

WIPO



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WIPO GENERAL ASSEMBLY

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COOPERATION WITH THE WORLD TRADE ORGANIZATION

Document prepared by the Secretariat

1. The General Assembly of WIPO expressed in its fifteenth session (4th extraordinary) in 1994, its desire to establish a mutually supportive relationship between the International Bureau of WIPO and the World Trade Organization (WTO). Further, it reached a decision, as stated in the following resolution (document WO/GA/XV/3, paragraph 74.3):

“3. The WIPO General Assembly decides that the International Bureau should be at the disposal of any State that expressly asks for advice on questions of compatibility of its existing or planned national intellectual property legislation not only with treaties administered by WIPO, but also with other international norms and trends, including the Agreement on Trade-Related Aspects of Intellectual Property Rights, and that the International Bureau should prepare studies on the implications of the said Agreement on the treaties administered by WIPO.”

2. The above resolution led to, *inter alia*, the study of *Implications of the TRIPS Agreement on Treaties Administered by WIPO*, which is published in six languages, and the Agreement Between the World Intellectual Property Organization and the World Trade Organization (hereinafter, “WIPO-WTO Agreement”) which came into force on January 1, 1996. The WIPO-WTO Agreement contains three main provisions on facilitation and documentation of notified laws and regulations in compliance with the TRIPS Agreement; communication of emblems of States and international intergovernmental organizations; and enhancement of cooperation between WIPO and WTO on legal-technical assistance and

technical cooperation for the benefit of the developing countries with regard to the TRIPS Agreement.

3. Pursuant to the above-mentioned resolution and the WIPO-WTO Agreement, WIPO has provided necessary legal-technical advice and assistance to developing countries in respect of implementation of the TRIPS Agreement. A complete account of the activities undertaken by WIPO in this regard and the joint activities of the two Organizations from January 1, 1996, to March 31, 1999, was compiled by the International Bureau and presented to the Permanent Committee on Cooperation for Development Related to Intellectual Property in its first session held in Geneva from May 31 to June 4, 1999 (document PCIPD/1/3). This document is annexed with minor changes.*

4. With regard to the joint activities with WTO, the International Bureau of WIPO has enhanced cooperation with WTO by undertaking joint operations such as joint symposia and workshops, as well as providing experts to the workshops and training courses organized by WTO and inviting experts from WTO to the WIPO symposia and workshops. The two Organizations also continue to participate in the meetings of the other as an observer and coordinate in the areas of notification of laws and regulations and implementation of Article 6ter of the Paris Convention in respect of communication of emblems (see annex, paragraphs 45 to 60).

5. In addition, the International Bureau launched a joint initiative with WTO in July 1998 to assist developing country Members of WTO meet the January 1, 2000, deadline for implementing the TRIPS Agreement. The joint initiative, which was in the form of a joint communication by the Directors General, Dr. Kamil Idris of WIPO and Mr. Renato Ruggiero of WTO, was sent to the Ministers responsible for the two Organizations in each of the developing countries concerned. As a result of responding to the requests received from these countries, 34 requests received to-date, cooperation between the two Organizations has significantly increased (for details, see annex, paragraphs 61 to 64).

6. The WIPO General Assembly is invited to note and comment on the activities undertaken thus far by WIPO in cooperation with WTO.

[Annex follows]

* An updated version of this document, up to June 30, 1999, will be made available at the Assembly on September 20, 1999.