

WIPO



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GOVERNING BODIES OF WIPO AND THE UNIONS ADMINISTERED BY WIPO

Twenty-Fourth Series of Meetings
Geneva, September 20 to 29, 1993

SPECIAL RULES OF PROCEDURE
OF THE GOVERNING BODIES

Compilation prepared by the International Bureau

CONTENTS

The rules governing the procedure of the Governing Bodies of WIPO and the Unions administered by WIPO consist of provisions in the treaties establishing WIPO and the Unions, the WIPO General Rules of Procedure (contained in a separate publication--399 Rev.3.) and, for each Governing Body, a distinct set of rules, called "Special Rules of Procedure."

The present document is a collection of the Special Rules of Procedure of the 21 Governing Bodies which will meet from September 20 to 29, 1993. It also contains, as far as the Conferences of Representatives of the Paris, Berne, Hague, Nice Unions and the Council of the Lisbon Union are concerned, the provisions of the treaties or the resolutions which established those Governing Bodies.

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1. WIPO GENERAL ASSEMBLY

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the General Assembly shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Draft Agenda

For the ordinary sessions of the General Assembly, the Director General shall prepare the draft agenda according to the instructions of the Coordination Committee.

Rule 3: Decisions when a Quorum is not Reached

(1) In the case referred to in Article 6(3)(c) of the WIPO Convention, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the General Assembly which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies must come either from the Ministry of Foreign Affairs or from a competent authority of the State in question.

Rule 4: Languages

Oral interventions in meetings of the General Assembly may be made in English, French, Spanish or Russian, and interpretation shall be provided in the other three languages.

Rule 5: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle, Industrial Property, Le Droit d'Auteur, and Copyright.

2. WIPO CONFERENCE

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Conference shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Draft Agenda

For the ordinary sessions of the Conference, the Director General shall prepare the draft agenda according to the instructions of the Coordination Committee.

Rule 3: Languages

Oral interventions in meetings of the Conference may be made in English, French, Spanish or Russian, and interpretation shall be provided in the other three languages.

Rule 4: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle, Industrial Property, Le Droit d'Auteur, and Copyright.

3. WIPO COORDINATION COMMITTEE

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Coordination Committee shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Composition

(1) The Coordination Committee shall be composed of ordinary members, associate members, and ad hoc members.

(2) Ordinary members shall be States which are ordinary members of the Executive Committee of the Paris Union, or of the Executive Committee of the Berne Union, or of both of the said Committees.

(3) Associate members shall be States which are associate members of the Executive Committee of the Paris Union, or of the Executive Committee of the Berne Union, or of both of the said Committees.

(4) Ad hoc members shall be States elected by the Conference in accordance with Article 8(1)(c) of the WIPO Convention.

Rule 3: Officers

(1) At the first meeting of each ordinary session, the Coordination Committee shall elect a Chairman and two Vice-Chairmen.

(2)(a) At each ordinary session of odd number [1st, 3rd, 5th, etc.], the Chairman and the second Vice-Chairman shall be elected from among the delegates of the ordinary members of the Executive Committee of the Paris Union and the first Vice-Chairman shall be elected from among the delegates of the ordinary members of the Executive Committee of the Berne Union, provided that as long as the number of associate members of the Executive Committee of the Paris Union is four or more, the second Vice-Chairman shall be elected from among the delegates of the said associate members.

(b) At each ordinary session of even number [2nd, 4th, 6th, etc.], the Chairman and the second Vice-Chairman shall be elected from among the delegates of the ordinary members of the Executive Committee of the Berne Union and the first Vice-Chairman shall be elected from among the delegates of the ordinary members of the Executive Committee of the Paris Union, provided that as long as the number of associate members of the Executive Committee of the Berne Union is four or more, the second Vice-Chairman shall be elected from among the delegates of the said associate members.

Rule 4: Separate Voting

(1) When a vote is not unanimous and it is necessary to know the respective decisions or opinions of ordinary members, associate members, and ad hoc members, the vote shall be taken again separately within each of the groups.

(2) When any question is clearly not within the competence of all the groups of members, the vote shall be taken only within the competent group or groups.

Rule 5: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle, Industrial Property, Le Droit d'Auteur, and Copyright.

4. PARIS UNION ASSEMBLY

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Paris Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Draft Agenda

For the ordinary sessions of the Assembly of the Paris Union, the Director General shall prepare the draft agenda according to the instructions of the Executive Committee of the Paris Union.

Rule 3: Election of Ordinary Members of the Executive Committee of the Paris Union

(1) The members of the Executive Committee elected by the Assembly of the Paris Union shall be called ordinary members of that Committee.

(2) Ordinary members of the Executive Committee may be re-elected, but only up to a maximum of two-thirds of such members.

(3) Except where the procedure provided for in Article 34(1) of the General Rules of Procedure is observed, election shall take place in the following manner: the member States shall be called in the alphabetical order of their names in French, after the letter of the alphabet at which the roll-call is to start shall have been drawn by lot; on the calling of the name of each State, the Assembly shall decide whether or not it is re-elected; if necessary, the States last called shall be excluded from re-election if such exclusion is required to ensure that the proportion of two-thirds shall not be exceeded; the Assembly shall then elect the number of new members required to attain the total number to be elected.

Rule 4: Decisions when a Quorum is not Reached

(1) In the case referred to in Article 13(4)(c) of the Paris Convention, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Paris Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies must come either from the Ministry of Foreign Affairs or from the competent authority of the State in question.

Rule 5: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

5. PARIS UNION CONFERENCE OF REPRESENTATIVES

I.

EXCERPT FROM THE LISBON ACT (1958) OF THE PARIS CONVENTION

"ARTICLE 14

"(5)(a) During the interval between the Diplomatic Conferences of revision, Conferences of representatives of all the countries of the Union shall meet every three years* in order to draw up a report on the foreseeable expenditure of the International Bureau for each three-year period* to come and to consider questions relating to the protection and development of the Union.

"(b) Furthermore, they may modify, by unanimous decision, the maximum annual amount of the expenditure of the International Bureau, provided they meet as Conferences of Plenipotentiaries of all the countries of the Union, convened by the Government of the Swiss Confederation.

"(c) Moreover, the Conferences provided for in paragraph (a) above may be convened between their triennial meetings by either the Director of the International Bureau or the Government of the Swiss Confederation."

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* The Conference of Representatives of the Paris Union decided, on September 28, 1979, that, pending the ratification of or accession to Acts of the Paris Convention subsequent to the Lisbon Act by the members of the said Conference of Representatives, the said Conference of Representatives shall meet every two years rather than every three years and that the report on the foreseeable expenditure of the International Bureau shall be drawn up by it for each two-year period rather than each three-year period.

II.

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Conference of Representatives of the Paris Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Representatives of Member States

(1) Each delegate may represent one State only.

(2) The expenses of each delegation shall be borne by the Government which has appointed it.

Rule 3: Sessions

(1) The Conference of Representatives of the Paris Union shall meet during the same period and at the same place as the Assembly of the Paris Union.

(2) It shall meet in extraordinary session at the request of one-fourth of its members, the associate members of the Executive Committee of the Paris Union, or the Government of the Swiss Confederation, or on the initiative of the Director General.

Rule 4: Matters of General Interest

With respect to matters which are of interest also to other Unions, the Conference of Representatives of the Paris Union shall make its decisions after having heard the advice of the Coordination Committee.

Rule 5: Election of Associate Members of the Executive Committee of the Paris Union

(1)(a) At each ordinary session, the Conference of Representatives of the Paris Union shall elect, from among its members, to the Executive Committee of the Paris Union in the capacity of associate members the number of States equal to one-fourth of the number of its members represented at the session.

(b) However, if the number of States represented at the session is less than twenty, the Conference of Representatives of the Paris Union shall elect, from among its members, to the Executive Committee of the Paris Union in the capacity of associate members the number of States equal to one-fourth of all its members, whether represented at the session or not, provided that the number of States so elected shall not exceed five.

(c) In establishing the number of seats to be filled, remainders after division by four shall be disregarded.

(2) In electing associate members of the Executive Committee of the Paris Union, the Conference of Representatives of the Paris Union shall seek to achieve an equitable geographical distribution, and shall have due regard to the need for all States party to the Special Agreements established in relation with the Paris Union to be among the States constituting the Executive Committee of that Union.

(3) Associate members of the Executive Committee of the Paris Union shall serve from the close of the session of the Conference of Representatives which elected them until the close of the next ordinary session of the Conference of Representatives. Any associate member of the Executive Committee subsequently becoming a member of the Assembly of the Paris Union shall automatically become an ordinary member of the Executive Committee.

(4) Associate members of the Executive Committee of the Paris Union may be re-elected, but only up to a maximum of two-thirds of such members.

(5) Except where the procedure provided for in Article 34(1) of the General Rules of Procedure is observed, election shall take place in the following manner: the member States shall be called in the alphabetical order of their names in French, after the letter of the alphabet at which the roll-call is to start shall have been drawn by lot; on the calling of the name of each State, the Conference of Representatives of the Paris Union shall decide whether or not it is re-elected; if necessary, the States last called shall be excluded from re-election if such exclusion is required to ensure that the proportion of two-thirds shall not be exceeded; the Conference of Representatives of the Paris Union shall then elect the number of new members required to attain the total number to be elected.

Rule 6: Executive Committee of the Paris Union and Coordination Committee of WIPO

(1) Associate members of the Executive Committee of the Paris Union shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence.

(2) Associate members of the Executive Committee of the Paris Union shall be members of the Coordination Committee in the same capacity. They shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence. In particular, they shall advise the Swiss Government, acting as supervisory authority, on administrative and financial questions and other matters of common interest, particularly in the cases provided for in the Staff Regulations and Financial Regulations.

Rule 7: Majority

Subject to the provisions of Article 14(5)(b) of the Lisbon Act of the Paris Convention, the Conference of Representatives of the Paris Union shall make its decisions by a majority of two-thirds of the votes cast. This rule shall not apply to decisions on procedure.

Rule 8: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

6. PARIS UNION EXECUTIVE COMMITTEE

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Executive Committee of the Paris Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Composition

(1) The Executive Committee of the Paris Union shall be composed of ordinary members, associate members, and Switzerland in the capacity of ex officio ordinary members.

(2) Ordinary members shall be the States elected by the Assembly of the Paris Union.

(3) Associate members shall be the States elected by the Conference of Representatives of the Paris Union.

Rule 3: Officers

The Chairman and the two Vice-Chairmen of the Executive Committee of the Paris Union shall be elected from among the delegates of the ordinary members. However, as long as the number of associate members is four or more, the second Vice-Chairman shall be elected from among the delegates of associate members.

Rule 4: Associate Members

(1) Associate members of the Executive Committee of the Paris Union shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence.

(2) Associate members of the Executive Committee of the Paris Union shall be members of the Coordination Committee in the same capacity. They shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence. In particular, they shall advise the Swiss Government, acting as supervisory authority, on administrative and financial questions and other matters of common interest, particularly in the cases provided for in the Staff Regulations and Financial Regulations.

Rule 5: Separate Voting

(1) When the vote is not unanimous and it is necessary to know the respective decisions or opinions of the ordinary members and the associate members of the Executive Committee of the Paris Union, the vote shall be taken again separately within these two groups of members.

(2) When any question is clearly not within the competence of both groups of members, the vote shall be taken only within the competent group.

Rule 6: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

7. BERNE UNION ASSEMBLY

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Berne Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Draft Agenda

For the ordinary sessions of the Assembly of the Berne Union, the Director General shall prepare the draft agenda according to the instructions of the Executive Committee of the Berne Union.

Rule 3: Election of Ordinary Members of the Executive Committee of the Berne Union

(1) Members of the Executive Committee elected by the Assembly of the Berne Union shall be called ordinary members of that Committee.

(2) Ordinary members of the Executive Committee thus elected may be re-elected, but only up to a maximum of two-thirds of such members.

(3) Except where the procedure provided for in Article 34(1) of the General Rules of Procedure is observed, election shall take place in the following manner: the member States shall be called in the alphabetical order of their names in French, after the letter of the alphabet at which the roll-call is to start shall have been drawn by lot; on the calling of the name of each State, the Assembly shall decide whether or not it is re-elected; if necessary, the States last called shall be excluded from re-election if such exclusion is required to ensure that the proportion of two-thirds shall not be exceeded; the Assembly shall then elect the number of new members required to attain the total number to be elected.

Rule 4: Decisions when a Quorum is not Reached

(1) In the case referred to in Article 22(3)(c) of the Berne Convention, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Berne Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies shall come either from the Ministry of Foreign Affairs or from the competent authority of the State in question.

Rule 5: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews Le Droit d'Auteur and Copyright.

8. BERNE UNION CONFERENCE OF REPRESENTATIVES

I.

RESOLUTION
ESTABLISHING THE CONFERENCE OF REPRESENTATIVES
adopted on September 28, 1970,
and amended on September 28, 1979

The countries members of the International Union for the Protection of Literary and Artistic Works (Berne Union) which are not members of the Assembly of the said Union,

Meeting in Geneva from September 21 to 28, 1970,

1. Resolve to establish a Conference of Representatives of the Berne Union;
2. Decide that the members of this Conference shall be those member countries of the Berne Union which are not members of the Assembly of the Berne Union, and that any member country of the Berne Union which, in the future, shall become a member of the Assembly of the Berne Union shall automatically cease to be a member of the Conference of Representatives;
3. Decide that the Conference of Representatives shall meet every two years in ordinary session in order to draw up, for each two-year period to come, a report on the foreseeable expenditure of the International Bureau as far as the Berne Union is concerned, and to consider questions relating to the protection and the development of the said Union;
4. Resolve that the Conference of Representatives may modify, by unanimous decision, the maximum annual amount of the expenditure of the International Bureau as far as the countries members of the Conference of Representatives are concerned, provided that it meets as a Conference of Plenipotentiaries upon convocation by the Government of the Swiss Confederation;
5. Resolve that the Conference of Representatives shall establish its own rules of procedure.

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II.

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Conference of Representatives of the Berne Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Representatives of Member States

(1) Each delegate may represent one State only.

(2) The expenses of each delegation shall be borne by the Government which has appointed it.

Rule 3: Sessions

(1) The Conference of Representatives of the Berne Union shall meet during the same period and at the same place as the Assembly of the Berne Union.

(2) It shall meet in extraordinary session at the request of one-fourth of its members, the associate members of the Executive Committee of the Berne Union, or the Government of the Swiss Confederation, or on the initiative of the Director General.

Rule 4: Matters of General Interest

With respect to matters which are of interest also to other Unions, the Conference of Representatives of the Berne Union shall make its decisions only after having heard the advice of the Coordination Committee.

Rule 5: Election of Associate Members of the Executive Committee of the Berne Union

(1)(a) At each ordinary session, the Conference of Representatives of the Berne Union shall elect, from among its members, to the Executive Committee of the Berne Union in the capacity of associate members the number of States equal to one-fourth of the number of its members represented at the session.

(b) However, if the number of States represented at the session is less than twenty, the Conference of Representatives of the Berne Union shall elect, from among its members, to the Executive Committee of the Berne Union in the capacity of associate members the number of States equal to one-fourth of all its members, whether represented at the session or not, provided that the number of States so elected shall not exceed five.

(c) In establishing the number of seats to be filled, remainders after division by four shall be disregarded.

(2) In electing associate members of the Executive Committee of the Berne Union, the Conference of Representatives of the Berne Union shall seek to achieve an equitable geographical distribution.

(3) Associate members of the Executive Committee of the Berne Union shall serve from the close of the session of the Conference of Representatives which elected them until the close of the next ordinary session of the Conference of Representatives. Any associate member of the Executive Committee subsequently becoming a member of the Assembly of the Berne Union shall automatically become an ordinary member of the Executive Committee.

(4) Associate members of the Executive Committee of the Berne Union may be re-elected, but only up to a maximum of two-thirds of such members.

(5) Except where the procedure provided for in Article 34(1) of the General Rules of Procedure is observed, election shall take place in the following manner: the member States shall be called in the alphabetical order of their names in French, after the letter of the alphabet at which the roll-call is to start shall have been drawn by lot; on the calling of the name of each State, the Conference of Representatives of the Berne Union shall decide whether or not it is re-elected; if necessary, the States last called shall be excluded from re-election if such exclusion is required to ensure that the proportion of two-thirds shall not be exceeded; the Conference of Representatives of the Berne Union shall then elect the number of new members required to attain the total number to be elected.

Rule 6: Executive Committee of the Berne Union and Coordination Committee of WIPO

(1) Associate members of the Executive Committee of the Berne Union shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence.

(2) Associate members of the Executive Committee of the Berne Union shall be members of the Coordination Committee in the same capacity. They shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence. In particular, they shall advise the Swiss Government, acting as supervisory authority, on administrative and financial questions and other matters of common interest, particularly in the cases provided for in the Staff Regulations and Financial Regulations.

Rule 7: Majority

Subject to the provisions of paragraph 4 of the Resolution of September 28, 1970, the Conference of Representatives of the Berne Union shall make its decisions by a majority of two-thirds of the votes cast. This rule shall not apply to decisions on procedure.

Rule 8: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews Le Droit d'Auteur and Copyright.

9. BERNE UNION EXECUTIVE COMMITTEE

RULES OF PROCEDURE
adopted on September 28, 1970,
and amended on October 24, 1979

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Executive Committee of the Berne Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Composition

(1) The Executive Committee of the Berne Union shall be composed of ordinary members, associate members, and Switzerland in the capacity of ex officio ordinary member.

(2) Ordinary members shall be the States elected by the Assembly of the Berne Union.

(3) Associate members shall be the States elected by the Conference of Representatives of the Berne Union.

Rule 3: Officers

(1) At the first meeting of each session, the Executive Committee of the Berne Union shall elect a Chairman and two Vice-Chairmen.

(2) The officers thus elected shall remain in office until the election of new officers.

(3) The outgoing Chairman and Vice-Chairmen shall not be immediately eligible for re-election to the office that they have held, except where the election takes place at an extraordinary session.

(4) The Chairman and the two Vice-Chairmen of the Executive Committee of the Berne Union shall be elected from among the delegates of the ordinary members. However, as long as the number of associate members is four or more, the second Vice-Chairman shall be elected from among the delegates of associate members.

Rule 4: Associate Members

(1) Associate members of the Executive Committee of the Berne Union shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence.

(2) Associate members of the Executive Committee of the Berne Union shall be members of the Coordination Committee in the same capacity. They shall take part in the debates of that body in an advisory capacity, and shall express opinions on matters within its competence. In particular, they shall advise the Swiss Government, acting as supervisory authority, on administrative and financial questions and other matters of common interest, particularly in the cases provided for in the Staff Regulations and Financial Regulations.

Rule 5: Separate Voting

(1) When the vote is not unanimous and it is necessary to know the respective decisions or opinions of the ordinary members and the associate members of the Executive Committee of the Berne Union, the vote shall be taken again separately within these two groups of members.

(2) When any question is clearly not within the competence of both groups of members, the vote shall be taken only within the competent group.

Rule 6: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews Le Droit d'Auteur and Copyright.

10. MADRID UNION ASSEMBLY

RULES OF PROCEDURE
adopted on October 2, 1971,
and amended on November 27, 1973,
and on December 15, 1983

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Madrid Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 10(3)(c) of the Stockholm Act of the Madrid Agreement (Marks), the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Madrid Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies must come either from the Ministry of Foreign Affairs or from the competent authority of the State in question.

Rule 3: Expenses

(1) The travel and subsistence expenses of one delegate of each member State shall be borne by the Madrid Union under the following conditions:

(a) on presentation of the used ticket, the net cost of the rail or air fare (first class) shall be refunded;

(b) daily subsistence allowances shall be those specified in the United Nations schedule; the number of daily subsistence allowances paid shall correspond to the number of days required for the session, plus one day;

(c) the fixed sum paid for terminal expenses shall be that specified by the WIPO Staff Regulations and Staff Rules.

(2) Delegates receiving such allowances must state in writing that their travel or subsistence expenses are not refunded from other sources.

Rule 4: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property, and, where appropriate, in the review Les Marques internationales.

11. HAGUE UNION ASSEMBLY

RULES OF PROCEDURE
adopted on September 27, 1976,
and amended on May 28, 1979,
and on October 1, 1985

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Hague Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 2(3)(c) of the Complementary Act of Stockholm of 1967, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Hague Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the International Bureau within the period allowed.

(3) Replies shall come from the Ministry of Foreign Affairs or the competent authority of the State in question.

Rule 2bis: Adoption and Amendment of Certain Provisions of the Regulations

Only the States bound by the 1960 Act shall have the right to vote on the adoption or on any amendment of the provisions of the Regulations under the Hague Agreement which concern the implementation of the said 1960 Act.

Rule 3: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

12. HAGUE UNION CONFERENCE OF REPRESENTATIVES

I.

RESOLUTION
ESTABLISHING THE CONFERENCE OF REPRESENTATIVES
adopted on September 27, 1976

The countries members of the Special Union for the International Deposit of Industrial Designs (Hague Union) which are not members of the Assembly of the said Union,

Meeting in Geneva from September 27, 1976 to October 5, 1976.

1. Resolve to establish a Conference of Representatives of the Hague Union;
2. Decide that the members of the said Conference of Representatives shall be those member countries of the Hague Union which are not members of the Assembly of the Hague Union, and that any member country of the Hague Union which, in the future, shall become a member of the Assembly of the Hague Union shall automatically cease to be a member of the Conference of Representatives;
3. Decide further that the Conference of Representatives

(i) may examine the Management Reports of the International Bureau of WIPO as far as the Hague Union is concerned and may make observations thereon to the Director General of WIPO or the Government of the Swiss Confederation or both,

(ii) may examine the draft budgets of the Hague Union presented to it by the Director General of WIPO and may make observations thereon to the Director General of WIPO or the Government of the Swiss Confederation or both,

(iii) may modify, on the proposal of the Director General of WIPO or the Government of the Swiss Confederation, the amounts of the fees to be charged under the Hague Agreement the fixing of which is not within the jurisdiction of the Assembly; decision on such modification shall require the majority of the votes of the countries members of the Conference of Representatives; the procedure provided for in the Additional Act of Monaco of 1961, Article 3, may be applied as an alternative procedure,

(iv) shall, in connection with the working capital fund of the Hague Union, have, in respect of the countries members of the Conference of Representatives, rights analogous to those which the Assembly has in respect of the countries members of the Assembly and shall, by analogy, apply the relevant provisions of the Complementary Act of Stockholm (1967) in respect of the said fund,

(v) shall establish its own rules of procedure.

II.

RULES OF PROCEDURE
adopted on September 27, 1976,
and amended on May 28, 1979,
and on September 28, 1979

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Conference of Representatives of the Hague Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Representatives of Member States

(1) Each delegate may represent one State only.

(2) The expenses of each delegation shall be borne by the Government which has appointed it.

Rule 3: Sessions

(1) The Conference of Representatives of the Hague Union shall meet once in every second calendar year in ordinary session upon convocation by the Director General during the same period and at the same place as the Assembly of the Hague Union.

(2) It shall meet in extraordinary session at the request of one-fourth of its members or at the request of the Government of the Swiss Confederation, or on the initiative of the Director General.

Rule 4: Matters of General Interest

With respect to matters which are of interest also to other Unions, the Conference of Representatives of the Hague Union shall make its decisions after having heard the advice of the Coordination Committee.

Rule 4bis: Adoption and Amendment of Certain Provisions of the Regulations

The Member States of the Conference of Representatives of the Hague Union shall not have the right to vote on the adoption or on any amendment of the provisions of the Regulations under the Hague Agreement which concern the implementation of the 1960 Act.

Rule 5: Majority

The Conference of Representatives of the Hague Union shall, subject to the Resolution of September 27, 1976, establishing the said Conference, make its decisions by a majority of two-thirds of the votes cast. This rule shall not apply to decisions on procedure.

Rule 6: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

13. NICE UNION ASSEMBLY

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Nice Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 5(3)(c) of the Nice Agreement, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Nice Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies shall come from the Ministry of Foreign Affairs or the competent authority of the State in question.

Rule 3: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

14. NICE UNION CONFERENCE OF REPRESENTATIVES

I.

RESOLUTION
ESTABLISHING THE CONFERENCE OF REPRESENTATIVES
adopted on September 28, 1970,
and amended on September 28, 1979

The countries members of the International Union Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Union) which are not members of the Assembly of the said Union,

Meeting in Geneva from September 21 to 28, 1970,

1. Resolve to establish a Conference of Representatives of the Nice Union;
2. Decide that the members of this Conference shall be those member countries of the Nice Union which are not members of the Assembly of the Nice Union, and that any member country of the Nice Union which, in the future, shall become a member of the Assembly of the Nice Union shall automatically cease to be a member of the Conference of Representatives;
3. Decide that the Conference of Representatives shall meet every two years in ordinary session in order to draw up, for each two-years period to come, a report on the foreseeable expenditure of the International Bureau as far as the Nice Union is concerned, and to consider questions relating to the protection and the development of the said Union;
4. Resolve that the Conference of Representatives may modify, by unanimous decision, the maximum annual amount of the expenditure of the International Bureau as far as the countries members of the Conference of Representatives are concerned, provided that it meets as a Conference of Plenipotentiaries upon convocation by the Government of the Swiss Confederation;
5. Resolve that the Conference of Representatives shall establish its own rules of procedure.

II.

RULES OF PROCEDURE
adopted on September 28, 1970

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Conference of Representatives of the Nice Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Representatives of Member States

- (1) Each delegate may represent one State only.
- (2) The expenses of each delegation shall be borne by the Government which has appointed it.

Rule 3: Sessions

- (1) The Conference of Representatives of the Nice Union shall meet during the same period and at the same place as the Assembly of the Nice Union.
- (2) It shall meet in extraordinary session at the request of one-fourth of its members or the Government of the Swiss Confederation, or on the initiative of the Director General.

Rule 4: Matters of General Interest

With respect to matters which are of interest also to other Unions, the Conference of Representatives of the Nice Union shall make its decisions after having heard the advice of the Coordination Committee.

Rule 5: Majority

Subject to the provisions of paragraph 4 of the Resolution of September 28, 1970, the Conference of Representatives of the Nice Union shall make its decisions by a majority of two-thirds of the votes cast. This rule shall not apply to decisions on procedure.

Rule 6: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

15. LISBON UNION ASSEMBLY

RULES OF PROCEDURE
adopted on November 27, 1973

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Lisbon Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 9(3)(c) of the Stockholm Act of the Lisbon Agreement, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Lisbon Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies must come either from the Ministry of Foreign Affairs or from the competent authority of the State in question.

Rule 3: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

16. LISBON UNION COUNCIL

I.

EXCERPT FROM THE LISBON AGREEMENT (1958)

"ARTICLE 9

"(1) A Council composed of representatives of all the countries party to the special Union shall be set up, at the International Bureau, for the implementation of this Agreement.

"(2) This Council shall draw up its own statutes and rules of procedure and coordinate them with the organs of the Union for the Protection of Industrial Property and with those of international organizations which have concluded agreements for cooperation with the International Bureau."

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II.

STATUTES

adopted on November 27, 1973

Article 1: Definitions

1. "Agreement" shall mean the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, of October 31, 1958.

2. "Special Union" shall mean the Union created by the Agreement.

3. "International Bureau" shall mean the International Bureau of Intellectual Property as defined in the Convention Establishing the World Intellectual Property Organization functioning under Article 21(3)(a) of that Convention as the United International Bureau for the Protection of Industrial, Literary and Artistic Property.

4. "Regulations" shall mean the Regulations for carrying out the Agreement, adopted at the same time and place as the Agreement.

Article 2: Composition of the Council

The Council, set up in accordance with Article 9(1) of the Agreement, is composed of representatives of all the countries members of the Special Union which are not members of the Assembly of the Special Union.

Article 3: Functions of the Council

The Council

(i) may modify the amount of the registration fee (Article 7(2) of the Agreement and Article 7(2) of the Regulations);

(ii) shall examine, subject to the competence of the Government of the Swiss Confederation in its capacity of Supervisory Authority of the International Bureau, the special annual management reports on the Service for the International Registration of Appellations of Origin (Article 7(1) of the Regulations), as well as the budget of that Service.

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III.

RULES OF PROCEDURE
adopted on November 27, 1973,
and amended on September 28, 1979

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Council of the Lisbon Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Representatives of Member States

- (1) Each delegate may represent one State only.
- (2) The expenses of each delegation shall be borne by the Government which has appointed it.

Rule 3: Sessions

- (1) The Council shall meet in ordinary session every two years, during the same period and at the same place as the Assembly of the Lisbon Union.
- (2) It shall meet in extraordinary session at the request of one-fourth of its members or the Government of the Swiss Confederation, or on the initiative of the Director General.

Rule 4: Matters of General Interest

With respect to matters which are of interest also to other Unions, the Council shall make its decisions after having heard the advice of the Coordination Committee of the World Intellectual Property Organization.

Rule 5: Majority

Subject to the provisions of Article 7(2) of the Lisbon Agreement, the Council shall make its decisions by a simple majority.

Rule 6: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

17. LOCARNO UNION ASSEMBLY

RULES OF PROCEDURE
adopted on October 2, 1971

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Locarno Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 5(3)(c) of the Locarno Agreement, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Locarno Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies must come either from the Ministry of Foreign Affairs or from the competent authority of the State in question.

Rule 3: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

18. IPC [INTERNATIONAL PATENT CLASSIFICATION] UNION ASSEMBLYRULES OF PROCEDURE
adopted on October 9, 1975Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the IPC Union (hereinafter called "the Assembly") shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions of the Strasbourg Agreement of 1971, by the resolution of the Assembly of October 7, 1975, and by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 7(3)(c) of the Strasbourg Agreement of 1971, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the International Bureau within the period allowed.

(3) Replies shall come from the Ministry of Foreign Affairs or the competent authority of the State in question.

Rule 3: Special Observers

(1) Any State member of the Paris Union which is not a member of the IPC Union but which has pledged special contributions to defray the expenses of the IPC Union in a given year shall, during that year, have the status of special observer in all sessions of the Assembly and of any committee or working group established by the Assembly.

(2) Any special observer shall have the right to make proposals in any of the sessions referred to in paragraph (1).

Rule 4: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

19. PCT [PATENT COOPERATION TREATY] UNION ASSEMBLY

RULES OF PROCEDURE
adopted on April 10, 1978,
and amended on February 3, 1984

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the International Patent Cooperation (PCT) Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Special Observers

Intergovernmental authorities having the power to grant patents effective in one or more States members of the PCT Union shall be invited as "special observers" to all sessions of the Assembly. They shall have the same rights in the sessions of the Assembly as States members of the Assembly, except the right to vote.

Rule 3: Draft Agenda

The draft agenda of each session shall be drawn up by the Director General. In the case of ordinary sessions, such draft shall follow the instructions of the Executive Committee once the Executive Committee is established (see PCT Articles 53(9) and 54(6)(a)). In the case of extraordinary sessions, the said draft shall include the item or items mentioned in the request referred to in Article 53(11)(c) of the Patent Cooperation Treaty.

Rule 4: Publication of the Report

The report on the work of each session, or a summary drawn up by the International Bureau, shall be published in the Gazette of the PCT Union and in the reviews of the World Intellectual Property Organization La Propriété industrielle and Industrial Property.

20. BUDAPEST UNION ASSEMBLY

RULES OF PROCEDURE
adopted on September 22, 1980

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Union for the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (Budapest Union) shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Publication of the Report

The report on the work of each session of the Assembly referred to in Rule 1, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

21. VIENNA UNION ASSEMBLY

RULES OF PROCEDURE
adopted on October 1, 1985

Rule 1: Application of the General Rules of Procedure

The Rules of Procedure of the Assembly of the Vienna Union shall consist of the General Rules of Procedure of WIPO, supplemented and amended by the provisions set forth hereinafter.

Rule 2: Decisions When a Quorum is Not Reached

(1) In the case referred to in Article 7(3)(c) of the Vienna Agreement, the Director General shall immediately communicate those decisions which have not yet taken effect to the States members of the Assembly of the Vienna Union which were not represented at the session, together with the report of the session and whatever additional explanations may be necessary.

(2) The period of three months allowed to them to express their vote or abstention shall run from the date on which the communication was sent. Replies shall be taken into consideration only if they reach the Director General within the period allowed.

(3) Replies must come either from the Ministry of Foreign Affairs or from the competent authority of the State in question.

Rule 3: Publication of the Report

The report on the work of each session of the Assembly, or a summary drawn up by the International Bureau, shall be published in the reviews La Propriété industrielle and Industrial Property.

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