center. The program of the Center received support at the Second Ibero-american Summit Meeting of Heads of States and Government, held in Madrid in July 1992.

73. The Delegation of Norway said that Norway attached great importance to the work done in the field of norm-setting, and in particular to the harmonization of patent and trademark laws, which would significantly improve the international patent and trademark systems. It supported the work on a model law on the protection of producers of sound recordings and the International Patent Classification. It noted the activities in favor of countries in transition to market economies that were striving to adapt their intellectual property systems to a new economic environment and said that, in this respect, the industrial property offices of Nordic Countries cooperated with WIPO and the European Patent Office, in particular as regards the Baltic States. The Delegation noted with pleasure that the PCT was a great success in Norway. Its country intended to accede to the Madrid Protocol by, latest, January 1, 1996. The Delegation described the patent information services of the Norwegian Patent Office, especially to small and medium-sized enterprises.

74. The Delegation of Uruguay fully associated itself with the statement of the Delegation of Argentina made on behalf of the Group of Latin American countries. Uruguay was also satisfied with the benefits which it had received both in the fields of industrial property and copyright, from the development cooperation program of WIPO, in particular in participation at national and regional seminars and meetings. At the September 1991 sessions of the Governing Bodies, several delegations had mentioned the necessity for WIPO's training activities to not only benefit officials from intellectual property administrations but also officials from other sectors of public administration, who were more and more confronted with intellectual property issues. The Delegation thought that this recommendation had been taken into account by WIPO in its cooperation activities of the past year and hoped that this new trend would be pursued in the future. In a number of WIPO meetings, the Delegation of Uruguay had underlined the integration process in various

groups of developing countries and the fact that this process required assistance from WIPO in the field of intellectual property. One instance in which this assistance could be extremely important was the harmonization of laws. In the case of the MERCOSUR project for the creation of a common market in the Southern cone region of Latin America, the Delegation of Uruguay hoped that WIPO could offer, when needed, its support in respect of intellectual property protection questions which would arise in the course of integration. Appreciation was expressed for the assistance received by Latin American countries from the Government of Spain and the EPO in many WIPO activities. An example of the latter was the First Latin American Congress on Copyright and Neighboring rights held in Madrid in October 1991 and also the activities of the International Center for Patent Documentation in the Spanish Language. The Delegation informed the meeting that the Parliament of Uruguay was presently considering accession to the Madrid (Marks) Agreement, the PCT and to the Budapest Treaty. In 1991, the Council of the Union for the Protection of Plant Varieties (UPOV) recognized the conformity of Uruguay's legislation with the UPOV Convention (1978 Act), which would facilitate the country's accession to the UPOV Convention. Presently also, a Governmental Commission was studying the Patent Law with a view to adapting it to current international standards. In the field of copyright and neighboring rights, it was hoped that the new Copyright Law, for which WIPO afforded its invaluable cooperation, would be approved very shortly at the legislative level.

75. The Delegation of Paraguay expressed its gratitude for the development cooperation activities, in both the industrial property and copyright fields, from which its country had benefitted. In this connection, it noted with satisfaction WIPO's cooperation with the Government of Spain, in particular its Registry of Industrial Property, as well as with the EPO. Paraguay was continuing its efforts to modernize its legislation, to improve its intellectual property administration and to promote accession to treaties administered by WIPO. In this context, the Government was currently considering ratification of the Berne Convention and other WIPO-administered treaties. Paraguay would continue to require WIPO's cooperation in support of its efforts in the coming years, especially in the framework of MERCOSUR. Indeed, the implementation of this ambitious common market project would see a number of problems arising as to the harmonization of intellectual property provisions and procedures in the four member countries. In this respect, the Delegation requested WIPO's cooperation in the search for solutions. The Delegation realized that WIPO's development cooperation tasks were difficult in view of the decreasing financing resources for its projects, in particular due to the diminished UNDP contributions. The Delegation was of the opinion that UNDP's contributions should be continued and also encouraged WIPO to find new sources of financing.

76. The Delegation of Czechoslovakia underlined WIPO's support to Eastern and Central European countries, and to the newly independent States, in transition to a market economy. Czechoslovakia had been able to establish, with WIPO's cooperation and that of the industrial property offices of a number of countries, a modern legal system in the field of industrial property. In the last two years, a Patent Law, a Law on Patent Attorneys and a Law on the Topography of Integrated Circuits had thus been adopted. In addition, Czechoslovakia became a Contracting State of the PCT and had constituted two international depositary authorities in the framework of the Budapest Treaty. A draft utility model law and a draft trademark law had also been prepared in the same period. Cooperation with the EPO and other national industrial

property offices had reached a high level, especially in the training of the staff of the Federal Office for Inventions, computerization of patent operations and trademarks and industrial designs search. The Delegation mentioned that a political agreement had been reached between the leading Czech and Slovak political representations, to constitute, as from January 1, 1993, on the territory of today's Czechoslovakia, two new Republics, the Czech Republic and the Slovak Republic, both being full international legal entities. It was believed that the modern legal system of Czechoslovakia and its membership in most of the important international treaties would create an excellent basis for the activities of the two new Republics in the field of intellectual property and that they would continue Czechoslovakia's successful activities within the framework of WIPO.

77. The Delegation of Bulgaria expressed the wish that the activities undertaken under the Madrid (Marks) Agreement be continued, in particular WIPO's computerization efforts, such as the ROMARIN project, as well as those activities under the PCT. Bulgaria had received substantial assistance from WIPO, and the European Patent Office, in all fields of intellectual property. A UNDP-funded country project for strengthening the Institute of Inventions and Rationalizations, especially in the use of modern technology, would be implemented by WIPO over the next three years.

78. The Delegation of Australia said that its Government would continue to support, in particular, WIPO's development cooperation activities in favor of countries in Asia and the Pacific. It stated its strong interest in the work being undertaken on the draft trade mark harmonization treaty, the proposed Patent Law Treaty and the possible Protocol to the Berne Convention. It expressed satisfaction with the growing international registration activities and the increasing number of Contracting States under the PCT. It noted the creation of a PCIPI ad hoc Working Group to study the future development of the International Classification, work that it considered very important.

79. The Delegation of Lesotho reported that its country had benefited from WIPO consultancy missions on the setting up of a copyright society. It requested WIPO's support in organizing a national seminar for all groups concerned with the implementation of the copyright law. In the field of industrial property, WIPO provided to Lesotho assistance on computerization and training on the job as well as in regional courses. The Delegation of Lesotho also requested WIPO to organize a course on the training of trainers in the field of industrial property, and supported the proposal of the Delegation of Zimbabwe to WIPO for long-term training fellowships.

80. The Delegation of Iran (Islamic Republic of) stated that in the last year, Iran had had very useful and constructive cooperation with the International Bureau in modernizing the national industrial property registration system and in organizing a seminar on industrial property, and expected that relations between WIPO and Iran would further develop. The Delegation mentioned that it was in this light that Iran was preparing to accede to the WIPO Convention as well as to the Stockholm Act of the Paris Convention. The instrument of accession might be deposited before the end of 1992.

81. In referring to the situation of the registration unions, the Delegation of Switzerland hoped that the Madrid Protocol would give new dynamism to the international trademark registration system. As regards the Hague Agreement, it noted that the practical refusal of certain industries such as the textile

industry, to use its mechanisms had provoked the present efforts to revise that treaty. It was therefore essential that such revision take place as soon as possible, in accordance with the recommendations of the Committee of Experts. Concerning development cooperation, it expressed the willingness of Switzerland to continue providing to WIPO assistance for training, patent information services and to receive study visits of delegations from many countries to the Swiss Federal Intellectual Property Office. It noted that the Federal Parliament had adopted in August 1992 a Federal Law on Trademarks which introduced service marks and opposition procedures. That Law would come into effect on April 1, 1993. The Federal Parliament had also adopted a new Law on Copyright, which would come into effect on July 1, 1993. Parliament would soon again be approached to consider a revision of the Patent Law that would permit Switzerland to, inter alia, withdraw its reservation against Chapter II of the PCT.

82. The Delegation of Cuba said that as WIPO entered its 26th year, its member States should ensure the Organization's success in the future through new momentum. In this connection, it requested the International Bureau to promote intensively the further use by developing countries of CD-ROM technology for storing and accessing information. The work done so far had yielded good results, for example, the creation of the International Center for Patent Documentation in the Spanish Language which was accomplished with the support of Spain. As cooperation in the use of such technology for patent information exchange was advantageous to all countries, the Delegation proposed that WIPO enhance cooperation among developing countries on the one hand and between developing and industrialized countries, on the other.

83. The Delegation of Mexico said that its country had in 1991 modernized its intellectual property legislation and was now considering acceding to certain treaties administered by WIPO. The Delegation of Mexico underlined that development cooperation programs constituted an essential task of the Organization, and stressed the importance of training in intellectual property to increase national capacities for creative and productive activities in development. It stressed Mexico's interest in permanent or semi-permanent training programs, at basic and specialized levels, and would welcome courses of longer duration than the existing ones with some type of academic or official recognition. It would be desirable that such courses would include short practice periods either in national offices, specialized firms or corporate departments. It also stressed its interest in the development of regional cooperation. In the view of the Delegation, WIPO was the world body, par excellence, responsible for industrial property and copyright matters.

84. The Delegation of the EPO described the close cooperation between EPO and WIPO. At the institutional level, each organization was represented in an observer's capacity at meetings of the decision-making body or bodies of the other. At the technical level, cooperation covered such areas as the revision of the International Patent Classification, the establishment of new computerization standards, the establishment of search reports for developing countries, the Patent Law Treaty, the revision of the PCT Regulations and the issuance of PCT pamphlets on CD-ROM. In the field of development cooperation activities, the joint collaboration was equally close. Indeed, three-quarters of the EPO's development cooperation activities were jointly carried out with WIPO, such as in the fielding of missions of EPO experts and the organization of training courses. Some of those courses were held with the assistance of member States of the EPO such as Denmark, France, Spain, Sweden and the United

Kingdom. The EPO was also cooperating with WIPO and the National Industrial Property Institute of France in promoting the ambitious training program of the International Center for the Study of Intellectual Property (CEIPI) in Strasbourg. By its very nature, the EPO promoted regional patent cooperation in different forms, for example, EPO's cooperation with WIPO and the Spanish Office of Patents and Trademarks in promoting the work of the International Center for Patent Documentation in the Spanish Language. The EPO and WIPO worked closely together in assisting developing countries to acquire and use CD-ROM technology for patent information purposes, including the project to issue in CD-ROM the front pages of Latin American patent documents. Further, WIPO would cooperate with the EPO in the implementation, for ASEAN countries, of a regional program, financed by the Commission of the European Communities, to reinforce the industrial property structures in those countries. As concerns Central and Eastern Europe, the two Organizations coordinated their assistance to those countries, as was the case with the Baltic countries. The Delegation gave the assurance that assistance to these countries was not at the expense of resources for developing countries.

85. The Delegation of OAPI thanked WIPO for the excellent cooperation between the two organizations. In respect of the PCT, it noted that WIPO was acting as Receiving Office for OAPI, and that thirteen of the fourteen member countries of OAPI were members of the PCT, with the fourteenth country expected to accede very soon to the treaty. In the first eight months of 1992, those PCT applications designating OAPI which entered the regional OAPI phase constituted 50% of the total patent applications received by OAPI. As concerns documentation, in addition to the delivery of a CD-ROM workstation to OAPI, WIPO had embarked on a project to put on CD-ROM all patents granted by OAPI since its creation. Such a project would facilitate patent searches at OAPI headquarters and in its member States. As concerns copyright, it mentioned that OAPI and its member States were reinforcing their awareness-building activities. The Delegation of OAPI was particularly grateful to WIPO for the joint WIPO/OAPI missions to certain African countries to promote their adherence to OAPI.

86. The Delegation of ARIPO thanked WIPO for the excellent cooperation which existed between the two organizations, and for the assistance which WIPO continued to give to ARIPO. It also thanked those countries and organizations which also gave assistance to ARIPO. It urged WIPO to increase funding for development cooperation activities. With regard to human resources development, ARIPO supported the Delegation of Zimbabwe in its wish that the WIPO training program should consider the possibility of providing long-term courses to create a core of intellectual property specialists in developing countries.

87. The Delegation of the Commission of European Communities mentioned that the European Communities was pursuing its action in the creation of the internal market also in the field of intellectual property. The aim was to ensure to owners of intellectual property rights equivalent protection in the 12 member States so that for these owners, the markets of the 12 member States could be considered as a single national market. The Commission of the European Communities, had in this respect, two guidelines: reinforcement of intellectual property protection and respect for existing treaties. It was essential, in the face of current developments, to encourage adhesion to treaties and to improve protection through the creation of new treaties. The Council of the European Communities adopted, on May 14, 1992, a resolution

aiming at reinforcing copyright and neighboring rights and noted that all member States were committed to join, before January 1, 1995, if they had not done so, the Berne Convention (as amended by the Paris Act of 1971) and the Rome Convention of 1961. The Delegation stressed that the harmonization work of WIPO, which had a focal role in the domain of intellectual property, should be consolidated and the Commission gave its full support. The Commission participated actively in the meetings of the Committees of Experts on the Settlement of Intellectual Property Disputes Between States, regarding which at least one supplementary meeting of the Committee was necessary, and on a possible Protocol to the Berne Convention, for which the November 1992 meeting ought to be maintained since an agreement on that matter seemed possible. In addition, the Commission of European Communities stressed its wish that, in their mutual interest, contacts between the two organizations be reinforced.

88. The Delegation of IFPI said that its organization, and the industry it represented, was fully involved in the practical operations of the intellectual property protection system, especially in its enforcement. It therefore supported any reinforcement of anti-piracy measures, and would continue to offer its experience and expertise in this field in support of the work of WIPO.

89. The Director General thanked the delegations for having made favorable comments on WIPO's activities during the period under consideration. Owing to time constraints, he would respond only on three points, namely, accession to WIPO-administered treaties, development cooperation activities and WIPO's future program.

90. Accessions to treaties is a most important matter as far as norm-making is concerned because accession means that the norms in question become applicable and are applied. He was thus pleased to note that the Delegation of Iran (Islamic Republic of) had announced that its country would shortly adhere to the WIPO Convention. He was equally pleased that Delegations of the Andean Group of countries and of the Central America countries had expressed their countries' intention to join the Paris Convention, notably the declarations of the Delegations of Venezuela and Peru, and El Salvador in the name of the six Central American countries. In connection with the PCT, he was also pleased to learn that China, Croatia, Israel, Slovenia and Uruguay announced their immediate interest, while Venezuela, Argentina and Zambia were considering adhesion. As far as the Madrid Protocol was concerned, he noted with mixed feelings the delay in action towards accession in the United Kingdom and the United States of America, but was encouraged by their determination to pursue the matter at the first opportune moment. Norway, Uruguay and Zambia had also announced their interest in adhering to the Madrid Protocol. As for the other treaties, he welcomed the news that Israel, Slovenia and Uruguay were considering accession to the Budapest Agreement, Austria to the Vienna Agreement and Slovenia to the Nairobi Treaty. As for treaties in the field of copyright and Neighboring rights, he was gratified to learn that Paraguay and Poland were considering accession to the Berne Convention, China and Slovenia to the Phonograms Convention and Slovenia to the Rome Convention. The Director General did not consider the list to be complete because it only reflected what was heard in the meeting, for instance, he knew that there were other countries which were really interested in the Madrid Protocol, such as all the Scandinavian countries.

91. The second point was development cooperation. The International Bureau had noted the requests for, or offers of, holding courses or seminars and meetings. For example, Hungary offered to host a copyright training course every three years. Many developing countries had asked for national or regional courses, meetings and specialized training or advice. In addition, note had been taken of the interest expressed by several developing countries in further work on the collective administration of copyright. The Director General took the opportunity to thank CISAC and SUISA for their particularly useful cooperation with WIPO in strengthening such collective administration in developing countries. Several of the delegations said that the training periods which now were usually of a few weeks' duration, should be much longer. This was entirely a question of financial capacity for WIPO because the cost of a scholarship to a trainee, for example, for a year in an industrialized country would cost as much as sponsoring a dozen or more trainees to shorter courses. It was a regrettable fact that the UNDP, which was one of the main sources of extrabudgetary finance for WIPO's development cooperation activities, had reduced considerably its contributions in the last two or three years, and the prospects for next year and the years thereafter were really gloomy. Two measures could be taken to cover this loss and not to diminish the cooperation given to developing countries. One was to appeal even more to those countries which generously gave funds in trust as well as to encourage other countries to do the same. The Director General used the occasion to thank such countries, particularly France, Germany, Japan and Sweden, for their contributions, as well as the EPO for its important contribution. The other measure which the Director General proposed to take was, when submitting the draft budget to the Governing Bodies in September 1993, to request the registration Unions, especially the PCT and Madrid Unions for a considerably greater amount of money than the sum (less than two million Swiss francs per year) which was approved for the current biennium for the benefit of developing countries. Such a request would be particularly justified in view of the very strong interest shown by many developing countries in joining the registration Unions. Besides, the amount would cause no problems to those Unions whereas it would be enormously helpful to the developing countries.

92. The third and last point was about future programs. The Director General noted with interest the proposal made by the Delegation of Cuba that WIPO should intensively promote the use of CD-ROM technology for patent information in developing countries and closer cooperation in this respect among developing countries and industrialized countries. As electronic means of storage, search and communication would become even more advantageous and cost-effective in the coming years, such that most if not all developing countries could use them, WIPO would certainly expand its current assistance to developing countries, in cooperation with other countries and the EPO.

93. In response to the praise that the delegations had expressed on the quality and quantity of work carried out by the members of the International Bureau, the Director General paid tribute to the devotion, professionalism and imagination of all members of the staff and mentioned the names of the following: Messrs. Alikhan, Curchod, Baeumer, Claus, Ficsor, Keefer, Ledakis, Thiam, Bartels, Bouchez, Dondenne, Fernández-Ballesteros, Gurry, Hansson, Higham, Idris, Machado, Nakamura, Quashie-Idun, Rubio, Sabharwal, Suedi and Yu. He said that the list of names was obviously incomplete and to do complete justice, he would have to mention practically everybody on the staff but this was, for time constraints, not possible.

94. The WIPO Coordination Committee and the Executive Committees of the Paris and Berne Unions, each as far as it was concerned, noted the reports and activities contained or referred to in documents AB/XXIII/2 and 3.

ITEM 5 OF THE CONSOLIDATED AGENDA:

CONTINUATION OF THE DIPLOMATIC CONFERENCE
FOR THE CONCLUSION OF A TREATY SUPPLEMENTING THE PARIS CONVENTION
AS FAR AS PATENTS ARE CONCERNED

95. See the report on the session of the Paris Union Assembly (document P/A/XIX/4).

ITEM 6 OF THE CONSOLIDATED AGENDA:

CERTAIN MATTERS CONCERNING THE PARIS UNION

96. See the report on the session of the Paris Union Assembly (document P/A/XIX/4).

ITEM 7 OF THE CONSOLIDATED AGENDA:

QUESTIONS CONCERNING A POSSIBLE PROTOCOL TO THE BERNE CONVENTION

97. See the report on the session of the Berne Union Assembly (document B/A/XIII/2).

ITEM 8 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE MADRID UNION

98. See the report on the session of the Madrid Union Assembly (document MM/A/XXIV/4).

ITEM 9 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

99. See the report on the session of the PCT Union Assembly (document PCT/A/XX/5).

ITEM 9bis OF THE CONSOLIDATED AGENDA:PARTICIPATION OF THE FEDERAL REPUBLIC OF YUGOSLAVIA
(SERBIA AND MONTENEGRO)

100. Discussions were based on a proposal by the Delegation of the United States of America set forth in document AB/XXIII/5. In introducing its proposal, that Delegation made the following statement:

"We are all aware of the situation that exists in Yugoslavia. The conflict in the former Yugoslavia endangers the security of all of us and challenges the democratic and peaceful world order that we all seek. We can have no more important goal than the achievement of peace in that area and to that end the United Nations Security Council and General Assembly have recently adopted resolutions. To that end, we would like to carry forward the spirit of those resolutions and, indeed, I am instructed by my Government to make the following proposal. The proposal has two parts. The first part would place on the agenda of the Governing Bodies an item to consider this issue and request that it be taken up immediately. The second part is a decision which we have proposed that the Governing Bodies take regarding this matter. On the first item, in terms of the participation of the Federal Republic of Yugoslavia (Serbia and Montenegro), we not only ask that the agendas of each of the Governing Bodies be amended to add that item, but we also ask that the item, once added, be taken up and considered immediately. Secondly, with respect to the decision that we are asking be adopted, it is as follows:

'The Governing Bodies of WIPO and the Unions administered by WIPO, meeting during the period September 21 to 29, 1992,

Noting United Nations Security Council Resolution 777 of 19 September 1992, and United Nations General Assembly Resolution A/47/RES/1 of 22 September 1992,

Decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in any meetings of the said Governing Bodies. This decision will be reviewed by the said Governing Bodies in the light of future decisions taken by the United Nations General Assembly.'

"This decision is directed to participation in meetings of the bodies that are meeting this week. This does not refer to any body that is not in session during the period September 21 to 29, 1992. The decision would be that the Federal Republic of Yugoslavia (Serbia and Montenegro) would not participate in the meetings of the bodies meeting this week. This decision would continue until reviewed and altered by these Governing Bodies in light of future decision taken by the United Nations General Assembly. Mr. Chairman, I would urge all delegations here present to support both of these proposals in paragraphs 1 and 2 of the document which has been distributed."

101. The Delegation of the United Kingdom, speaking on behalf of the European Community and its Member States, made the following statement:

"I have the honor to speak on behalf of the European Community and its member States. As we made clear in our statement to the opening session of the meetings of the WIPO Governing Bodies, the European Community and its member States do not accept the automatic continuity of the Federal Republic of Yugoslavia in international organizations, including the United Nations. Now that the General Assembly of the United Nations has decided that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and they should not participate in the work of the General Assembly, the European Community and its member States consider that the Federal Republic of Yugoslavia (Serbia and Montenegro) should similarly not participate in any meetings of the Governing Bodies of the World Intellectual Property Organization and of the Unions administered by WIPO. The European Community and its member States therefore support the proposal of the United States of America, which we are prepared to second and we would like to co-sponsor the decision contained in paragraph 2 of document AB/XXIII/5."

102. The Delegations of Finland, Austria, Norway, Turkey, Canada, Croatia and Japan expressed their support for the proposal of the Delegation of the United States of America, the Delegation of Austria stating that it wished also to be recorded as a co-sponsor of that proposal.

103. The Delegation of Yugoslavia made the following statement:

"In connection with the proposal of the Delegation of the United States of America regarding the participation of the Federal Republic of Yugoslavia in WIPO meetings and the meetings of the Unions, I would like to emphasize the following:

"First, there is no legal basis for such decision, neither in international law and international practice, nor in the constitution of WIPO or the legal instruments and agreements administered by WIPO.

"Second, there is no political justification or political reason to deny Yugoslavia participation in the work of WIPO. The suspension of Yugoslavia from international organizations, including WIPO, will be in direct confrontation with the principle of universality and democracy on which these organizations base their work and even their existence. We do firmly believe that the difficult situation we found ourselves in is a temporary one and that it should not have far reaching or standing consequences for relations and cooperation in many fields, in particular, in the field of intellectual property, as it would not be the interest of all here present. But the most dangerous is that such premature, unjustified, unilateral and even illegal decision can have an extremely negative influence on the on-going negotiations of the London Conference on Yugoslavia aimed at the re-establishment of peace in the region, an effort in which my Government is fully committed to reaching a just and peaceful solution which we desperately need. In the light of the far-reaching consequences, I urge you to seriously consider your countries' position concerning the proposed draft decision and I hope, Ladies and Gentlemen, that you will not take such State responsibility and personal responsibility in creating a dangerous precedent today. Today it is my country, Yugoslavia, tomorrow it may be any other country. Mr. Chairman, for me, this resolution is unacceptable, and I would like to ask for a vote when we come to that point."

104. The Delegations of Slovenia, Sweden, Chile and Egypt expressed their support for the proposal of the United States of America.

105. The Delegation of the Russian Federation stated that, since the proposal of the Delegation of the United States of America had just been received, there had not been enough time to study its implications and the possible action that could be taken. That Delegation asked that time be given to consider the proposal over the next twenty-four hours so that its Delegation, as well as other delegations, could have the opportunity to contact the authorities in their respective capitals.

106. The Delegations of Bulgaria, Saudi Arabia, Côte d'Ivoire, Australia, Pakistan, Romania, Kenya, Ghana, Guinea and Rwanda expressed their support for the proposal of the Delegation of the United States of America.

107. The Delegation of Mexico made the following statement:

"The Government of Mexico does not find any legal basis for the action as proposed. Therefore, the Government of Mexico does not support the proposal contained in document AB/XXIII/5."

108. The Delegation of Belarus stated that its Government had supported the decision taken regarding the participation of Yugoslavia in the United Nations General Assembly and that for its Delegation the position of Belarus on the issue was clear; with regard to the request to granting time to delegations to allow consultations with the authorities in their capitals, the Delegation of Belarus stated that it was reasonable to support that request.

109. The Delegation of China made the following statement:

"As stated by the Representative of China to the United Nations in the Security Council of the United Nations, China has always maintained that the question of succession, the seat of former Yugoslavia in the United Nations, should be properly settled by the parties concerned from the former Yugoslavia through consultations and negotiations. Recently the international community, including the United Nations, has made certain advances in their active efforts to seek a just and reasonable settlement to the crisis of the former Yugoslavia. We should work to maintain such momentum. We consider that any action taken by the United Nations and other international organizations in respect of the seat of former Yugoslavia in the United Nations and other international organizations, including WIPO, should be with a view to contributing toward the easing of the tensions in the region and promoting political settlement through good faith negotiations between the relevant parties of former Yugoslavia."

110. Upon the proposal of the Delegation of France, the text in French of the proposal of the Delegation of the United States of America was amended to replace the words "compte tenu" by the words "à la lumière."

111. The Chairman, noting that no other delegation had asked for the floor, summarized the discussions as follows: A proposal had been made by the Delegation of the United States of America, the text of which, as set forth in document AB/XXIII/5, had been distributed to all delegations and had, as concerns the French version, been modified to make a linguistic correction of an editorial nature. Further, a large number of delegations had participated

in the debate on the matter. A large majority of those delegations sponsored or supported the draft decision. The Delegation of Yugoslavia had expressed its opposition to the proposal on the ground that there was no legal basis to justify such a decision and had asked that a vote be taken on the proposal. The Delegation of Mexico had also stated that there was no legal basis for such a decision. The Delegation of the Russian Federation had requested that in order to allow delegations to consult their capitals the matter be considered twenty-four hours later.

112. The Delegation of the United States of America requested that a decision be taken on its proposal and said that, in its understanding of the rules of procedure, where a request for a vote had been made, the matter in issue was only put to a vote if the request received the support of at least one other delegation and that no such support had been given.

113. The Chairman said that due note had been taken of the statement of the Delegation of the United States of America.

114. The Delegation of the Russian Federation asked whether the Chairman intended to put the proposal in document AB/XXIII/5 to a vote in its entirety and what the situation was as regards the proposal of that Delegation which it said had been endorsed by another delegation.

115. The Chairman stated that there were several proposals before the meeting; the first of those, namely, the request of the Delegation of Yugoslavia to put the question to the vote, had not yet been disposed of. After asking if any delegation seconded that request, the Chairman stated that no delegation had. The Chairman said that there was also the proposal of the Delegation of the Russian Federation to delay a decision on the matter for twenty-four hours.

116. The Delegation of Brazil stated that it was a rule in the United Nations to allow a delay of twenty-four hours to consider proposals that had just been introduced and that it would be reasonable that delegations which wished to consult their capitals should be entitled to do so.

117. The Chairman noted that that proposal of the Russian Federation had been seconded by the Delegation of Brazil.

118. The Delegation of Zimbabwe also gave its support to the request of the Delegation of the Russian Federation.

119. The Delegation of the United States of America requested that the meeting proceed to a decision on the matter.

120. The Chairman stated that, there being a clear overwhelming majority that supported the proposal of the Delegation of the United States of America, the question was put on the agendas of each of the Governing Bodies for immediate consideration under the following title

"Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro)." Furthermore, the Chairman said that in view of the same clear overwhelming majority for it, the Governing Bodies approved the following decision:

"The Governing Bodies of WIPO and the Unions administered by WIPO, meeting during the period September 21 to 29, 1992,

Noting United Nations Security Council Resolution 777 of 19 September 1992, and United Nations General Assembly Resolution A/47/RES/1 of 22 September 1992,

Decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in any meetings of the said Governing Bodies. This decision will be reviewed by the said Governing Bodies in the light of future decisions taken by the United Nations General Assembly."

121. The Delegation of the Russian Federation stated that it had requested the floor a little earlier than the Chairman had declared adopted the decision proposed in document AB/XXIII/5 and said that, since that decision noted the resolution taken by the United Nations General Assembly just the day before, on September 22, 1992, a number of delegations no doubt had not had time to study the text of that resolution and that additional time should be granted to enable all delegations to do so. The Delegation of the Russian Federation added that it supported the request of the Delegation of Yugoslavia to put to the vote the first paragraph of the proposal in document AB/XXIII/5.

122. The Delegation of Brazil said that it gathered that the Chairman had declared adopted the proposal put forth in document AB/XXIII/5, and stated that it wished for the record to enter a reservation as to the procedure that had been followed and that it be noted that, if a vote had been taken, that delegation would have abstained since that was the position its Government had taken at the United Nations General Assembly.

123. The Delegation of Mexico stated that it wished to enter its reservation as concerns the procedure and that it be noted that, if a vote had been taken, that Delegation would have abstained.

124. The Delegation of Yugoslavia said that the decision had been declared adopted at the moment the Delegation of the Russian Federation had asked for the floor, and that that Delegation had supported the request that a vote be taken; consequently, the Delegation of Yugoslavia requested the Chairman to re-examine his decision.

125. The Delegation of the Russian Federation said that its Delegation had asked for the floor during the Chairman's statement and requested that this be noted in the report. The Delegation added that it expressed its reservations with regard to the decision and the procedure and that, had the matter been put to a vote, it would have abstained.

126. The Delegation of India said that, if a vote had been taken on the proposal in document AB/XXIII/5, it would have abstained.

127. The Delegation of China stated that, in view of the position that its Government had taken in the United Nations General Assembly, that Delegation would have abstained if the matter had been put to the vote.

128. The Delegation of Yugoslavia said that it wished to record its reservations as to the proceedings and stated that, if a vote had been taken, it would have voted against the proposal set forth in document AB/XXIII/5.

129. The Chairman stated that all the reservations and declarations would be reflected in the report of the meeting.

ITEM 10 OF THE CONSOLIDATED AGENDA:

DRAFT AGENDAS OF THE 1993 SESSIONS
OF THE WIPO GENERAL ASSEMBLY,
THE WIPO CONFERENCE, THE PARIS UNION ASSEMBLY
AND THE BERNE UNION ASSEMBLY

130. Discussions were based on document AB/XXIII/4.

131. The Delegation of Argentina, speaking on behalf of the Latin American Group, proposed that a new item, entitled "Examination of the Reports of the Permanent Committees on Development Cooperation," be included in the draft agenda of the WIPO Conference (see Annex II of document AB/XXIII/4) after the item concerning the activities of the International Bureau.

132. The Director General stated that the new item proposed by the Delegation of Argentina would not require the addition of a large amount of time to the discussions of the Governing Bodies. He stated that, if the proposal were accepted, the full text of the two reports of the Permanent Committees on Development Cooperation would be reproduced as documents for the meeting of the WIPO Conference in September 1993 and would form the basis of discussion of the proposed new item at that meeting.

133. The Delegation of the United Kingdom stated that, while it did not oppose the proposal made by the Delegation of Argentina, the reports of the Permanent Committees on Development Cooperation were dealt with in a general way in the activities reports considered by the Governing Bodies. The Delegation noted that the amount of time devoted to discussion of the activities reports in the meetings of the Governing Bodies was considerable, and questioned whether a way might not be found to shorten that discussion. It suggested that governments might be asked to circulate, in advance of the meetings, their comments in writing on the activities reports so as to shorten discussion at the meetings.

134. The Delegation of France supported the views expressed by the Delegation of the United Kingdom, noting, in particular, that the next sessions of the Governing Bodies would be budget sessions, and that the time available for consideration of the budget should not be unduly curtailed.

135. In response to a question from the Delegation of Chile, the Director General stated that the item entitled "Contribution System; Changes in Contribution Classes and in the Contribution System," included on each of the

draft agendas of the WIPO General Assembly, the WIPO Conference, the Paris Union Assembly and the Berne Union Assembly, referred, inter alia, to the further development of the changes that had been introduced at the 1991 meetings of the Governing Bodies through the creation of new classes of contributions and to possible simplifications of the contribution system.

136. The draft agendas of the 1993 sessions of the WIPO General Assembly, the Paris Union Assembly and the Berne Union Assembly, as set out in Annexes I, III and IV, respectively, of document AB/XXIII/4, were adopted. The draft agenda of the WIPO Conference was adopted as set out in Annex II of document AB/XXIII/4 with the addition of an item entitled "Examination of the Reports of the Permanent Committees on Development Cooperation" after the item on the activities of the International Bureau. It was also decided that the interventions made by delegations on the activities reports in future sessions of the Governing Bodies should be limited preferably to a duration of five minutes.

ITEM 11 OF THE CONSOLIDATED AGENDA:

PREMISES

137. See the report on the session of the WIPO Coordination Committee (document WO/CC/XXX/6).

ITEM 12 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

138. See the report on the session of the WIPO Coordination Committee (document WO/CC/XXX/6).

ITEM 12bis OF THE CONSOLIDATED AGENDA:

STUDY OF THE PROPOSAL CONTAINED IN DOCUMENT AB/XXII/19

139. See the report on the session of the WIPO Coordination Committee (document WO/CC/XXX/6).

ITEM 13 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE GENERAL REPORT AND OF THE
INDIVIDUAL REPORTS OF THE NINE GOVERNING BODIES

140. This General Report was unanimously adopted by the Governing Bodies concerned on September 29, 1992.

141. Each of the nine Governing Bodies unanimously adopted the separate report concerning its session, in a separate meeting of the Governing Body concerned, on September 29, 1992.

ITEM 14 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

142. The Representative of the WIPO Staff Association was given the floor by the Chairman. He stated that his colleagues, the staff members of WIPO, had gathered outside the meeting room in order to express their disappointment with the conclusions that had been reached by the WIPO Coordination Committee on the questions related to the remuneration of professional staff. His colleagues had asked him to inform the meeting that their presence in the entry hall was a proof of their determination to stand up for their rights. The Representative asked the delegations to recall that the staff was the most valuable resource of the organization and that its patience was running out.

143. The Chairman stated that the delegations were all conscious of the problems described by the Representative of the WIPO Staff Association and had studied those problems. He expressed his best wishes to the staff for continued devotion to the work of the WIPO and for the continuation of the invaluable service which the staff, under the guidance of the Director General, was rendering.

144. The Delegation of Côte d'Ivoire, speaking on behalf of the African Group, expressed its gratitude to the Chairman for the able and wise manner in which he had presided. He also thanked the members delegations of Group B and all the other delegations for their cooperation throughout the meetings, as well as the Director General for his leadership and guidance.

145. The Delegation of the Russian Federation made the following statement:

"Our delegation would like to make a statement regarding the violation of procedure of the conduct of the meeting and adoption of decisions at the session of the WIPO Coordination Committee. In the course of the session of the Coordination Committee, a proposal was moved to include a new item on the adopted agenda. This proposal also contained a resolution with regard to the nature of the issue in question, the contents of which we would like to leave out in this statement.

"In accordance with paragraph 7 of Rule 5 of the General Rules of Procedure of WIPO (publication No. 399 Rev.3), during the session of the Assembly, proposals for adding new items to the agenda, if those items require an urgent discussion, should be adopted by a majority of two-thirds of the votes cast, i.e. the proposal in question should be put to the vote. While leaving aside the question of whether the proposal moved required an urgent discussion, we would like to state that the above provision of the General Rules of Procedure was ignored and the proposal that had been moved was not put to the vote.

"The above paragraph also contains the following provision, and I quote: "The discussion of any such items shall be deferred for forty-eight hours if any delegation so requests." Our request of deferral of the discussion, made in full compliance with this provision and supported by some other delegations, was also ignored, with which we categorically disagree.

"Further, paragraph 1 of Rule 30 says that any delegation may move that parts of a proposal or an amendment be voted upon separately. A similar proposal was made and it had to be put for discussion, which was not done.

"During the discussion our delegation requested the floor, which was not granted in time in violation of paragraph 2 of Rule 15, where the Secretariat shall be responsible for drawing up a list of speakers.

"Finally, the decision on the matter in question was made by the Chairman alone, in spite of the clear absence of a consensus and without voting.

"In the light of the above, our delegation believes that such violations of the Rules of Procedure are unacceptable. We request to include this statement in its entirety in the report of the current sessions of the WIPO Governing Bodies.

"Besides, we would like to draw your attention to the fact that, in spite of the absence of any mention of a removal of the designating plate of the country from the hall, that plate is missing from the hall."

146. The Chairman stated that he had to draw the attention of the Delegation of the Russian Federation to the fact that every house was the master of its own procedure. If a delegation had made a point and there was no echo on that point, and if the house had decided to go along with the overwhelming majority, this was the decision of the house. The Chairman stated that the observations of the Delegation of the Russian Federation related to that Delegation having asked for the floor during the Chairman's declaration of a decision. If that Delegation had wished to raise a point of order, it should have raised its voice saying that its Delegation wanted to have the floor on a point of order. But the mere fact that the Delegation had raised its flag did not mean that it wanted to have the floor immediately. Furthermore, the Chairman did not notice that that Delegation wanted to have the floor until after the decision had been adopted. The Chairman asked that his statement also be recorded in the report and repeated that every house was the master of its own procedure. He also stated that, since no delegation had asked for a vote to be supported on the question referred to by the Delegation of the Russian Federation, that consent meant that there was a unanimity of consensus, so that there was no need to make an interpretation of the rules of procedure, which were very clear.

147. The Delegation of China noted that new problems and challenges had arisen during the meetings of the Governing Bodies for which solutions were being found. It expressed its appreciation of and satisfaction with the activities carried out by WIPO. The Delegation thanked the Director General, the International Bureau, the other delegations and the interpreters for their assistance and cooperation throughout the meetings.

148. The Delegation of Argentina expressed its thanks for the cooperation received from the officers of the various Governing Bodies, the spokesmen of the other groups, the International Bureau and the interpreters. It stated its agreement with the Representative of the WIPO Staff Association that the staff of an organization was the organization's most valuable resource.

149. The Delegation of India thanked the Chairman for the successful outcome of the meetings and the manner in which he had conducted them. It expressed its gratitude also to the Director General for his constructive proposals, to the International Bureau for its preparatory work and work during the meetings and to the interpreters.

150. The Delegation of the United Kingdom stated that it was sure that it was speaking for the whole of Group B in fully agreeing with what had been said by previous speakers for the African Countries, for Latin America, for the Asian Group and for China in expressing profound appreciation for the way in which the Chairman had guided discussions in the WIPO Coordination Committee over the last several days. It stated that the Chairman had presided with great dignity over the deliberations, had always been considerate and courteous to all those who wanted to take the floor and had operated in an even and fair-minded way. It congratulated him on enabling conclusions to be reached on a large number of difficult issues. It noted that it has been said that a lot of work lay ahead on those issues which had not been finally settled, but it was sure that the way had been well paved towards that. The Delegation stated that Group B had particular admiration for the work of the Director General and his staff and that, as always, the proposals had been imaginative, even if it had not always followed them. The documentation and preparations had been excellent. It thanked particularly the staff who had operated not only in carrying out the preparatory work, but also those behind the scenes. It also expressed its appreciation to the interpreters.

151. The Delegation of Hungary associated itself with the words of appreciation expressed by the preceding delegations. It thanked the International Bureau and the Director General, expressing its appreciation particularly to the latter in respect of his achievements in building up WIPO during the 25 years since the Organization had been established. On behalf of the countries of the region in which the country of the Delegation was placed, the Delegation thanked the Chairman for having ably presided over the meetings.

152. The Chairman expressed his gratitude to all delegations for their cooperation and positive contributions, to the International Bureau, to the Director General, to the other officers of the various Governing Bodies and to the interpreters.

153. The twenty-third series of meetings of the Governing Bodies of WIPO and the Unions administered by WIPO were closed by the Chairman of the WIPO Coordination Committee, Mr. Mounir Zahran (Egypt).

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