

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

WIPO GENERAL ASSEMBLY

Twentieth Session (8th Extraordinary)
Geneva, March 20 and 21, 1997

**ESTABLISHMENT OF AN AD HOC INFORMATION TECHNOLOGIES COMMITTEE
AND PROPOSED DECISIONS CONCERNING SCHEDULING OF MEETINGS OF THIS
AND RELATED COMMITTEES**

Proposal from the United States of America

1. A letter, dated February 20, 1997, and its enclosure making proposals, received by the Director General from the United States of America, are annexed to this document.

2. *The General Assembly is invited to consider and make decisions concerning the proposals from the United States of America.*

[The Annex follows]

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ANNEX

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

February 20, 1997

Dr. Arpad Bogsch
Director General
World Intellectual Property Organization
34, chemin des Colombettes
1211 Geneva 20
Switzerland

Dear Dr. Bogsch:

I am writing to request, on behalf of the United States of America, that you add an item to the agenda of the meeting of the World Intellectual Property Organization (WIPO) General Assembly scheduled for March 20-21, 1997. The agenda it= should be entitled:

Proposal from the United States of America concerning the establishment of an ad hoc Information Technologies Committee and proposed decisions concerning scheduling of meetings of this and related committees.

The purpose of the agenda item would be to consider a proposal we are advancing to establish a high-level steering committee to coordinate and promote information technology-based initiatives in the various program areas of WIPO and the International Bureau. A more detailed summary of our proposal is enclosed. Please take the necessary steps to circulate this letter and the enclosure to the participants of the WIPO Governing Bodies meeting.

Sincerely,

Bruce A. Lehman
Assistant Secretary of Commerce and
Commissioner of Patents and Trademarks

Enclosure

**A Proposal from the United States of America
To Establish an Information Technologies Committee under
the General Assembly of the World Intellectual Property Organization**

Introduction

Over the past 20 years, the World Intellectual Property Organization (WIPO) has been successful in promoting its mission of improving the protection of intellectual property rights. WIPO has focused its activities during this period into three general areas: development of norms and standards ("norm-setting activities"), administration of the WIPO international registration Unions (e.g., PCT and Madrid Unions), and provision of technical assistance through development cooperation.

Recognizing that WIPO has been effective in promoting its mission does not suggest that significant improvements cannot be made. A brief evaluation of WIPO's current operations and its program of activities reveals two significant deficiencies:

- WIPO has not taken full advantage of modern information-related technologies, either to make its operations more efficient or to provide enhanced services to WIPO member states.
- WIPO has not made a serious or coordinated commitment to extend its development cooperation efforts beyond the provision of legal technical advice.

The United States believes it is essential to address these deficiencies across the entire spectrum of the work program of WIPO, and with respect to the internal operations of the International Bureau.

Summary of Proposal

The United States proposes that the WIPO General Assembly establish an ad hoc Information Technologies Committee to guide efforts related to use of modern information technologies across WIPO's work program and with respect to the operations of the International Bureau. The principal missions of this new ad hoc committee would be to:

- *refocus* WIPO's various program areas so as to take full advantage of modern information technologies, especially with respect to development cooperation activities aimed at developing the necessary domestic and international infrastructure to enable countries, particularly developing countries, to establish or modernize their intellectual property systems;
- ensure that the WIPO International Bureau *effectively utilize and disseminate* modern information technologies and standards based on these technologies in the course of providing its essential services; and

- *coordinate* with other WIPO Committees and bodies, including the Budget Committee to ensure that initiatives are effectively pursued and implemented.

The United States believes that providing WIPO Member States with a high-level forum to consider specific information technology-driven initiatives would be immensely useful to WIPO Member States. As noted above, the principal function of the proposed ad hoc committee would be to create a forum where WIPO Member States could consider and recommend specific program initiatives. Recommended initiatives would then be implemented either through alteration of existing programs of specific WIPO bodies such as the PCT Assembly, or through cooperation between and among distinct WIPO bodies. The proposed ad hoc committee would also be able to perform this function with the purpose of giving advice to the Director General concerning the modernization of the operations of the International Bureau. As such, the ad hoc committee would also allow WIPO members to reevaluate existing program initiatives from a new perspective, and would foster debate on new initiatives that do not currently fit within an single existing WIPO program or body.

The United States believes the size and makeup of the proposed ad hoc Information Technologies Committee should be defined so as to ensure representative and adequate participation by interested WIPO Member States. In this regard, the WIPO Coordination Committee may serve as a good model for the size and representation of the new ad hoc Information Technologies Committee. Also, because of its forward-looking mandate, the proposed ad hoc committee should permit interested observers to attend its meetings and to participate in an appropriate fashion.

The United States has assembled the following list of examples to illustrate the types of projects or initiatives that might be considered by the proposed ad hoc committee. If the committee is established, the United States would be prepared to submit proposals on each of these topics for further consideration.

- *Establish and maintain a secure, modern telecommunications network and information infrastructure that supports direct communications and information exchange between national industrial property offices.* This initiative would aim to establish a worldwide network using commercially available, Internet-related technologies that are based upon open standards. The network itself would be based on a series of dedicated (leased) telecommunications lines to ensure stability and security. WIPO would provide equipment, funding and technical assistance to national governments to connect their industrial property offices to the network and would have overall responsibility for maintaining the network.
- *Have WIPO assist national offices in establishing a national point of entry to the Internet for purposes of providing intellectual property services.* This initiative would direct WIPO to provide technical assistance to national industrial property offices to enable these offices to provide information and services concerning their intellectual property rights systems to

interested members of the public. WIPO would assist by providing equipment, funding, services, advice and training in the development and maintenance of world wide web sites for each national office.

- *Coordinate development of systems to enable national offices to access to information databases maintained by other national and regional industrial property offices.* This initiative would develop interfaces or "gateways" to enable all network participants (i.e., those WIPO Member States that are participating in the global network) to access the electronic information databases (e.g., patents and trademark registrations, policy and training materials, assignment records) that are maintained by other industrial property offices. WIPO would work with national and regional industrial property offices in developing standards and software to enable Internet-based access to these information databases. WIPO could also serve the role of developing new electronic patent and trademark database standards and systems for those countries that do not currently maintain such databases.
- *Promote development and assist deployment of systems to permit electronic filing and automated processing of patent applications, particularly PCT applications.* Such systems would allow users to securely file their national or PCT applications electronically, and would provide for automated processing of the filed applications (e.g., automatic generation of the application documents, serialization of the applications, automated publication of applications or patents). These electronic systems would eventually replace the existing paper-based PCT processing system. WIPO would provide funding and technical assistance, and would work with national Patent Offices and PCT Members to design and implement these systems.
- *Adopt a policy of distributing WIPO information electronically to WIPO Member States Using the Secure World-Wide Network.* WIPO would utilize its internal web site and electronic mail to distribute notices, meeting documents, and other resources that are currently provided to WIPO Members only through the mail in paper format. WIPO would also develop and provide access via the global network to electronic databases WIPO information resources, such as the collection of national laws and regulations related to intellectual property, treaties and other useful intellectual property legal materials.

Proposed Schedule of Steps

Recent advances in information technologies are opening up tremendous opportunities in the field of providing intellectual property services. The World Intellectual Property Organization, from its Headquarters in Geneva, Switzerland, has a unique role and position to exploit these opportunities. However, the United States believes that WIPO and its International Bureau must actively and immediately take steps to take advantage of these technologies in its short term (1998-1999) work program.

For these reason, the United States believes it would be appropriate to pursue the following series of steps during 1997:

First, during the March 20-21, 1997, Extraordinary Session of the Governing Bodies, the WIPO General Assembly would take a decision to establish the ad hoc Information Technologies Committee, define its membership and terms of reference, elect a chairperson and set the date of its first meeting for June of 1997.

Second, the WIPO General Assembly would instruct the Budget Committee, during its deliberations in April 1997, to consider only those budget items that are part of a continuing program, and do not represent significant new or increased expenditures, either from general revenues or from the Computerization and Premises Reserve Fund. This decision would enable Budget Committee to consider possible recommendations from the ad hoc Information Technologies Committee concerning the budget and program for the 1998-1999 biennium.

Third, during June of 1997, convene the first meeting of the ad hoc Information Technologies Committee to consider initial proposals from Member States. This meeting would allow consideration of specific proposals regarding program items, including their financial implications. It would also permit the Committee to establish a calendar of meetings and to organize its program of activities.

Fourth, during July of 1997, reconvene the Budget Committee to consider any new proposals from the ad hoc Information Technologies Committee, along with any items not considered during its April 1997 meeting.

[End of Annex and of document]