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WORLD INTELLECTUAL PROPERTY ORGANIZATION
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ASSEMBLIES OF THE MEMBER STATES OF WIPO

Thirty-Third Series of Meetings
Geneva, September 7 to 15, 1998

GENERAL REPORT

adopted by the Assemblies of the Member States

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INTRODUCTION

1. This General Report records the deliberations and decisions of the following
21 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, twenty-third session (10th extraordinary)
- (2) WIPO Conference, sixteenth session (3rd extraordinary)
- (3) WIPO Coordination Committee, forty-second session (29th ordinary)
- (4) Paris Union Assembly, twenty-eighth session (15th extraordinary)
- (5) Paris Union Conference of Representatives, twenty-fifth session
(12th extraordinary)
- (6) Paris Union Executive Committee, thirty-fifth session (34th ordinary)
- (7) Berne Union Assembly, twenty-fourth session (11th extraordinary)
- (8) Berne Union Conference of Representatives, eighteenth session (5th extraordinary)
- (9) Berne Union Executive Committee, forty-first session (29th ordinary)
- (10) Madrid Union Assembly, thirtieth session (18th extraordinary)
- (11) Hague Union Assembly, seventeenth session (6th extraordinary)
- (12) Hague Union Conference of Representatives, seventeenth session (6th
extraordinary)
- (13) Nice Union Assembly, seventeenth session (4th extraordinary)
- (14) Nice Union Conference of Representatives, sixteenth session (3rd extraordinary)
- (15) Lisbon Union Assembly, fourteenth session (2nd extraordinary)
- (16) Lisbon Union Council, twenty-first session (2nd extraordinary)
- (17) Locarno Union Assembly, seventeenth session (5th extraordinary)
- (18) IPC [International Patent Classification] Union Assembly, sixteenth session
(5th extraordinary)
- (19) PCT [Patent Cooperation Treaty] Union Assembly, twenty-sixth session
(15th extraordinary)
- (20) Budapest Union Assembly, fourteenth session (5th extraordinary)
- (21) Vienna Union Assembly, tenth session (3rd extraordinary)

meeting in Geneva from September 7 to 15, 1998, where the deliberations took place, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies (hereinafter referred to as “the joint meeting(s)” and “the Assemblies of the Member States,” respectively).

2. In addition to this General Report, separate Reports have been drawn up on the sessions of the General Assembly (WO/GA/23/7), WIPO Conference (WO/CF/16/2), Coordination Committee (WO/CC/42/3), Berne Union Assembly (B/A/24/2), Hague Union Assembly (H/A/17/2), PCT Union Assembly (PCT/A/26/2), Paris Union Executive Committee (P/EC/35/1) and the Berne Union Executive Committee (B/EC/41/1).
3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions as of September 4, 1998, is set forth in document A/33/INF/1 Rev.
4. The meetings dealing with the following items of the Agenda (document A/33/1 Prov.2) were presided over by the following Chairs:

Items 1, 2, 4, 5, 6, 7, second part of item 8, 9, 10, 12, 13, 14, 20 and 21	Ms. Sheila Batchelor (Canada), Chair of the General Assembly
Items 3, first part of 8, 18 and 19	Mr. Jean-Marie Noirfalisse (Belgium), Chair of the WIPO Coordination Committee and Mr. Leo J. Palma (Philippines), Vice-Chair of the Coordination Committee
Item 11	Mr. Ladislav Jakl (Czech Republic), Vice-Chair of the WIPO Conference
Item 15	Mrs. América Néstar Santos Riveras (Cuba), Acting Chair of the PCT Union Assembly
Item 16	Mr. Jan Nicaise (Netherlands), Chair of the Hague Union Assembly
Item 17	Mr. David Gabunia (Georgia), Vice-Chair of the Berne Union Assembly

Item 20

The Chair (or, in her absence, a Vice-Chair, or in the absence of the Chair and both Vice-Chairs, an *ad hoc* Chair) of one of the 21 Assemblies and other related Bodies concerned, that is, for the General Report, the Report of the General Assembly and the Report of the WIPO Conference, Ms. Sheila Batchelor (Canada); the report of the Coordination Committee, Mr. Leo J. Palma (Philippines); the Report of the Berne Union Assembly, Mr. David Gabunia (Georgia); the Report of the PCT Union Assembly, Mrs. América Néstar Santos Riveras (Cuba); the Report of the Hague Union Assembly, Mr. Alexandru Cristian Strenc (Romania); the Report of the Paris Union Executive Committee, Mr. Gorgi Filipov (the former Yugoslav Republic of Macedonia); the Report of the Berne Union Executive Committee, Mr. Pronab Ranjan Dasgupta (India)

Item 21

Ms. Sheila Batchelor (Canada), Chair of the General Assembly

5. The list of participants appears in document A/33/INF/3.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The thirty-third series of meetings of the Assemblies and other bodies of the Member States of WIPO was convened by the Director General of WIPO, Dr. Kamil Idris (hereinafter referred to as “the Director General”).
7. The sessions of the Assemblies and other bodies of the Member States of WIPO were opened in a joint meeting of all the 21 bodies concerned by the Chair of the General Assembly, Ms. Sheila Batchelor (Canada).
8. The Chair of the WIPO General Assembly made the following statement:

“With great sadness and a profound sense of loss, I call this thirty-third session of Assemblies of the World Intellectual Property Organization to order.

“Last week, two senior staff of the World Intellectual Property Organization (WIPO) were killed in a tragic crash of their flight off the coast of Canada while returning from New York to Geneva.

“Ludwig Baeumer spent a long and distinguished career in WIPO and its predecessor BIRPI. He was recognized by all as a thinker and a leading jurist in the field of Industrial Property Law. His career, which began as a Legal assistant in the Industrial Property Division, was marked over the next 30 years by a series of promotions which recognized his capabilities and his contributions to the development of international industrial property norms.

“It seemed that whenever there was a diplomatic conference, whether it was related to patents, marks, or industrial designs, Ludwig Baeumer was there — guiding and supporting the Member States in their deliberations, and helping us move the agenda of the protection of industrial property forward.

“The consummate professional, a man of the highest integrity, Ludwig Baeumer epitomized the international public servant — gracious, highly competent, dedicated to the mission of WIPO. His vast knowledge and incisive mind were recognized not only by the governmental community but also by the worldwide intellectual property profession. His death comes as he was once again guiding us forward to another diplomatic conference foreseen by the preparatory work on the draft Patent Law Treaty.

“When Joachim Bilger joined WIPO in 1993, he brought with him an already high reputation of absolute dedication to the highest standards of financial management in the United Nations system. His contribution to the reform of financial management practices in the larger UN family over 17 years had already been recognized by the Secretary-General himself, who award Joachim Bilger the first prize under the Staff and Incentive Program for his improvements to UN financial and personnel procedures.

“All of us in this room know the amazing contribution of Joachim Bilger to our common goals over the past year. He was the driving force behind our new results-based program and budget. As our newly appointed Controller, he was also introducing modern financial management practices into the day-to-day operations of the organization. He was himself, highly capable, energetic, enthusiastic and absolutely selfless and tireless on behalf of WIPO and our interests; but ever modest, he was always quick to point out that it was his team that deserved all recognition and it was only through them that he was able to fulfill our challenge to position WIPO to be a leader in the 21st Century.

“Ludwig Baeumer and Joachim Bilger will be sadly missed by us all. As Chair of the General Assembly of the World Intellectual Property Organization, on behalf of the General Assembly and all Member States of WIPO, I would like first of all to extend our most heartfelt condolences to the families and loved ones of Ludwig Baeumer and Joachim Bilger. If our grief at these unexpected and tragic deaths is great, theirs is beyond measure.

“Again on your behalf, I would like to ask the Director General to convey to all WIPO employees the sincere condolences of the Member States for the loss of two such valued colleagues and friends.

“Those who worked directly for and with Ludwig Baeumer and Joachim Bilger are particularly in our thoughts and prayers. For them, the fact that their day-to-day professional interaction with men of such high caliber will be no more, is a singular loss.

“I would like to say a few words to you, Kamil; from all of us in this room. It hardly seems possible that it was just one short year ago that we elected you as the new Director General of WIPO. The burden we placed on your shoulders was heavy. One which could only be achieved through a strong and dedicated team of senior staff, working with you to bring your vision to reality.

“In Ludwig Baeumer you had a senior member of your team who represented continuity and all the best that has been WIPO over the past 30 years. In Joachim Bilger, you had a senior member of your team who represented the forces of change and a vision of future excellence for WIPO. To lose them both so suddenly and so tragically is, I know, a deep, personal devastation for you.

“And so, to you, our deepest sympathy as you face the difficult days ahead without Ludwig Baeumer and Joachim Bilger by your side.

“Would you like to say a few words Director General?”

9. The Director General responded with the following statement:

“Madam Chair, Excellencies, Distinguished Delegates. I have the painful duty of informing you of the tragic and premature deaths of two very dear friends and respected colleagues, Ludwig Baeumer and Joachim Bilger. They were both on mission in New York last week, attending to separate matters. They were both rushing back to Geneva in time for consultations and meetings with Member States. Their plane, Swissair 111 crashed off the coast of Canada last Wednesday night.

“We are all still in a state of shock. The organization, the Secretariat and the Member States have suffered a grievous blow.

“Fate has robbed us of two of our best and most senior colleagues. I do not hide from you that it may take months to fill the gap which their departure has left.

“Ludwig Baeumer and Joachim Bilger were universally admired and appreciated. Their total dedication, loyalty their moral rectitude and their unfailing courtesy were exemplary. What the organization is today is owed to men and women like them.

“What makes our loss so hard to bear is that they were also our friends and our brothers. We worked together, but we also shared happy moments and common interests. We gave them our affection and received theirs and we are now bereft.

“Like us in the Secretariat, so many of you knew Ludwig and Joachim. Our loss is therefore a common loss, our grief a common grief.

“Ludwig and Joachim will always be remembered by all of us and by me personally. As international civil servants, we will remember them as shining examples of the ideal of universal brotherhood. As friends, we remember their humanity and their big hearts.

“Their loved ones face unbearable suffering, we give them our support unreservedly and unconditionally.

“We do not forget the terrible fate that has also fallen on all the people on board the fateful flight. To their families and their countries we extend the heartfelt condolences of the organization.

“Above all we convey to the people and the government of the Swiss Confederation, to the delegation of Switzerland our deepest sympathies. We mourn with them in their dark hour.

“Two condolence books will be opened for signature this afternoon on a table by the documents counter in the CICG building. They will remain open through Friday. Each will later be sent to the respective family, as silent witness of your, our, esteem and affection. Thank you.”

10. The Chair of the WIPO General Assembly responded:

“Thank you Director General. Colleagues — we are an international community — and the common goals which we pursue are only made possible when Member States fully encourage and support some of their best and their brightest who are working on our behalf. All of us who have nationals in senior positions in international organizations point with pride at the contribution which through them, our country is able to make. As Ludwig Baeumer and Joachim Bilger were German nationals, in this fatal accident our colleagues from Germany have lost two exceptional international public servants. I would like to give the floor to the Distinguished delegate from Germany.

11. Ambassador Höynck, Ambassador of Germany to the United Nations in Geneva made the following statement:

“I thank the Chair and the Director General for the opportunity to speak on behalf of my Government, and on behalf of the German UN Community in Geneva.

“Mr. Director General, dear Kamil, let me express what we have experienced these days on many occasions: WIPO’s loss is our loss.

“Germany and the German UN community have lost two men who had specific standing and role. Ludwig Baeumer was a man who had the gift to inspire confidence and to make friends. Joachim Bilger has been for many years the Chairman of the Association of German Staff Members of international organizations. With the devotion to his tasks, which was one of his outstanding characteristics, he cared for the problems

and the interests of his colleagues. Ludwig Baeumer and Joachim Bilger are gone. But they remain our friends. And for that matter they continue to be with us. In this spirit we share the grief of their families.

“Let me conclude with words of Max Frisch — one of the great Swiss German writers — on a similar occasion: “*Unser Freundeskreis unter den Toten wird größer*” which means the circle of our friends among the dead has been extended. I thank you.”

12. The Chair of the WIPO General Assembly responded:

“On behalf of the General Assembly and all the Member States, I would like to extend our condolences to you and to the other members of the German delegation, and through you to all friends and colleagues of Ludwig Baeumer and Joachim Bilger in Germany, who are mourning the deaths of two outstanding fellow countrymen.

“Distinguished Delegates, many of you in this room have worked closely with both Ludwig Baeumer and Joachim Bilger over the years. You have indicated that you would like to have a way to pay your own personal tributes to each of them. A book of condolences for Ludwig Baeumer and another one for Joachim Bilger will be opened and delegations and individual delegates are invited to remember each man with their own words. At the end of the General Assembly each book will be forwarded to our late colleagues’ families so that they may know the high esteem in which their loved one was held by the international intellectual property community during his lifetime.

“Distinguished delegates, I wish our grief could stop here but most unfortunately, on the same flight as our WIPO colleagues was a bright, dynamic young woman from the Swiss Federal Institute of Intellectual Property, Karine Richard. A lawyer by profession, Karine’s career was just beginning, you may have seen her here at our meetings or talked with her during coffee breaks; if so, you will have been struck by her enthusiasm for the world of Intellectual Property and her delight at being part of the WIPO community. I would like to ask the distinguished delegate from Switzerland if he would like to take the floor.”

13. Ambassador Gyger, Permanent Representative of Switzerland to the United Nations in Geneva made the following statement:

“Madam Chair, Director General, Your Excellencies, Ladies, Gentlemen

“As the representative of the host country, it is for me to assume the heavy burden of speaking on this day of profound sorrow for Switzerland and for the international community of Geneva.

“Death struck cruelly on September 3 of this year. That day’s tragedy first led to grief and pity. Those feelings rapidly gave way to incredulity, to consternation and then to horror and the pain of discovering people we knew or who were close to us. Many were those who felt a sense of revolt at so many lives that had been tragically and unjustly taken. Death has struck two members of our Organization, that we knew not only as colleagues but also as friends, Ludwig Baeumer and Joachim Bilger. It is extremely painful to imagine now that there will be a session of the General Assembly

without them. They will leave an immense gap. We shall miss their experience, their professional qualities, their dedication and their friendship. Permit me, on behalf of the Swiss Government, the Federal Administration and, in particular, on behalf of the Federal Intellectual Property Institute, to extend their condolences to you and, in particular, to their families who have suffered such a painful loss.

“Death unfortunately chose a further victim, a member of the Federal Intellectual Property Institute, Karine Richard, a lawyer in the International Affairs Service. Some of you will certainly have kept a radiant memory of her grace and professional competence. She was the daughter of a fellow Ambassador of Switzerland and had begun her activities in Berne in September of last year. Quite recently, she had actively prepared for these Assemblies by participating in the informal consultations on July 8. Intellectual property had become her passion; she was destined for a brilliant career. Fate has decided otherwise. In addition to the immense grief of her family, those close to her, her friends and colleagues, the death of Karine Richard is an immense loss for the Institute, for the Federal Administration and for Switzerland.

“The sorrow that today fills our hearts, even if we must face up to the implacable rigor of fate, must also give us the courage to continue on our road and to complete our mission, particularly in honor and in memory of those persons who have so tragically left us.”

14. The Chair of the WIPO General Assembly replied:

“To our colleagues in the Delegation of Switzerland, I extend, on behalf of the General Assembly and all the Member States of WIPO, our deepest sympathy for the grief of a Nation and for the loss of one so young and with so much promise.

“Distinguished delegates, a few short days ago we lost colleagues from three generations of the intellectual property community, each of whom had demonstrated the highest commitment and dedication to our common goals.

“Ludwig Baeumer, who over his 30 years of dedicated service, earned the highest respect within the international community as a leading intellectual property jurist.

“Joachim Bilger, a man at the height of his creative powers dedicated to the financial and organizational integrity of WIPO which will be one of our major strengths in years ahead; and Karine Richard, a dynamic young woman, representing the future and the hope of all that is yet to come.

“We are so much the poorer for their tragic and untimely deaths.

“May their souls rest in everlasting peace. I ask you all to rise for one minute of silence in memory of Ludwig Baeumer, Joachim Bilger and Karine Richard.”

ITEM 2 OF THE CONSOLIDATED AGENDA:
ADOPTION OF THE AGENDAS

15. Each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/33/1 Prov.2 (hereinafter referred to in this document and in the documents listed in paragraph 2, above, as the “Consolidated Agenda”).

ITEM 3 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS OF THE COORDINATION COMMITTEE
AND EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS

16. Discussions were based on document A/33/INF/1 Rev.

17. Following informal consultations between the Group Coordinators presided over by the outgoing Chair of the WIPO Coordination Committee, the following decision was adopted concerning the officers of the Coordination Committee:

The Coordination Committee

(i) endorses the principle of equitable geographical rotation for the election of the officers of the Coordination Committee;

(ii) elects as officers of the Coordination Committee

Chair: Jean-Marie Noirfalisse (Belgium)

Vice-Chair: Leo J. Palma (Philippines)

Vice-Chair: Víctor Manuel Lagos Pizzati (El Salvador)

(iii) requests the new Chair of the Coordination Committee to convene consultations with a view to establishing, before the next ordinary session of the Coordination Committee, modalities for the implementation of the above-mentioned principle.

18. Following the same informal consultations mentioned above, the following officers were elected for the Executive Committees of the Paris and Berne Unions, and for the vacancy to fill the Chair of the Lisbon Union Council:

for the Paris Union Executive Committee

Chair: Gorgi Filipov (The former Yugoslav Republic of Macedonia)

Vice-Chair: Uğur Gursad Yalçiner (Turkey)

Vice-Chair: Jacqueline Nicole Mono Ndjana (Ms.) (Cameroon)

for the Berne Union Executive Committee

Chair: Pronab Ranjan Dasgupta (India)
Vice-Chair: Valeriy I. Petrov (Ukraine)
Vice-Chair: Erwin Arkenbout (Netherlands)

for the Lisbon Union Council

Chair: Arturo Hernández Basave (Mexico)

19. The revised list of the officers for all the 21 Assemblies and other bodies appears in document A/33/INF/4 Rev..

ITEM 4 OF THE CONSOLIDATED AGENDA: PROGRAM IMPLEMENTATION OVERVIEW

20. Discussions were based on documents A/33/2 and A/33/7.

21. The Chair indicated that this agenda item was the successor to the traditional agenda item dealing with the activities report in previous meetings of the WIPO Governing Bodies. With the increase in the number of Member States she pointed out that it was perhaps no longer efficient for many delegations to each make an extensive statement. The Director General himself had encouraged delegations to submit written statements to enable the Member States to save time and concentrate on more pressing matters. However, the Chair did not wish to impose on statements a fixed time limit but suggested that delegations themselves exercise restraint by submitting written statements only. Those statements would be reflected in the report on this agenda item as if they had been presented during the meeting. Almost all delegations filed written statements with the Secretariat. About half of them spoke to highlight the main points of their statements.

22. In introducing documents A/33/2 and 7, the Director General recalled that a year had passed since he had promised the General Assembly accountability, transparency and consensus-building in all aspects of WIPO's work. He had pledged to put information technology at the heart of WIPO, develop use of Internet, establish the WIPO Worldwide Academy, build institutions with a lasting legacy, design nationally-focused action plans with emphasis on implementation of the TRIPS Agreement, create the Policy Advisory Commission and the Industry Advisory Commission, promote progressive development of international intellectual property law and reach out to partners in the United Nations family, the WTO and market sector interests. He noted that all these pledges were in the course of implementation and substantial progress had already been made.

23. The Director General stated that the two documents gave an overview of what had been achieved in the first seven months of the biennium, pending a more complete account covering the whole of 1998, after a full year had passed. That report, called the Program and Budget Implementation and Performance Report, would become an annual document. He summarized the highlights of what had been achieved so far. By the new year, the basic foundation of the new organigram was in place. In March, WIPO's first ever strategic budget was approved by

the Assemblies. Also in March, key projects to increase automation in the PCT and establish a Global Information Network were approved by the Member States. Moreover, the implementation of the Madrid Protocol and promotion of the two new copyright treaties (WCT and WPPT) were under way, while research in new intellectual property questions was developing.

24. In June, the Budget and Premises Committees approved purchase of a new lot, thus resolving the problem of the premises needed by the expanded operations of WIPO. In the same month, video-conferencing techniques for training purposes were successfully launched, with particular importance for developing countries. In July, the Coordination Committee approved the appointment of two Deputy Directors General, thereby consolidating the management structure of WIPO, with staff development progressing well.

25. Relations with various United Nations bodies had advanced, particularly with the World Trade Organization, in the implementation of the TRIPS Agreement. In July, he had initiated with the Director General of WTO a joint facility on cooperation for the benefit of the Members of both Organizations. At the current meetings, he was presenting a strategic and long-term proposals for the use of the special reserve funds and would be inaugurating the new Visitors' Center. All these activities would enhance the profile and corporate image of the protection of intellectual property. It was his belief that the Member States and the Secretariat had been able to work in a new-found spirit of partnership.

26. The delegations of the following 82 States and 7 intergovernmental organizations made statements: Andorra, Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Brazil, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, China, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Estonia, France, Gabon, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Honduras, Hungary, India, Italy, Jamaica, Japan, Kenya, Kyrgyzstan, Lesotho, Liberia, Madagascar, Malaysia, Mali, Mauritius, Mexico, Morocco, Namibia, Netherlands, New Zealand, Niger, Norway, Pakistan, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Swaziland, Sweden, The Former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United States of America, Ukraine, Uruguay, Venezuela, Viet Nam, Zambia, African Regional Industrial Property Organization (ARIPO), Commission of the European Communities (CEC), Eurasian Patent Office (EAPO), European Patent Office (EPO), African Intellectual Property Organization (OAPI), Organization of African Unity (OAU), Southern African Development Community (SADC).

27. A number of delegations expressed condolences on the tragic death of Mr. Ludwig Baeumer and Mr. Joachim Bilger. Most of the delegations which spoke expressed appreciation for the quality of the preparatory documents as well as expressed satisfaction with the new initiatives which were launched, the work done and the results achieved during the period under review.

28. Many delegations expressed the view that it was too early, based on the documentation available, to make an evaluation of the results so far achieved. They therefore looked forward to the Program and Budget Implementation and Performance Report (PBIPR) which would be prepared for the full year of 1998 as that would permit them to measure the success or

otherwise of the substantive program activities carried out. Many delegations expected that the PBIPR would include criteria and indicators for measuring results.

29. The Delegation of the Netherlands, speaking on behalf of Group B, said that the report covered an important period and showed a promising start. Like the user-friendly format of the Program and Budget document, the Delegation commended equally the format of the Program Implementation Overview. It looked forward to the follow-up document covering a longer period. That latter document should contain quantifiable indicators to enable Member States to measure the implementation of the program as compared with the declared objectives.

30. The Delegation of Italy welcomed the forthcoming official visit of the Director General to its country on September 24 and 25, 1998. That visit would strengthen the excellent ties between WIPO and Italy while benefiting international cooperation as a whole. The Delegation expressed satisfaction with the work so far accomplished. The Program and Budget document was innovative and transparent. The two Advisory Commissions would reinforce WIPO's ties with the private and academic sectors. The WIPO Academy promoted linkages of WIPO's future activities with a development perspective. It also noted, in a period of globalization of economies, WIPO's prominent position amongst other international organizations, and in this connection welcomed the joint WIPO/WTO symposium on the implementation of the TRIPS Agreement which would take place the following week. The Delegation hoped that this initiative would lead to other business-minded development activities in cooperation with other international organizations. The Delegation welcomed the creation of the various Standing Committees and the work that some had so far accomplished or would soon be done and looked forward to the speedy establishment of the Permanent Committee for Intellectual Property Development. It announced that the Italian Government had approved the rules governing geographical indications in the framework of the relevant European Community Regulation.

31. The Delegation of Bangladesh spoke on behalf of the Asian Group. The Asian Group recognized that the Program and Budget had only been approved at the end of March and looked forward to a more comprehensive report for the whole of 1998 before making specific comments on the work carried out. The Group expressed the hope that priority would be placed on nationally-focused action plans and on activities devoted to biodiversity and biotechnology, protection of folklore and human resource development. The Group would like the budgetary surplus to be utilized in the priority areas mentioned earlier, assistance to the least developed countries as well as assistance to developing countries to participate more fully in the work of the Standing Committees.

32. The Delegation of Senegal expressed satisfaction with the leadership of the Director General, who, within a short period, had fulfilled his promises of transparency, close cooperation with Member States and greater efficiency. It appreciated, in particular, the important place given by the Director General to women in WIPO, and his proposal to appoint three women to grade D1. The Delegation especially appreciated the frequent consultations with Member States, the reduction in the number of Committees of Experts and Permanent Committees within WIPO, the creation of Advisory Commissions and the establishment of a Working Group to study the questions relating to the nomination and appointment of Directors General. The Delegation drew attention to the pressing need for the further progressive development of international law on intellectual property, in view of the globalization of economies and the increasing economic importance of intellectual property

protection. It welcomed the new copyright treaties and hoped for faster progress in other areas such as complementary action in the field of the proposed Patent Law Treaty and performers' rights in audiovisual works. The Delegation emphasized the importance of cooperation for development, and in this context, of the TRIPS Agreement. It hoped that the cooperation between WIPO and WTO would be accompanied by cooperation with other international organizations. The Director General's visit to Senegal in April had contributed to a better understanding in its country of the importance of intellectual property.

33. The Delegation of Liberia expressed satisfaction with, among other issues, the development of the Global Information Network, new premises and additional staff. It expressed concern about the level of assistance given to developing countries, in particular those countries lacking facilities for research, development and protection of intellectual property rights or access to Internet. The Delegation urged WIPO to assist national offices in developing countries, such as Liberia, to acquire information technology, particularly in accessing Internet, draft adequate legislation, to train staff, and to provide resources for printing and publication. Also, countries should be assisted to take advantage of the Global Information Network. It also expressed the view that the composition of the Budget Committee should reflect a balance between developed and developing countries.

34. The Delegation of Guatemala stated that WIPO would have to face up to new challenges due to constant technological, commercial, social and cultural changes, and that national intellectual property offices would have to do the same in addition to complying with obligations assumed, the most immediate one being the TRIPS Agreement. The Delegation emphasized the importance of training the personnel of national offices and officials working in the intellectual property field by means of seminars and the training program and long-term fellowships of the WIPO Worldwide Academy. It attached the same importance to the computerization of national offices with a view to participation in WIPO's global information network and in its electronic forums, and to innovations in information technology, with the aim of achieving modernization of offices and optimization of their services. The Delegation mentioned new activities such as biodiversity, new beneficiaries and folklore. It stressed the importance of following the activities in question closely, in order to determine the follow-up to be given to them in the future. On the question of the geographical distribution of WIPO staff, the Delegation had taken note of the Director General's awareness of the historical imbalance and of his desire to improve the situation and recruit women at the Professional level. The Delegation was pleased to announce the deposit of Guatemala's instrument of accession to the Paris Convention in May of the current year.

35. The Delegation of Bangladesh took note of the circumstances of the implementation of the Program and Budget and expressed satisfaction with the results so far achieved. It looked forward to a comprehensive result-oriented review for 1998, with criteria for evaluating performance. It expressed confidence that the Director General and the Secretariat would meet all the challenges of the program. It held the view that cooperation with WTO required reinforcement and that developing countries needed to be assisted in participating in joint WIPO/WTO activities, such as the forthcoming WIPO/WTO symposium on the implementation of the TRIPS Agreement. In assisting countries to modernize their intellectual property systems and in implementing the TRIPS Agreement, more resources required to be devoted to the poorest countries, especially in development of human resources. It remarked on the success of the recent seminar on intellectual property rights and the TRIPS Agreement organized by WIPO in Dhaka. WIPO should play an important role in the protection of

intellectual property rights in the field of biodiversity and biotechnology, where assistance needed by developing countries could be examined. Satisfaction was expressed with the proposal to set up an administrative unit for the promotion of intellectual property systems in the least developed countries. Its country would respond to the Director General's call for partnership.

36. The Delegation of Zambia stressed the importance its country attached to the establishment of the effective protection of intellectual property at national, regional and international levels. This was reflected in Zambia's interest and participation in the work of WIPO, particularly in the areas of cooperation for development and progressive development of international intellectual property law. Zambia enjoyed excellent relations with WIPO and had already benefited from the technical assistance it provided. The Delegation expressed the hope that such assistance would continue, particularly as the issue of industrial property rights was a high priority for the development of the national economy. This was reflected in its intended accessions to the PCT and the Madrid systems, geared to strengthening the legal framework for the protection of industrial property rights. It requested assistance from WIPO in staff training and computerization of the national intellectual property office, especially as that office, after it later became an executive autonomous agency of the Government, would further strengthen such protection.

37. The Delegation of Angola expressed its country's appreciation of the cooperation that had taken place between the Portuguese-speaking African countries and WIPO. Angola hoped to accede to the Paris Convention and the PCT before the end of the year. With respect to technical assistance, it requested that WIPO provide training for the staff of the Angolan Institute of Industrial Property as well as for judges, magistrates, representatives of the private sector and academics, including the holding of a national seminar on the TRIPS Agreement before the end of the year. As much as possible, courses should be in Portuguese to allow meaningful participation by its nationals. WIPO's assistance was also requested in the computerization of the national intellectual property system.

38. The Delegation of Japan stated that the demand for strong intellectual property protection and interest in WIPO's activities were increasing as was witnessed by the increase in the number of visits to the WIPO web site and in the number of PCT applications. WIPO activities were also now often featured in the Japanese press. Japan was developing its intellectual property system in line with the needs of today's information-oriented society. Above all, the Diet of Japan had made a resolution in May 1998 that the Government of Japan shall do its utmost to enact the Patent Law Treaty (PLT) as soon as possible and work towards accession to the Madrid Protocol. In that context, the Government of Japan had already started to address concrete problems that needed to be overcome, in order to accede to the above treaty. Early implementation of the WCT and the WPPT was a matter of urgency. Japan was, therefore, making the necessary amendments to its copyright legislation to allow for accession to those two treaties. Implementation of the TRIPS Agreement by developing countries was crucial. Japan had therefore been promoting cooperation with developing countries, in particular with regard to the review of national legislation to bring it into line with the requirements of the TRIPS Agreement. In 1996, Japan implemented a training program — "1000 by 2000" — which would result in the country having accepted 1,000 trainees from the Asia-Pacific region by the year 2000. It had also co-hosted a WIPO regional forum for the heads of intellectual property offices in the region. A second such forum would be held in Tokyo at the beginning of October. The country was also leading activities in the intellectual

property field, as convener of the forum of the Asia-Pacific Economic Cooperation (APEC), to adopt the "Declaration of Implementation of the TRIPS Agreement in the Year 2000" at the Ministerial Meeting of APEC in the year 2000. It was hoped that the above activities would help developing countries to smoothly implement the TRIPS Agreement and contribute to the international harmonization of national intellectual property systems. WIPO had an important role to play in the timely, speedy, and effective harmonization of norms and practices in that area, as well as widening its norm-setting activities. The Delegation noted three areas of WIPO's work in which it would particularly like to see progress: the speedy establishment of the Patent Law Treaty, appropriate protection of well-known trademarks, and the progressive development of an intellectual property system for the information society, including global electronic commerce.

39. The Delegation of Germany expressed its appreciation for WIPO's work in supporting the Member States' common cause of promoting creativity and innovation in a globalized world economy, through the progressive development and global protection of intellectual property rights. The Organization had also shown that, under the leadership of its new Director General, it was able to rise to the new challenges with which it was faced. Germany welcomed the new approach of accountable program management based on clear objectives and expected results and noted with great satisfaction the high degree of transparency that had been reached, facilitating WIPO's internal management as well as its cooperation with its Member States. Enhanced mechanisms to monitor and evaluate the implementation of programs were an important precondition for a higher level of responsibility and accountability on the part of program managers. Improved financial and management control also made it easier for Member States to meet their responsibilities of assessing the efficiency and effectiveness of the Secretariat's activities. These new features of WIPO's strategy might even serve as an example for other UN agencies. The Delegation looked forward to playing an active role in the work of the new Standing Committees and working groups. It also looked forward to discussing the other items on the agenda in the immediate future, many of which were of particular relevance to the organizational structure and financial management of WIPO, others having a special bearing on new developments, such as electronic commerce.

40. The Delegation of Pakistan noted that there was increasing recognition in WIPO that promoting and strengthening the global intellectual property system could not be achieved by focusing only on the development of norms and rules and establishing enforcement mechanisms. Certain non-legal factors impeding broader acceptance of intellectual property systems needed to be addressed systematically by WIPO. First, the manner in which intellectual property systems had sometimes been introduced in developing countries had led to the perception that they were a vehicle for protecting foreign interests. Measures might be required to demonstrate the usefulness of IP systems for all countries, developed and developing. Second, claims that intellectual property systems promoted innovation, foreign investment, research and development and transfer of technology were not borne out in all cases. Until a clear link between intellectual property systems and increased level of these activities was demonstrated, the response to the system would continue to be lukewarm. Third, insufficient attention was being given to helping countries develop and use measures such as licensing regulations and competition rules that would check against possible abuse of monopoly positions by intellectual property rights-holders. Fourth, the existence of laws and rigorous enforcement mechanisms alone would not prevent economic actors from, for example, seeking to fulfill genuine market needs through the provision of pirated or counterfeit goods. Fifth, the results of the latest scientific research were at times being appropriated by the private sector

and were not available for the public good. Research priorities, for example, in biotechnology seemed to be driven by profit rather than by the need to address more critical issues such as increasing crop yields in developing countries. Developments in biotechnology might turn out to mirror developments in the area of pharmaceuticals, which was also driven by private sector interests. Support for the intellectual property system and success in countering trade in infringing products was not simply a matter of criminalisation and prescribing enforcement options. A more holistic approach was warranted and WIPO was embarked on that approach. First, the Organization could demonstrate the utility of an intellectual property system for those countries in which the need for adopting such a system might not be evident. Second, attention should be given to measures which would ensure that intellectual property systems would lead to an increase in foreign investment and technology transfer. Third, individual countries could be assisted in conducting studies on how to use anti-monopolistic measures in order to check possible abuse. Fourth, attention should be given to ways to counteract the economic forces which led to violations of IP regimes, for instance, right-holders could be encouraged to remove market scarcities by making arrangements to meet demands. To undertake such activities, WIPO needed to continue with its holistic approach to promoting intellectual property systems, for example, utilizing mechanisms within the Organization, such as the Policy Advisory Group, which could look into the measures needed to underpin the intellectual property system. The economic forecast and research unit could identify the measures that needed to be taken in areas other than in the legal sphere, perhaps in collaboration with other organizations with the expertise to look at the broader economic and developmental aspects. The Delegation suggested that consideration might be given to cooperation with the Economic Cooperation Organization which was an economic grouping of a number of Central Asian and South West Asian States. Also, there might be some benefit in setting up a program to systematically upgrade the knowledge of WIPO staff members on intellectual property matters, enabling those responsible for cooperation for development, who were often generalists, to give more informed inputs to concerned Member States.

41. The Delegation of the Republic of Korea said that work relating to electronic commerce, the Global Information Network, biotechnology and the commercialization of intellectual property rights was an effective response to the growing global intellectual property issues. WIPO's work in establishing new international norms and in taking the initiative in respect of electronic commerce was supported. In this respect, WIPO should take account of the differences between developed countries and developing countries. The Secretariat's internal oversight and policy development approaches would enhance the transparency and effectiveness of WIPO operations and provide a benchmark for other Member States as they developed their intellectual property rights administrations. The use of information technology in such areas as the Intellectual Property Digital Libraries (IPDL), the improvement of the web site and the distance learning program would permit WIPO to better react to the needs of Member States. The newly established Standing Committees had proved to be efficient in advancing the early establishment of new international standards. In addition, human resource development contributed to closing the gap between developing countries and developed countries. In August 1998, the Korean Industrial Property Office (KIPO) moved its operations to Taejon City, into a building with state-of-the-art information technology, including the KIPONET system which would be fully operational in January 1999. This system would make the administration paperless in applications, examination, registrations, and other functions. The Delegation described various recent developments in the national trademark system which took place in March 1998. It was expected that the country would accede in the near future to

the Nice and Strasbourg Agreements. Furthermore, the Korean Patent Court, under the Supreme Court, was established in March 1998.

42. The Delegation of Jamaica expressed thanks for the preparatory documents which provided useful information on the good work done. However, the Delegation felt that a more substantive review was needed when a fuller implementation of activities outlined in the Program and Budget had been completed. The Delegation reiterated the great importance it attached to the continued program of joint action with WIPO on issues of national, regional, and international relevance.

43. The Delegation of Ecuador expressed thanks for the useful documents, especially the one on information on cooperation for development activities. It awaited the full year's report on program implementation which should include an evaluation of the results of the cooperation for development program. Ecuador was following closely the work relating to folklore, biodiversity, the implementation of the TRIPS Agreement, training and information technology.

44. The Delegation of China underlined the Chinese Government's continued commitment to the protection of intellectual property rights. During the period January-June 1998, 60,858 patent applications were received. Of these, 13,448 were foreign applications and 5,309 international applications under the PCT. Since the resumption by the Chinese Government of its sovereignty over Hong Kong on July 1, 1997, the Hong Kong Special Administrative Region (Hong Kong SAR) had operated a separate patent system. From January to June 1998, the Intellectual Property Department of the Hong Kong SAR had received 8,702 standard patent applications and 45 short-term patent applications. Of these, 264 standard patent applications entered the Hong Kong SAR by way of designating China under the PCT. In 1997, the China Trademark Office received a total of 148,755 trademark applications for goods and services, with 118,577 national applications, 21,676 foreign applications, and 8,502 territorial extensions under the Madrid Agreement. In 1997, a total of 223,038 marks were registered, giving a total of 860,000 effective trademark registrations at the end of 1997. Work was under way on the revision of the copyright law, patent law, and trademark law. The revised patent law would not only be more compatible with the relevant provisions of the TRIPS Agreement, but would also facilitate the protection of inventions in China through streamlined procedures and improved law enforcement.

45. In the area of copyright, the Delegation of China reported that in the past year, the China National Copyright Administration and local copyright offices dealt with 1,361 infringement cases, and confiscated 2,575,249 pirated products. It closed down a total of 62 production lines producing illegal compact discs over the past year. In 1997, increased efforts were made to protect the exclusive rights of trademarks. A total of 32,027 cases concerning illegal trademark-related acts were investigated and dealt with. The Delegation also announced the inauguration of the China Intellectual Property Training Center last April where a full range of training activities were now conducted. The Delegation commended new activities by the Secretariat, such as the establishment of the Policy Advisory Commission and Industry Advisory Commission, the Standing Committee on Information Technologies and increased technical assistance to facilitate access to WIPONET and the IPDL. The Delegation expressed the hope that WIPO would provide more technical assistance to developing countries, including China, in areas such as personnel training, registration, computerization, law revision and law enforcement. The Delegation also requested that more staff be recruited from

developing countries at all levels in the Secretariat. As part of the restructuring of the Chinese Government, the former China Patent Office had become the State Intellectual Property Office of the People's Republic of China, a body accountable to the State Council and responsible both for patent-related work and for coordination of intellectual property activities concerning foreign countries and organizations. The Intellectual Property Department of the Hong Kong SAR had worked out with the Chinese State Intellectual Property Office the detailed arrangements for cooperation on the handling of PCT applications involving the Hong Kong SAR and that these had been communicated to PCT member States by the Secretariat. The Delegation thanked the Secretariat for its assistance and cooperation in organizing the Asian Regional Symposium on Intellectual Property Enforcement in the Context of the TRIPS Agreement that took place last June in the Hong Kong SAR. Combating copyright piracy continued to be a priority for the Hong Kong SAR. To this end, the Legislative Assembly passed a Prevention of Copyright Piracy Ordinance which came into force on 29 August 1998. Manufacturers of optical discs in the Hong Kong SAR had to comply with strict requirements when doing business. There were increased public education activities in the past year, including talks on intellectual property protection given in 97 schools, which reached directly some 26,000 students in the Hong Kong SAR.

46. The Delegation of Honduras noted with satisfaction the implementation of the work program so far. The Delegation was aware that a great deal had to be done in the application of new technology and TRIPS Agreement implementation. That would involve joint programs with other international organizations, especially in respect to technical assistance. Cooperation for development work was of singular importance to Honduras.

47. The Delegation of Morocco expressed satisfaction with the documents and the extent of work successfully carried out in such a short time. In respect to cooperation for development, the Delegation of Morocco was especially pleased with the program of activities, particularly the new multi-faceted approach of field missions and legal and technical support. Its country was a beneficiary of this approach. Special appreciation was expressed for the visit to Morocco last July of the Director General. A multi-disciplinary program was drawn up to modernize the national administration and system as a whole. With WIPO's support, the country was modernizing its intellectual property legislation so as to be in line with the TRIPS Agreement and other treaties. The Delegation reported that Morocco had begun internal procedures that would enable it to accede to various conventions, including the PCT and the Madrid Protocol. Morocco would continue to work with WIPO in providing training and other assistance to Arab and African countries.

48. The Delegation of Croatia noted that since the establishment of the State Intellectual Property Office, almost seven years ago, WIPO had worked with the Government to develop the intellectual property system. During this time, WIPO had also helped ensure the compatibility of the Croatian intellectual property system with that of the rest of Europe. In doing so, it had also helped implement and design an intellectual property system ready for the second millennium. The Delegation also noted WIPO's work in organizing the successful WIPO-Croatia National Seminar on Copyright held in June 1998. Furthermore, the Delegation announced the forthcoming WIPO Symposium on Intellectual Property for countries in transition to be held in Croatia later in September 1998. In addition, there would be a special seminar to celebrate over a century of intellectual property protection in Croatia in November. The Delegation of Croatia traced in detail the historical evolution of the intellectual property system of its country from the 19th century to the present. In the earlier 1990's various

intellectual property laws were enacted, and the national office was established, becoming, in 1996, the State Intellectual Property Office. Today, the national intellectual property system and office had attained European and world standards, with qualified staff members and suitable equipment. Most of the backlog of notifications and applications had been eliminated. The Office had close links with different sectors of the economy and society. The Nice and Locarno classifications had been translated into Croatian, with the IPC to follow soon.

49. The Delegation of Venezuela expressed thanks for WIPO's support given to the creation and establishment of the Autonomous Intellectual Property Service (SAPI), which officially began work in May and implemented the State's commitments in industrial property and copyright matters. In that connection an international symposium was held in Caracas the previous July entitled "Intellectual Property on the Threshold of the Twenty-first Century," and also "Conversations on Trademarks," which benefited from WIPO support. The Delegation also expressed thanks for the cooperation given in connection with the amendment of Decision 344 of the Andean Community of Nations (Common Provisions on Industrial Property) to bring it into line with the TRIPS Agreement and the obligations under it requiring mandatory observance by the year 2000. It likewise expressed thanks for the assistance given in computerization matters. Finally, the Delegation expressed the hope that consideration of the intellectual property aspects of biotechnology would take due account of the sovereign rights of countries in their genetic resources and in the associated traditional knowledge.

50. The Delegation of The Former Yugoslav Republic of Macedonia stated that important activities to complete the intellectual property system in its country had been carried out. Laws and regulations dealing with the layout designs of integrated circuits, appellations of origin as well as copyright and neighboring rights had been passed. The latter amendments brought the copyright legislation in line with the Rome Convention and the Geneva (Phonograms) Convention. In the field of patents, a cooperation agreement was signed between the country and the European Patent Organization, which came into force on November 1, 1997. The Delegation announced that its country would accede to the Madrid Protocol and the Strasbourg Agreement late in 1998. In the meantime, the International Patent Classification was being implemented. Satisfaction was expressed for the good cooperation between WIPO and the Industrial Property Protection Office. The Delegation underlined its Government's commitment to promoting industrial property protection and the Macedonian inventive spirit which had won a variety of awards and tributes. This commitment included ensuring that the Patent Office was fully supported in terms of staff, with an enhanced level of training and full technical support. This commitment had already resulted in a higher level of applications for industrial property protection. Nearly 95,000 industrial property applications had been filed since the Protection Office was established. At the same time, enhanced cooperation with other counterpart bodies was being pursued.

51. The Delegation of Portugal thanked the Director General and the Secretariat for the work carried out in the first five months' implementation of the Program and Budget, adding that the Organization now offered a broader range of activities in support of its member States. In particular, it thanked the Organization for using digital technology, for its work on digital libraries and the transformation of its web site. It noted the expansion of the PCT, the Madrid system and the Hague system. The Delegation highlighted the need for WIPO to continue deepening its cooperation with Member States, especially in creating synergies for the benefit of developing countries. The Delegation expressed Portugal's readiness to cooperate in this

area, especially with help for Portuguese-speaking developing countries. Assistance in this context could be organized according to the needs and wishes of the countries concerned.

52. The Delegation of the United Arab Emirates thanked the Secretariat for its assistance in organizing the recent Diploma Program in Intellectual Property held in cooperation with the Gulf Institute of International Law (GIIL). The Delegation requested the Secretariat to organize other similar meetings. Furthermore, the Delegation requested that the Secretariat assist its country to overhaul and modernize its intellectual property legislation in line with the requirements of the TRIPS Agreement.

53. The Delegation of Trinidad and Tobago announced that a host of new laws on patents, trademarks, industrial designs, geographical indications, unfair competition, integrated circuits, copyright and plant varieties had been enacted and that a new Intellectual Property Office was established in 1997. The Delegation stated that its country intended to apply for early review of its legislation, in accordance with the TRIPS Agreement, and that it hoped this review would take place in February 1999. The Delegation extended its thanks to WIPO for its assistance in connection with an event called Copyright Week, held in January 1998. The Delegation emphasized that Trinidad and Tobago was ready to host a Regional Office for Collective Copyright Management that would bring together regional expertise in this area. The Delegation congratulated WIPO and WTO for heightening public awareness of intellectual property rights and assisting countries prepare for compliance with their obligations under the TRIPS Agreement. The Delegation underscored the fact that there was still training to be carried out for the customs and police services and that they would be looking for the Secretariat's assistance in this area. The Delegation thanked WIPO for various other types of assistance provided by WIPO as well and expressed a wish for participation in certain future development for cooperation activities, such as a study on the banderole system and its implementation for Trinidad and Tobago that should begin in October 1998. The Delegation also suggested that a study on the effect of the new intellectual property environment and the development of trade on small economies should be carried out to ensure that such economies did not suffer in this new environment. The Delegation also offered to co-host with WIPO a Regional Meeting on the Benefits of the Legal Protection of Folklore in 1999 in Trinidad and Tobago. In closing, the Delegation requested that the Secretariat make further efforts to publicize the benefits of the WCT and the WPPT, and to encourage countries to ratify the treaties.

54. The Delegation of Mali expressed its appreciation for the assistance and equipment which its country had received from WIPO. This enabled the National Directorate of Industries to use the variety of CD ROMs that WIPO and other national offices had provided, to have the possibility of access to information from the Internet, to contact other intellectual property offices and use many other electronic facilities. The Delegation emphasized the importance of its country's participation at international intellectual property events, and expressed thanks to WIPO for financial assistance which enabled Mali to send delegates to the various events. Appreciation was also expressed for WIPO's cooperation with OAPI. This was especially significant since Mali was currently Chairman of the OAPI Administrative Council.

55. The Delegation of Brazil expressed its satisfaction with the work of the Organization during the period under review, the progressive development of international intellectual property law and cooperation for development. It noted the importance of the latter program

in the lead up to the deadline for compliance with the TRIPS Agreement. The Delegation thanked WIPO for its assistance in modernizing the National Industrial Property Institute in Brazil, based on the Agreement signed, to this end, by the Brazilian Government and WIPO.

56. The Delegation of Kenya attached special importance to the Director General's visit to Kenya in May to a meeting of the Council of Ministers of ARIPO in Mombasa as proof of his support for the development of intellectual property systems, both in Africa and in developing countries as a whole. In his keynote speech to ARIPO, the Director General focused on issues concerning the protection of traditional knowledge and the conservation of biological diversity and the importance of this heritage to the development of African economies. The Delegation supported the intervention of the Delegation of Pakistan on the issues of biotechnology and biological diversity. The Delegate further supported the introduction of these issues in WIPO's program. The issues of ownership of biodiversity were raised in Agenda 21 of the Convention on Biological Diversity which placed the ownership of biological diversity under the sovereignty of countries. The Delegation wished to see that measures were taken to ensure that such resources did not become the sole property of companies or individuals through their acquisition of intellectual property rights, and to the deprivation of countries that had been using them since time immemorial. The Delegate raised the question of whether in the field of indigenous knowledge *sui generis* protection (as provided for in the TRIPS Agreement) could be developed.

57. The Delegation of Chile expressed satisfaction with the documents presented. Although the shortness of the period reported on the activities precluded their full evaluation, the Delegation raised certain important matters regarding these activities. In its view, cooperation for development was a vital activity for all developing countries in helping them to modernize institutions and laws dealing with intellectual property in order to meet new challenges. It approved the priority that the Director General had given to these activities. Also vital and urgent needs were the early completion of the activities undertaken for the use of information technology and WIPO's Global Information Network. Work on controversial questions arising from domain names and the Internet should be speeded up. Of equal importance was the development of human resources to modernize intellectual property systems. In this connection, the activities of WIPO's Distance Learning Center and the Worldwide Academy would be very important. The Delegation welcomed WIPO's work relating to the TRIPS Agreement and cooperation with WTO. Given the fact that developing countries had to comply with the provisions of the TRIPS Agreement by January 1, 2000, close cooperation and coordination between the two Organizations would be crucial. Another field the Delegation considered important was the protection of intellectual property rights in electronic commerce, in which activity WIPO needed to work in collaboration with other international organizations involved with this question. The Delegation expressed the hope that the two important Advisory Commissions would be operational shortly. Furthermore, concerning the various intergovernmental mechanisms, it welcomed the proposals to eliminate certain WIPO bodies and supported the creation of the Program and Budget Committee, and of the Permanent Committee for the Development of Intellectual Property. On the other proposals relating to the revision or modification of the treaties, the Delegation, while recognizing the importance of this activity, required more time for the Chilean authorities to study the complexities of the issues. As for the proposals on the budget surplus and the Reserve Funds, the Delegation called for a study to be undertaken by the Budget Committee, which would present recommendations to the General Assembly. On the document concerning the policies and practices for the nomination and appointment of Directors General of WIPO, the

Delegation supported the proposals of the Working Group established to consider the question.

58. The Delegation of Burkina Faso commended the Secretariat for the documentation provided, which reported on the work carried out in all regions of the world. The Delegation welcomed the new strategy for more rational use of resources and for institutional reforms. It praised the use of budgetary surpluses and reserve funds to respond to the needs of all Member States in a spirit of transparency, accountability and consensus, and in particular the use of a part of the budgetary surpluses to enable developing countries to participate in WIPO's activities. As for institutional reforms, policies and practices for the nomination and appointment of Directors General, the restructuring of Committees, and the promotion of senior officials, the Delegation stressed that these issues constituted important steps in improving the functioning of WIPO. The Delegation enumerated the areas in which WIPO's cooperation with Burkina Faso in the past year had been particularly successful. These included the provision of staff training and equipment to the administration responsible for the modernization of intellectual property systems and the organization of training activities for appropriate persons in the legal profession, universities and financial institutions, and for others on a regional and international basis, enabling them to better understanding intellectual property and to participate in the economic life of the country. The Delegation announced that its Government had undertaken the revision of the Copyright Law in order to integrate the protection of related rights and folklore, as set out in international instruments and in the TRIPS Agreement, and looked forward to WIPO's cooperation in the implementation of the new law. It also expressed the hope that WIPO's future work would support information activities, sensitization and training in the application of the new law, assistance in the collective management of rights related to copyright, the grant of long-term financial assistance for the study of intellectual property, the strengthening of bodies responsible for intellectual property by the provision of equipment, the spread of knowledge of the TRIPS Agreement in both public and private sectors, the promotion of invention and innovation, the establishment of evaluation systems to determine the impact of intellectual property law on the national economy, and the fight against counterfeiting and piracy.

59. The Delegation of Guinea stated that the results shown in the documents under discussion reflected the efficient and transparent management of resources in the Organization, and that they were totally in keeping with the Program and Budget approved by the Member States in March 1998. It was important to encourage WIPO in the implementation of the 18 main programs to meet present and future challenges of economic globalization and to respond to the complex needs of Member States and other users of intellectual property. Concerning cooperation for developing countries, an increase in the budget should be envisaged towards the continuing improvement of the institutional capacities of Member States.

60. The Delegation of Sierra Leone expressed particular interest in the development of human resources. As a least developed country, Sierra Leone wished priority to be given to the training of industrial property officials, users, and also policy makers, all of whom needed exposure to intellectual property systems. The Delegation emphasized the specialized training needs in Africa, as well as the need for modernized legislation, access to intellectual property information, and nationally focused action plans to accelerate the modernization of industrial property offices. Sierra Leone would apply to WIPO for assistance in a national project to build institutions and intellectual property capacities after a prolonged war. The Delegation stressed that ARIPO and OAPI needed more support from WIPO to undertake the

responsibilities envisaged. The Delegation welcomed WIPO's Global Information Network and especially its intellectual property services in the automation and modernization of industrial property offices under the national project. In the field of automation and modernization of intellectual property systems, African countries, and particularly Sierra Leone, would benefit from international cooperation. On the matter of the budgetary surplus, the Delegation supported the Director General's proposals, notably on the use of funds to establish nationally-focused action plans. Besides setting up a unit to look after the needs of the least developed countries, WIPO should do more for those countries by immediately proposing a special program of assistance for them. On the question of special reserve funds, the Delegation approved of the ideas advanced, but in view of the legal and constitutional complexities involved, believed that more discussion would be needed before decisions could be made. The Delegation thanked WIPO for its assistance in training activities and in the drafting of new legislation in the fields of patents and industrial designs.

61. The Delegation of South Africa outlined the country's progress in the harmonization of its intellectual property legislation with international norms, as set out in WIPO-administered treaties and in the TRIPS Agreement. Revisions of legislation covered patents, trademarks, copyright, performers, and design and counterfeiting goods. The Delegation expressed South Africa's interest in the protection of indigenous technology and folklore. It also announced South Africa's proposal to host a seminar in October 1998, in cooperation with WIPO, on the teaching of intellectual property law for academics from universities in English-speaking African countries. In addition, the Delegation informed the Assemblies that South Africa's accession to the PCT would enter into force in January 1999. The Delegation expressed the hope that the existing cooperation with WIPO would develop further.

62. The Chair of the General Assembly announced the accession of India to the Paris Convention and to the PCT and invited the Minister for Industry of India to address the Assembly. The Indian Minister outlined India's achievements in science and technology both in ancient times and in the 50 post-Independence years. He referred to India's progress in fields such as health, space exploration, nuclear research, environmental concerns, industrial research and biodiversity and noted India's organization, with WIPO, of the first ever Regional Symposium on Intellectual Property in the field of Traditional Medicines in New Delhi in October 1998. He emphasized the importance of India's program of liberalization and globalization of the economy since 1991. The commitment to foreign direct investment and accelerated economic growth led directly to the necessity of protecting intellectual property. Since the inception of the new economic policy, intellectual property activity had spurted. The filing of trademark applications had doubled, and that of patents had trebled, the natural corollary of which was a vast plan to totally overhaul and modernize India's patent system. In connection with accession to the Paris Convention and the PCT, India would endeavor to be designated as an International Searching Authority and as an International Preliminary Examining Authority. The modernization plan would take account of this endeavor. India's advances in information technology were outlined, notably in the software industry, which had currently grown by about 52 percent. He expressed India's intention to cooperate in the implementation of WIPO's Global Information Network. In this connection he noted that there were activities aimed at spreading awareness of intellectual property by organizing training programs for persons from industry, the legal profession and trade. WIPO had made a significant contribution to such training programs. He also informed the Assemblies of the establishment by the Indian industry of an Institute of Intellectual Property Development, which recently held its first Annual General Meeting. While it was necessary to effectively

protect intellectual property, one had to ensure that the fruits of technological development would be accessible to the people. Striking a balance between the two imperatives was, therefore, very important.

63. The Delegation of Andorra stated that its country wished to encourage WIPO in expanding its work in the promotion of intellectual property, which was of great importance to industry. Seminars on the use of intellectual property assets should continue and guidelines on the use of such assets should be developed by WIPO. Furthermore, WIPO should do in-depth studies of existing practices with a view to establishing guidelines. In that context, Andorra recalled that in discussions in the Standing Committee on Trademarks, Industrial Designs, and Geographical Indications, trademarks were considered valuable. However, a method had to be developed to ascertain the value in question. It believed that WIPO should study the different methods currently used to make that evaluation, and establish guidelines which would be the first of their kind. Such a move would meet a long-standing need felt by industry.

64. The Delegation of Egypt stated that changes could already be seen in WIPO and the results bore witness to the success of the new direction WIPO was taking, especially with respect to efficiency and transparency. Egypt fully supported WIPO's activities, especially those connected with Cooperation for Development and the strengthening of the protection of intellectual property rights at the national and regional levels. It welcomed, in particular, the initiative taken by WIPO and the WTO with regard to technical assistance for developing countries in order to assist them meet their commitments under the TRIPS Agreement. With respect to Egypt's activities undertaken with WIPO, a regional consultation meeting for Arab speaking countries on the implementation of the TRIPS Agreement had taken place in Cairo in March 1998. Discussion was taking place on future cooperation, especially with respect to training, the modernization of the national intellectual property administrations, the revision of existing and the enactment of new intellectual property legislation, and possible accession to certain WIPO treaties. It was hoped that this support from the Secretariat would continue. With the assistance of WIPO, Egypt believed that Arab and African countries would strengthen and modernize their intellectual property infrastructure, thus attracting foreign investment. The most immediate need for developing countries was the strengthening of intellectual property legislation and the training of the judiciary, customs officials and the police, in order for them to meet the obligations under the TRIPS Agreement. Egypt looked forward to the organization of a seminar in Cairo on the enforcement of Intellectual Property Rights with the participation of all national authorities concerned. It was hoped that electronic commerce would take into consideration the development aspect and that WIPO would contribute to the work of other organizations.

65. The Delegation of El Salvador congratulated the International Bureau on the document submitted, and the Director General on the range of activities achieved in such a short time. With reference to the WIPO Cooperation Program, the Delegation appreciated the efforts made in the installation of equipment at the National Center of Registries for the electronic processing of marks, which would facilitate the single system of the Central American Agreement; it also requested training at both basic and specialized level for the officials responsible for the equipment. It pointed to the importance of the participation of high-ranking officials in the programs of the WIPO Worldwide Academy, mentioning the example of the most recent Spanish-language session of the Academy, which had taken place the previous July. The Delegation of El Salvador emphasized the usefulness of training programs in the long term, quoting the example of the new training program for intellectual property

experts in the Arab region, and expressed the wish that similar programs might be adapted for use in the Central American and Caribbean region, with a view to training participants from the various sectors. Finally, it expressed the interest of the Government of El Salvador in securing financial assistance for participation in such forums as might be organized in connection with matters of electronic commerce.

66. The Delegation of Mexico expressed its appreciation for the good results achieved so far in the work program, particularly given the short time and the many innovations taking place at the same time. The various elements of the Program made up an arduous schedule of work and hoped that with the support of member States would be successfully implemented. Of particular concern to its country was legal and technical assistance to developing countries, especially with respect to meeting new challenges in a world where there was still much disparity in the various intellectual property systems. Such a disparity resulted from lack of human and material resources. The Delegation wished to see efforts made that could lead to greater integration of developing countries in the work of WIPO.

67. The Delegation of Australia applauded the new program to transform, modernize and streamline WIPO's work through strategic policy planning, management and program delivery, which would foster organizational accountability and transparency and enhance its capacity to anticipate and respond to the rapidly changing international intellectual property environment. It supported WIPO's harmonization work and technical assistance programs. During the past year, Australia had continued to cooperate closely with WIPO and had contributed in renewing its agreement to act as an International Searching Authority and International Preliminary Examining Authority under the PCT; and in acceding to the Trademark Law Treaty and supporting the development of the draft Patent Law Treaty. The Delegation announced that in February 1998, the corporate identity of the Australian Industrial Property Office had been changed to IP Australia, after extensive customer research. Australia shared WIPO's commitment to reducing intellectual property protection costs. As such, IP Australia reduced customer fees, overall, by 10 percent on January 1, 1998. Additional reductions of 13% would take place in November 1998. The Delegation also outlined legislative changes, including the provision for extensions of terms of up to five years for 20-year standard pharmaceutical patents. Legislation for a second-tier patent system was being drafted to replace the existing petty patent system, which would enable customers to protect their lower-level patents more quickly and cost-effectively. Also, consistent with the WCT and WPPT, laws were being drafted to address the impact of new technologies on copyright laws. In relation to cooperation for development activities, Australia would continue to actively provide advice, training, and technical assistance to help developing countries meet TRIPS Agreement obligations. In October 1998, Australia would host a WIPO regional consultation on Internet domain names, and was particularly interested in helping WIPO develop strategies to deal with potential conflicts in these areas.

68. The Delegation of the Czech Republic stated that it had started negotiations with the European Union and was participating in the intellectual property legislation screening process. A new copyright law was being discussed with the intent of future accession to the WCT and the WPPT as well as to conform to the country's association agreement with the European Union and to the TRIPS Agreement. The content of the proposed new copyright law was described. However, the proposed new Copyright Act was not expected to come into force before January 2000, at the earliest. The Delegation stated that draft amendments of relevant

industrial property laws were under preparation in accordance with the European patent system and the TRIPS Agreement.

69. The Delegation of the Gambia noted on the comprehensive and analytic nature of the program implementation overview which reflected the will and dynamism of WIPO as it prepared for the challenges of the new millennium. The Delegation made particular reference to the program on cooperation for development, and emphasized the need for modernizing intellectual property systems and strengthening the assistance rendered to developing countries, especially in the light of the TRIPS Agreement. As the Gambia had yet to benefit effectively from WIPO's legal and technical assistance, including training of officials, it expressed the hope that due consideration would be given to the country's needs. The Delegation encouraged WIPO to promote the protection and development of indigenous creations and innovations, which were of profound significance to developing countries. Regarding the use of the surplus funds, the Delegation urged that the needs of developing countries be given high priority.

70. The Delegation of Gabon commended the Secretariat on its excellent work and for the organizational reforms undertaken since the Director General assumed office. It approved the work on the 18 main programs that had so far been carried out and particularly the activities for cooperation for development. The Delegation thanked the Director General for the continuing support given by WIPO to Gabon in the modernization of its intellectual property services and in the training of its nationals.

71. The Delegation of Romania expressed satisfaction with the program implementation which had so far been carried out. It reflected the new vision of the Director General to reform the Organization. The Delegation enumerated recent positive achievements in its country, such as its adherence to the Madrid Protocol, the Trademark Law Treaty, the Strasbourg, Nice, Vienna, and Locarno Agreements, the Rome Convention, and the Paris Act of the Berne Convention. Moreover, a new law entered into force in July 1998 on marks and geographical indications, which was in conformity with the relevant international treaties. The State Office for Inventions and Trademarks had become autonomous and self-financing and the copyright office had a new building, all additional proof of Romania's efforts in intellectual property. In December 1997, Romania applied for full accession to the European Patent Convention, and in the last period had taken steps to become party to the Budapest Treaty. Romania would participate actively in activities relating to computerization of the PCT, Hague and Madrid systems as well as in the Global Information Network. The Delegation also requested WIPO's assistance specifically in the implementation of the TRIPS Agreement, the development of a national capacity to plug into the Global Information Network and in the training activities of the WIPO Worldwide Academy.

72. The Delegation of Sweden noted with satisfaction the modernization of WIPO's financial and management control system and the activities already performed by the Office of Internal Oversight and Productivity. WIPO was playing an important role in providing information on intellectual property to States, interest groups and civil society. The Swedish Patent and Registration Office was currently redesigning its own website. The Delegation noted the great variety of activities completed with respect to cooperation for development, and pledged its country's full support, including the possibility of contributing funds for these activities. It also welcomed the work on the WIPO Global Information Network, as well as the access to published PCT applications. This was a major step forward in information dissemination to a

wide range of users. The great interest in PCT reflected the increasing innovative activities around the world. According to a recent OECD study, Sweden had the greatest number of patent applications in Europe in relation to the number of employees in industry.

73. The Delegation of Cuba expressed thanks for the good results achieved in the first five months of the year. It was pleased with the outcome of a number of activities organized in Havana by WIPO such as the WIPO Regional Academic Course on Copyright and Related Rights for Latin American countries. The Delegation also expressed appreciation to WIPO for its support for the development of human resources and the computerization of the Cuban Industrial Property Office and National Copyright Center. The Delegation outlined the country's efforts in strengthening the national intellectual property legislation, and stated that an academic course on intellectual property had been officially included in the curriculum of the various Faculties of Law in its Universities. Among the new areas of interest in the field of intellectual property, the Delegation stressed the importance of valuation of intellectual property assets. This was an area in which intellectual property offices were increasingly called upon to provide advice to industry, since such assets, in addition to being the most stable, could also be the most valuable in the company's portfolio. Information on trademarks published in the ROMARIN CD-ROM was especially useful for economic reasons. It was suggested that WIPO should continue to provide the service. Furthermore, WIPO's assistance was needed in order to achieve the joint issue of a ROMARIN-type CD-ROM of all registered trademarks in Cuba.

74. The Delegate of Namibia noted with appreciation the progressive restructuring that the Director General had introduced, especially the improvements in information dissemination and collection of information. The 1997 annual report of WIPO with the Organization's mission statement and message from the Director General were innovations to be proud of. The Delegation was also impressed to see the media interest in the WIPO Assemblies. The Delegation commended the structure of the WIPO Program and Budget for 1998/99. It was suggested that ways to actively assist the developing countries should be studied. It welcomed the supply of computers for Internet connectivity, but care had to be taken on maintenance of the technology. Therefore, the training of staff in developing countries on how to maintain the technology should be taken into consideration. The Delegation supported the idea of training administrators of intellectual property at higher institutions, including the WIPO Academy. Lack of qualified intellectual property practitioners was a serious problem in developing countries, and WIPO should continue to provide the necessary training. The Delegation requested that support be given for the attendance of developing countries at WIPO's meetings.

75. The Delegation of Kyrgyzstan acknowledged the substantial and comprehensive content of the program implementation overview and its attention to the problems in the field of intellectual property protection in the CIS countries, including the countries of Central Asia. There was still much work to be done in these countries, and in Kyrgyzstan in particular, to improve the protection of intellectual property rights. This year the country had adopted seven laws in the field of intellectual property, as well as a part of the Civil Code, which devoted a section to intellectual property issues. At the international level, Kyrgyzstan had ratified the WCT and was in the process of acceding to the four industrial property classification agreements, i.e., Strasbourg, Nice, Locarno, and Vienna Agreements. The instrument of accession to the Berne Convention was expected to be deposited by the end of 1998. Support and assistance from WIPO was requested, especially in the area of copyright and neighboring

rights, which could include a regional seminar in 1999. The Delegation welcomed WIPO's cooperation with WTO with regard to the TRIPS Agreement, and expressed the wish that the State Agency for Intellectual Property would benefit from WIPO support in this area.

76. The Delegation of Slovakia was pleased, as a member of the Budget Committee, that additional space was approved for construction on the new- Steiner lot. The Delegation welcomed WIPO's assistance to countries in transition pertaining to legislative advice, comments on draft intellectual property law, TRIPS obligations, and the organization of symposia and workshops. Elimination of the lack of knowledge and awareness of intellectual property rights, together with adequate resources for modern facilities and access to industrial property information would render easier the transition process. The Delegation announced that as of September 1998, a new Department of Intellectual Property Rights was created at the Faculty of Law in the University of Banská Bystrica where the Industrial Property Office was located. The Office was assisting in the creation of this department at the University. It offered to organize with WIPO a seminar on the teaching of intellectual property subjects. The Delegation finally expressed support for the proposed amendments of the schedule of PCT fees. The fee reduction and the introduction of the PCT-EASY system would render the PCT more attractive.

77. The Delegation of Denmark outlined some of the recent accomplishments at the Danish Patent Office, such as a new information technology system that would soon allow electronic receipt of applications, resolution of the year 2000 problem, the establishment of secure communications between industrial property professionals, and the entry into force of the Patents Act in July 1998 allowing electronic filings. As from January 1999, trademark applications would be handled in the same way as the Community Trademark Office in Alicante. The Delegation notified the Assembly that it had ratified the Trademark Law Treaty and was considering the ratification of the Vienna Agreement. Various industrial property laws would be revised to conform to European Union Directives. The Delegation also provided information on various patent issues which were being discussed at the European level, including the proposed creation of a European system of insurance coverage for costs incurred in an infringement suit, and the question of maintaining the proper conditions for innovation also outside Europe, by allowing national patent offices to a limited extent to carry out searches for the European Patent Office on a contractual basis. The Delegation welcomed the proposal to use some budget surplus for the activities on Biotechnology and Biological Diversity, as well as plans to revise various treaties including the proposals about the future PCT system.

78. The Delegation of Viet Nam regarded the development and improvement of the intellectual property protection systems as one of the important measures for achieving socioeconomic targets in the process of industrialization and modernization of the country and of regional and global integration. This was evidenced by the continuous development and consolidation of the decade-old intellectual property system. The Delegation described the several legislative initiatives underway to enable Viet Nam to conform to the obligations of the TRIPS Agreement, as well as strengthening of the intellectual property rights enforcement system. The legal framework would protect the layout designs of integrated circuits, undisclosed information, geographical indications and repression of unfair competition. In international cooperation the country maintained close ties with, *inter alia*, WIPO, ASEAN, Countries in the Mekong Basin, and a number of States. This cooperation led to WIPO, European Union and Japanese assistance in the organization of a number of seminars and

symposia that had contributed to the public awareness of intellectual property rights, and enhanced enforcement in the court systems, the customs, the economic police, and the market control organization. The Delegation noted that the number of industrial property applications, both direct and through PCT and the Madrid Agreement had rapidly increased and caused a serious backlog of applications. The National Office of Viet Nam was working to overcome this situation through human resource development and productivity enhancements via automation.

79. The Delegation of Canada commended the work of the Secretariat, and in particular, the WIPO Standing Committees, which had made advances in the protection of trademarks and the proposed Patent Law Treaty. It noted the implementation of new information technologies on a global scale, work on audiovisual performances, the establishment of the WIPO Worldwide Academy, the provision of technical assistance to developing countries and the new initiatives on intellectual property issues for indigenous peoples,. The Delegation took the opportunity to announce the successful completion of a second training course on trademarks and information services for developing countries in the Asia-Pacific region, held in cooperation with WIPO in June 1998. The Delegation also noted that Canada had deposited instruments of accession to the 1971 Act of the Berne Convention, and had also joined the Rome Convention. In conclusion, the Delegation mentioned that its Government looked forward to welcoming the Director General in October 1998 when he would be in Ottawa for an OECD conference on electronic commerce.

80. The Delegation of Madagascar thanked WIPO for its continued help in the provision of office and computer equipment as well as in preparing laws which would comply with the obligations under the TRIPS Agreement. In the pipeline was a proposed law authorizing accession to the Madrid trademark system. The Delegation requested that WIPO explore possible means of protecting traditional knowledge that was often the origin of pharmaceutical products in Madagascar. The Delegation also reported that an initial meeting to consider traditional knowledge had already taken place between WIPO experts and officials of the National Center for Pharmaceutical Research. Greater WIPO-WTO cooperation in favor of developing countries was favorably noted by the Delegation.

81. The Delegation of the Democratic People's Republic of Korea congratulated the Secretariat on its work so far and the good results obtained during such a short period. During the period under review, the national laws on inventions, marks and industrial designs were revised. A number of exhibitions on new technology and inventions took place in the country, while the Government carried on promoting intellectual property activities. WIPO provided cooperation in the modernization of patent and trademark administration. The Delegation expressed the hope that WIPO would continue to give additional support to developing countries, especially in training.

82. The Delegation of Algeria congratulated the Secretariat on the "Women Invent" exhibition and mentioned that a similar project to promote innovation in Algeria was being planned to take place in December 1998. The Delegation expressed its thanks for WIPO's continued assistance in training and meeting the specific needs of the Algerian National Institute for Industrial Property. The Delegation also suggested that an International Intellectual Property Day be instituted during which exhibitions would be organized such as that which the Delegation had seen in WIPO. It also requested WIPO to make a concerted effort to ensure that developing countries, including Algeria, benefited fully from the

WIPONET and reaped the rewards of fully computerized registration and information systems. In this regard, it requested that WIPO extend assistance to developing countries to develop a common computer software for industrial property administration which could be adapted to each countries' specific needs. A similar project for European countries had been carried out by the European Patent Office. The Delegation also identified an urgent need among Arab speaking countries to use the Nice and the Vienna Classifications. While it was aware of the difficulties inherent in translating those classifications into Arab, the Secretariat should carry out the translation work, and pass them to the Arab speaking countries for their comments. Furthermore, the Delegation recommended a medal award system be introduced to recognize the work of staff members at the Secretariat and in national intellectual property offices.

83. The Delegation of Turkey stated that as of January 1, 1999, Turkey would become a member of the Locarno Agreement, the Budapest Treaty and the Madrid Protocol, thus completing the essential structure for intellectual property protection in Turkey. The Delegation thanked WIPO, amongst others, for its contribution in June 1998 to the Symposium on Trademark Protection that also marked the 4th anniversary of the Turkish Patent Institute. The Delegation also extended an invitation to the Director General and the Member States to attend an international conference to be held in June 1999. The Delegation thanked various patent offices for the assistance provided to the Turkish Patent Institute. The Delegation noted that the Institute had already carried out a significant amount of work towards obtaining the ISO-9000 quality certificate which it hoped would be awarded in October 1998, making it the first patent office in the world to have such a quality certification. In closing, the Delegation reiterated its invitation to WIPO and to the Director General in particular, to visit Turkey for the 5th anniversary of the Turkish Patent Institute.

84. The Delegation of Estonia stated that a significant amount of work had been done to ensure that Estonian legislation complied with the requirements of the TRIPS Agreement and European directives. New legislation on trademarks, patents and industrial designs came into force, as did a new customs law that regulated the traffic of pirated and counterfeited goods across the border. In 1998, the Estonian Patent Office was restructured to improve efficiency. The Delegation also reported that the instrument of accession to the Madrid Protocol was deposited with the Director General on August 18, 1998.

85. The Delegation of Norway expressed its satisfaction with the initiatives undertaken to restructure the Secretariat, to render the handling of constitutional matters more efficient, and to lower fees and achieve a better balanced budget. It expressed its country's full support for the further development in the Organization.

86. The Delegation of Mauritius expressed its full support to the Director General in his efforts to increase the performance of the Organization, based on the two guiding principles of transparency and accountability. It stressed the need for WIPO to devote special attention to the needs of member States with small economies, which faced many problems in their bid to meet their obligations under the TRIPS Agreement. Their requests for technical assistance should be received attentively and dealt with on a priority basis. In addition, increased resources, both financial and human, should be channeled to regional and sub-regional organizations, such as ARIPO, in order to increase their capacity for carrying out their tasks efficiently and effectively. The Delegation thanked WIPO for the technical assistance it was receiving to enable it to put a new institutional framework into place and to modernize its intellectual property system.

87. The Delegation of Tunisia expressed its satisfaction with the new direction taken by the Organization under the leadership of the Director General. Tunisia, like other developing countries, was in the process of trying to fulfill its obligations under both the TRIPS Agreement and its partnership agreement with the European Union, and was in the process of revising its intellectual property legislation to that effect. It was also working towards accession to certain of the treaties administered by WIPO. It would appreciate additional assistance from WIPO in continuing the modernization of the national intellectual property system and in taking urgent action regarding the protection of folklore and cultural heritage, in order to promote the awareness of the contribution that the country could make to sustainable development and greater creativity. The Delegation expressed its support for the Standing Committees, reiterated the importance of folklore and cultural heritage in African and Arab countries and noted that care should be taken that those countries were able to participate fully in the deliberations of those committees. Tunisia welcomed the initiatives to create the Permanent Committee for Intellectual Property Development, to study the intellectual property aspects of electronic commerce, including the airing of problems, in an electronic forum. It also welcomed the long-term strategy outlined with respect to the budget surplus and a balanced budget. In closing, the Delegation thanked the Director General for the assistance its country had received from the Secretariat and recalled the successful official visit he had made to Tunisia in June 1998.

88. The Delegation of Austria expressed its appreciation for the activities undertaken by the Organization to meet the new challenges posed by an increasingly globalized world and by new developments in information technology such as the setting up of the Standing Committee on Information Technologies, the automation of the PCT, and the activities undertaken with respect to Internet domain names. It noted with appreciation the special emphasis that had been placed on intensifying cooperation for development activities. A WIPO/Austria Training Seminar on Patent Search and Examination had started that very week in Vienna and the Delegation reiterated its offer to provide assistance and support in this area either by organizing seminars or through expert missions. At the national level, amendments to the Austrian Patents Act were at the drafting stage and amendments were foreseen to legislation introducing the European Patent Convention and the PCT as well as to the Utility Model Law. A general revision of the Trademark Act was also under way. Ratification of the Protocol to the Madrid Agreement and the Vienna Agreement should take place in the near future. Discussions were in progress on possible accession to the Hague Agreement and the Trademark Law Treaty. A significant growth in the number of trademark applications had been registered. In the light of the 27 percent increase in the number of PCT applications, Austria supported the proposed fee reduction, which would be of benefit to users.

89. The Delegation of Barbados stated that its country had always been interested in providing the appropriate environment for the protection of intellectual property rights as a means of better facilitating the development of its people. It was committed to strengthening and upgrading its Corporate Affairs and Intellectual Property Office, as evidenced by the allocation of substantial resources, over the years, to improving the infrastructure of the Office and to providing additional staff. Barbados was grateful for the technical assistance it had received from WIPO, ranging from advice in the drafting of intellectual property legislation to training. Currently, assistance was being given in the refining of a nationally focused action plan designed to strengthen national capabilities to protect intellectual property rights and to further enhance the system of intellectual property administration in the country. The

Delegation expressed its support for the new initiatives taken by the Organization, in particular in the areas of folklore research, electronic commerce and domain names.

90. The Delegation of Cameroon reiterated its support for the ambitious program of work being carried out by the Organization under the Director General. That program, focusing, *inter alia*, on good governance, the building of lasting intellectual property institutions in developing countries and the unlocking of the vast potential of information technology, should meet some of the major challenges facing the countries of the world as they stepped into the new millennium. Cameroon was committed to the development of an efficient, national intellectual property system and was grateful to WIPO for the assistance it had receive in working towards that goal. The Delegation expressed the hope that such assistance would continue.

91. The Delegation of Ukraine expressed its appreciation for the innovative structure and orientation of WIPO. Despite the late adoption of the Program and Budget, the Director General had managed to give a new impetus to the work of the Organization. Ukraine foresaw cooperation for development becoming a dominant factor in WIPO's activities. In that context, Programs 07 and 08 (Cooperation with Certain Countries in Europe and Asia and Human Resources Development and the WIPO Worldwide Academy) were of a particular importance to its country. The Delegation also placed great importance on having extensive consultations with WIPO on topical issues, particularly the revision of the country's intellectual property legislation to bring it into line with Ukraine's obligations under the TRIPS Agreement. It would also appreciate more assistance with the training of intellectual property specialists from its country as well as the holding of information meetings for political and business circles in the country. In that context, in early October, Ukraine would host a WIPO regional workshop on licensing. It was felt that the effectiveness of Program 07 (Cooperation with Certain Countries in Europe and Asia) would be enhanced if coordination of certain events was carried out through the Interstate Council for the Protection of Industrial Property (ICPIP). The protection of geographical indications and appellations of origin were of increasing importance for the countries of the region. Ukraine would appreciate the holding of an international symposium or a special session of the WIPO Academy devoted to the subject.

92. The Delegation of the Central African Republic expressed satisfaction that the finances of the Organization were sound, reflecting the good management and efficiency for which WIPO was known among international organizations. Moreover, the Delegation noted that the Director General had presented excellent reports on the Organization's work, particularly in the field of development cooperation. The Delegation stated that Africa expected much from cooperation with WIPO, and at a time when the authorities, in collaboration with intergovernmental organizations, were mobilizing foreign capital. There was no doubt that strengthening the protection of industrial property would reinforce the totality of measures intended to make African States more attractive for investment and more competitive in an age of globalization of economies. Its Government greatly welcomed WIPO's efforts to modernize African industrial property administrations. Its country had received support from WIPO to finance a project to modernize the administration of its industrial property services. The Central African Republic had also received equipment for computerization for access to the Internet.

93. The Delegation of the United States of America welcomed the Program Implementation Overview document and looked forward to future versions which would include measures of

achievement. Of particular interest were the activities that dealt with the Global Information Network, PCT automation, and electronic commerce. The United States Patent and Trademark Office was in the process of making available by the end of the year over 20 million pages of patent and trademark information free to the public on the Internet as part of its initiative to make such information readily available. Trademark texts were presently available and trademark images and patent texts would follow in November. That involved making available to the public on the Internet the full texts of the two million patents dating back to 1976 and the texts and images of 800,000 trademarks and 300,000 pending trademark registrations from the late 1800s to the present. Patent images that correlated to electronic texts would be available free on-line by March of next year and users would be able to print the images at screen resolution at no cost. Users would also be able to order on-line high quality copies for electronic delivery.

94. The Delegation of Sri Lanka stated that the national intellectual property system would be modernized in two areas by updating the law and modernizing the office and its work practices. The office was also paying constructive attention to the effective enforcement of intellectual property rights and promotion of awareness. WIPO was providing useful assistance in this work. It expected the continued assistance of WIPO in the efforts to establish a productive, modern and user-friendly intellectual property system in Sri Lanka. The continuous efforts of WIPO in cooperation for development were appreciated and needed. Its Government would continue the 14-year tradition of organizing a yearly regional training course in intellectual property law and practices for developing countries of Asia and the Pacific.

95. The Delegation of Malaysia expressed its gratitude for the assistance received from WIPO, which had greatly contributed to the strengthening of intellectual property protection in the country and to helping it fulfill its obligations under the TRIPS Agreement. Most recently, in August, Malaysia had hosted two WIPO regional meetings. Assistance was also being received with respect to the modernization of the intellectual property management and registration systems. WIPO had developed a figurative mark search software that had been launched in December 1997 and which would be fully operational at the end of 1998. With reference to developments in information technology, Malaysia had set up, in 1996, the Multimedia Super Corridor (MSC) designed to spearhead the country's entry into the information age by creating an advanced, global, multimedia environment to attract leading technology-led companies to the country. Part of that effort had been the enacting, in 1997, of the so-called "cyberlaws" (the Computer Crimes Act, Digital Signature Act, Telemedicine Act, and amendments to the Copyright Act 1987) creating a legal infrastructure that responded to the new challenges presented by the digital environment. It was hoped that the MSC would increase the country's competitive advantage, meet the challenges of the global marketplace and transform a nation of consumers into one of innovators and creators of information technology. In that context, the recent initiatives by WIPO in the areas of information technology and electronic commerce were very welcome. A National Intellectual Training Center had been opened in April 1997 and was intended to complement human resource development and institution building efforts also being undertaken in the country by WIPO and other international bodies. The Delegation indicated Malaysia's intention to become a party to the WCT in the near future.

96. The Delegation of Uruguay reported that during the period under review, progress had been made in the modernization of the National Industrial Property Office. The draft Trademark Law, brought into line with international norms, had been approved by the

Chamber of Senators, and was awaiting approval by the other Chamber. Progress had been made by the Industry Committee of the Senate in considering conformity of the national patent law with the TRIPS Agreement. The MERCOSUR Protocol for the Harmonization of Intellectual Property Norms in relation to Trademarks, Geographical Indications and Appellations of Origin had been approved by the Senate and was currently being considered by the House of Representatives. The reformed National Industrial Property Office was better able to meet the challenges posed by economic globalization and a new international legal order. Emphasis had been placed on developing relations with other institutions to promote industrial property at the national level. At the sub-regional level, a proposal to establish computer links with other industrial property offices in MERCOSUR member States via a network had been approved. This was an important step in promoting greater regional integration. A number of activities had been undertaken, in cooperation with WIPO, to develop new information systems and to further automate the national office. The acquisition of new information technologies would enable the development of national infrastructure capable of adapting to the challenges of the 21st Century. Uruguay's accession to the PCT was under consideration by the Senate's International Affairs Commission. With regard to WIPO's cooperation with MERCOSUR countries, a WIPO Seminar for customs officials on intellectual property rights and border control measures was organized in Montevideo. The National Industrial Property Office would work with the National Customs Office to modernize customs regulations in order to meet the obligations of the TRIPS Agreement.

97. The Delegation of Côte d'Ivoire congratulated the Director General and his staff on the remarkable work done in so short a time, and on the basis of the good documents prepared was assured of the results that would appear in the report covering the whole year of 1998. The Delegation stated that Africa as a whole and its country in particular were aware of the importance of intellectual property to economic, social and technological development, in an open international trade and investment. In this context its Government had integrated industrial property into its medium term economic plan and created in December 1997, its Office of Industrial Promotion and Protection (OIPI), which promoted industrial property, combated infringements of rights related to it, and contributed to industrial research and the acquisition of technology. The Delegation was encouraged by the stress put on development cooperation in WIPO's program and budget for 1998/1999, particularly on the nationally-focused action plans. Its Government appreciated WIPO's assistance in the last few years, particularly in the establishment of the OIPI, in the form of equipment, training and study trips. It expressed its satisfaction with the new dynamism that the Director General had given to cooperation with developing countries in the program for the new biennium and with the first activities that had already been undertaken in that area. Côte d'Ivoire was grateful for the assistance it had received from WIPO over the last few years, particularly in the setting up of the OIPI, for which it had received equipment, training and study visits. Despite this invaluable support, and that from other countries, its country needed in development, administration and industrial property structures remained great. Therefore the Delegation supported the Director General's proposal to use the budget surplus of the biennium 1998-1999 for, *inter alia*, the reinforcement of national capacities in developing countries. The Delegation warmly welcomed the Director General's intended visit to Côte d'Ivoire in November 1998, during which he would observe directly the economic, cultural, and technological realities of the country. Under his guidance, the promotion and protection of industrial property in the country could take a forward leap.

98. The Delegation of Ghana expressed its appreciation of the legal-technical assistance it continued to receive from WIPO, in particular, with regard to the drafting of national

intellectual property legislation in line with the provisions of the TRIPS Agreement. Urgent assistance was also needed on the modernization of the national intellectual property infrastructure and the development of human resources, including training for judges, customs officials, police, and other enforcement officials. In that context, the Delegation welcomed the joint WIPO-WTO initiative on technical cooperation for developing countries. Ghana had created an inter-departmental committee to formulate a nationally-focused action plan to identify priority areas for immediate assistance under that initiative. Two expert missions from WIPO in response to a request from the Government of Ghana had extensive consultations with officials of the Ministry of Health followed by a mini-workshop, at the National Centre for Research into Plant Medicine with the aim of assisting the Centre through a WIPO-financed, nationally focused action plan to seek protection for its research results. In addition Ghana received two expert missions which had extensive consultations with the Registrar General and officials of the Attorney General's Office to advise the Patent Office on the procedures for registering patents. With regard to copyright issues, Ghana was committed to participating actively in norm-setting activities within the WIPO. In this regard, Ghana held national consultations on the efforts to protect Audio-visual Performances and Databases. Following these consultations Ghana forwarded to WIPO its contribution to the international effort to protect audio-visual performances. Ghana welcomed WIPO's efforts to initiate discussion on the protection of expression of folklore, especially in the light of the country's serious concerns about the exploitation of works of Ghanaian folklore, which had both commercial and aesthetic value, outside its borders. The Delegation stressed the urgent need of countries in the region for assistance to develop an information technology system and in gaining access to the full benefits information technology could bring to their intellectual property systems. Within the framework of South-South cooperation, Ghana was ready to share its experience with other developing countries and urged the Secretariat to intensify its human resource development program. The delegation expressed its support for the proposed activities of WIPO in relation to intellectual property and electronic commerce. The delegation stressed the need to include the study of the effect of electronic commerce on developing countries in the program.

99. The Delegation of Poland expressed its appreciation of the new focus of WIPO activities on new areas arising from technological changes such as the issue of Internet domain names, the establishing of a WIPO Global Information Network, the use of information technology, and the intellectual property aspects of electronic commerce. It welcomed the fact that those issues had been given priority among WIPO's activities, with additional financing having been proposed from the Organization's budget surplus. The new governance structure of Standing Committees and Advisory Committees seemed to provide a better, more efficient, and flexible structure to cope with the new challenges facing WIPO and the increased profile, scope and volume of its work. In that context, Poland supported the constitutional reforms proposed by the Secretariat as well as the proposed reforms in the financial management of the Organization. The Delegation noted with satisfaction the continued growth in PCT applications. The proposed reductions in the number and amount of fees would increase the popularity of the PCT system in its country. Poland had started initial negotiations for membership in the European Union and its industrial property law had already been reviewed by the European Commission, which had expressed its satisfaction with the level of protection that had been attained. Procedures had been initiated for accession to the Stockholm Act of the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods. Registration activities connected to the PCT and Madrid system within the Polish Patent Office continued to grow.

100. The Delegation of Singapore stated that 1998 was an important year for its country. New legislation on trade marks, geographical indications, and layout designs of integrated circuits would be enacted. Singapore wished to extend its thanks to the Secretariat for its helpful comments and advice during the drafting stage. The Copyright Act had already been amended at the beginning of the year and the Patents Act at the beginning of 1996. All these pieces of legislation were in line with Singapore's obligations under the TRIPS Agreement. The Delegation announced that Singapore would accede to the Berne before the end of 1998. The country believed in strong protection for intellectual property rights and would continue to reinforce its legal, administrative, technical and enforcement infrastructure.

101. The Delegation of Hungary noted that its country had continued with the process of harmonizing its legislation with that of the European Union. For example, new legislation on the protection of geographical indications of agricultural products and foodstuffs and against infringement of intellectual property rights in customs administration proceedings, had recently entered into force. With respect to registration activities, a record number of patent applications (over 30,000) had been filed in 1997, mainly due to the increasing use of the PCT. Hungary was designated in 56 percent of the international PCT applications filed in Contracting States. The Madrid Protocol had entered into force for Hungary in October 1997, with positive results, and the seventh edition of the Nice Classification in a trilingual version (English, French and Hungarian) would be published in cooperation with WIPO in the near future. The Delegation expressed its thanks to the Organization for supporting the Symposium on Global Information Infrastructure and Intellectual Property held in Budapest in May 1998 and proposed that a similar meeting be organized in the near future in Budapest.

102. The Delegation of Niger congratulated the Director General on the changes he had instituted, in particular the new policies of transparency and accountability. The new direction which the Organization was taking was welcomed. The Delegation thanked WIPO for the assistance its country had received over the last few years, including the training of 12 senior staff members, the provision of computer equipment, and the awarding of WIPO medals at the first national competition for creativity and inventiveness held in December 1997. Currently, cooperation was taking place with WIPO with respect to the modernization of the national intellectual property system. Equipment had already been provided and training and the holding of a national seminar were foreseen in the near future.

103. The Delegation of New Zealand, noting the reorganization of the Intellectual Property Office that had been completed in August 1997, stated that there was now no backlog for the examination of new patent and trademark applications and turnaround time was five days. In the first six months of 1998, new patent and trademark applications had increased by 8 percent and 3.5 percent, respectively, and patent grants and trademark registrations had increased by 40 percent and 20 percent, respectively. In February, the Office had commissioned the development of a new system enabling the on-line filing of applications and searching of the Office's databases. It was envisaged that the system would be completed in May 1999. The trademark database and a selection of patent abridgments were already available on-line; conversion of all patent data would be completed by June 1999. Among other developments noted by the Delegation were the expected availability of all patent specifications on CD-ROM, by early 1999; an expected fee reduction of 20 percent by February 1999; the implementation of a quality review process regarding the quality of the examinations carried out by the Office; a review of the registration process; the entry into force of the Trans-

Tasman Mutual Recognition Arrangement (TTMRA) between New Zealand and Australia in May 1998, allowing for mutual recognition of patent attorneys; the drafting of the Intellectual Property Law Reform Bill, geared to ensuring that New Zealand legislation was in line with the country's obligations under the TRIPS Agreement; and the decision to relax the restrictions on parallel importing of goods.

104. The Delegation of Swaziland stressed the importance its country placed on the protection of intellectual property and on the assistance it received from WIPO to that end. All national intellectual property legislation had recently been revised to bring it into line with the country's obligations under the TRIPS Agreement and with the provisions of the Patent Cooperation Treaty, the Madrid Protocol and the Berne Convention. Swaziland would appreciate continuing assistance from WIPO, in particular, regarding the organization of workshops and training for staff of the national intellectual property administration.

105. The Delegation of Spain stated that the Spanish Patent and Trademark Office had been an International Searching Authority since 1995, and in 1997 Spain's Agreement with WIPO as an International Searching Authority was renewed. Spain withdrew its reservation to Chapter II of the PCT with effect from September 1997. At the moment, the Spanish-speaking world did not have a complete international search and preliminary examination service under the PCT. Legal measures had been taken at the national level to introduce preliminary examination of national patent applications to allow the Spanish Patent and Trademark Office to acquire the necessary experience and technical capacity to become, in the medium term, the first International Searching and Preliminary Examining Authority for the Spanish-speaking world. Such measure would provide private sector users with a more responsive, flexible and relevant intellectual property service. Moreover, Spain had adopted new procedures to transform community trademarks into national trademarks, to facilitate interchange between these procedures. During the period under review, the Spanish Patent and Trademark Office had made progress in the development and use of computerized systems in administrative aspects of its work. Related activities included greater use and awareness of the Internet, electronic publication of patents, and a number of activities undertaken in cooperation with WIPO and the EPO, including the DOPALES-PRIMERAS CD-ROM project. It valued Spain's increasing participation with WIPO. Spain was also cooperating closely with the Community Trademark Office and the European Patent Office. It also stressed that the examination of Spanish legislation effected in accordance with the TRIPS Agreement, proved positive. The Spanish Office was cooperating closely with Latin American countries, especially Argentina, Chile, Uruguay and Cuba. Partners in such cooperation were also WIPO and the EPO. In the context of cooperation with Latin America, the Delegation provided information on a regional seminar organized with WIPO in promoting future adherence of countries in the region to the PCT. The Delegation further stated that an International Symposium for Judges on the European patent system would be jointly organized by the Spanish authorities and the European Patent Office. In the field of copyright, which falls under the Ministry of Culture, Spain had done much to adapt its copyright laws to current technological realities, including incorporation of the European Directive on the protection of databases. It referred to various copyright and related rights discussions in WIPO, including the process already initiated by Spain to eventually adhere to the WCT and WPPT. Still in the field of copyright, the Delegation described various measures undertaken by the national authorities concerned in providing information and training to different interested circles in the country. This would also benefit cooperation with Latin American countries.

106. The Delegation of Argentina regarded document A/33/2 as a comprehensive account of the implementation of the program between January 1 and May 31 of the current year, having due regard to the changes of policy and program content and the restructuring of the Secretariat. It congratulated the Director General for initiating the process of informal consultations with regional groups and member States. WIPO had sufficient economic and human resources to guarantee the participation of developing countries in the formulation of international intellectual property norms, particularly those relating to new technologies such as the Internet and electronic commerce. The Delegation of Argentina welcomed WIPO's involvement in normative matters and technical cooperation activities and supported its work in such diverse areas as environmental protection, transfer of technology, protection of biodiversity and traditional knowledge. The Delegation wished to receive information concerning the Industry Advisory Commission and the Policy Advisory Commission. In the interests of transparency, the Delegation requested additional information on criteria to determine regional balance and membership of the said commissions.

107. The Delegation of Lesotho stated that the Program Implementation Overview was well written, user-friendly and transparent and its result-oriented structure made it easy to evaluate the achievements made under the various programs. It congratulated the Director General for introducing various new programs, including the Office of Strategic Planning and Policy Development, which had enabled the Secretariat to achieve so much in so short a time. Lesotho appreciated the Director General's making himself accessible to member States, as evidenced by on-going consultations carried out with the group coordinators on matters of common interest. Since decisions made after consultations were collective, that made their implementation easier. The Secretariat was to be congratulated on the increased level of activities under the cooperation for development program, from which Lesotho had benefited. Recently the Secretariat had sent draft laws on the protection of plant varieties, geographical indications, trade secrets, and integrated circuits (lay-out designs) to be studied by the Office of the Registrar-General, and several inter-ministerial committees that had been established to examine these model laws and make the necessary recommendations to the Government. It was noteworthy that courses run by the WIPO Worldwide Academy would be tailor-made and policy-oriented. It was hoped that the broad scope of training would also cater for policy-makers, the judiciary, and users. Increasing emphasis was being placed on global issues, including biodiversity and biotechnology. The Secretariat had given these new areas the attention they deserved and it was to be hoped that it would do so in consultation with other relevant International Organizations.

108. The Delegation of Georgia fully supported WIPO's activities which addressed the most urgent and relevant challenges facing the international community, particularly the establishment of the WIPO Global Information Network and the provision of intellectual property information systems. The Delegation expressed its gratitude to WIPO for the latter's assistance in drafting and improving the national laws and enhancing the skills of the staff of Georgian intellectual property protection agencies. The Delegation was pleased to note the active assistance provided by WIPO in 1998 in organizing two national seminars on the use of state-of-the-art information technology for protecting industrial property and on the role of industrial property protection for the development of different business and trade sectors. The Delegation also confirmed the previously expressed willingness of Georgia to host the 1999 International Symposium on International Protection of Geographical Indications. The Delegation announced the preparation of four draft laws, with the participation of international experts, including experts from WIPO, in the light of the TRIPS Agreement requirements.

These laws were expected to be reviewed and adopted by the end of this year. The Delegation announced that the Patent Office of Georgia would be renamed the National Intellectual Property Center, with the Director General appointed by the President of the country.

109. The Delegation of the Russian Federation expressed its satisfaction with the work that has been carried out. Within a short period a new program was formulated and was being successfully implemented, with a dynamic approach to the activities in the field of intellectual property. It welcomed proposals on constitutional reform, including, in particular, the introduction of a unitary contribution system, policies and practices of nomination and appointment of Directors General as well as simplification and streamlining of WIPO's management structure. The Delegation supported the proposal to merge, pending the amendment of the corresponding WIPO treaties, the reserve funds of the Unions administered by WIPO in one WIPO Reserve Fund and also the working capital funds of the Unions administered by WIPO in one WIPO Working Capital Fund. By and large, the Delegation approved the intended utilization of the budget surplus of the 1998-99 biennium, as well as the policy of keeping a possible balance between estimated income and expenditure and limiting any budget surplus of a corresponding Union at one percent of the income budgeted for the biennium. The Secretariat should prepare a study on the conversion of the full text international applications published in Russian into character-coded format. The Delegation also noted that it had encountered certain difficulties with interpretation of the Russian text of the Paris Convention for the Protection of Industrial Property that was prepared back in the late 1960s, and requested an amended Russian version of the document. The Delegation commended the high quality of the documents translated by the Secretariat into Russian, and would welcome the use of the Russian language in meetings of working bodies of the Organization. The Delegation expressed concern with the new practice of preparing the reports of the meetings (sessions) well after the actual meeting took place. It found the practice ineffective and inconvenient, particularly since a considerable time (sometimes six months and even more) would lapse between the actual session and the consideration of its report at the next session. It therefore preferred the traditional practice.

110. The Delegation of France congratulated the Secretariat on the considerable work it had accomplished during the past year and on the increased transparency in the running of the Organization and the accent placed on the importance of the management of an international organization in full development. In the view of France, three main issues would dominate WIPO's activities in the forthcoming years. The most important of those was undoubtedly the institutional change proposed by the Director General with the aim of strengthening the Organization as such to the detriment, if one could say that, of the individual Unions. That reform was logical and an integral part of the inevitable evolution towards a single body in the field of intellectual property as perceived in the Marrakesh Agreements. It presented undeniable advantages from the management point of view. However, the reform also raised a certain number of problems, particularly legal problems, but also politico-financial ones, with regard to the respective role of the Unions that constituted the central nucleus, particularly from a financial point of view, of WIPO and of the general organs of WIPO. For that reason, the French Government wished for an in-depth study to be made on that issue, both by the Secretariat and by the member countries. Obviously, such a study should not lead to a rejection of the reform; an *ad hoc* meeting could be held in Geneva before the end of the year or at the beginning of 1999.

111. The second of the Organization's challenges was that of the budget surpluses and the use to be made of them. That issue should be approached strategically. In the view of that Delegation, the approach should lead to the laying down, for a period of two or three bienniums, of standards for the budget management of the Organization: the amount and relative share of investments, percentages allocated to the reduction in fees and to cooperation policy—to which France, as shown by the trust funds of France with WIPO, was particularly attached—and, finally, the size of the working fund. The third challenge, which was perhaps the decisive one for intellectual property in the long term, was the use of advanced information technology and electronic commerce. France welcomed the efforts undertaken over recent years by WIPO to adopt the new technology and to use it for the benefit of intellectual property. In that respect, three issues were predominant: the development of the Internet and the cohabitation of domain names and trademark law, to which France was so attached; the improvement of the PCT registration and administration technology, since it was essential for the ever increasing number of applicants to be able to obtain patents of the highest quality, within a short time and at a competitive price; the proposal by WIPO to establish, within the next few years, a worldwide patent administration and information network. France clearly wished to participate as a member state, as a country with considerable activity in the patent field and also in response to the various calls for tenders.

112. The Delegation of Chad expressed appreciation for the Secretariat's preparation of the documents. It highlighted the vital importance of intellectual property for development, notably in the transfer of technology. It recognized WIPO's tireless efforts in helping developing countries improve their intellectual property system through assistance in different forms, especially in training and the provision of equipment. Many nationals of its country had been trained by WIPO. The Delegation fully supported WIPO's activities throughout the world but most of all in the least developed countries, and particularly emphasized the need to train those in responsible positions in the intellectual property field, and to increase their participation in WIPO meetings, above all, in the Standing Committees.

113. The Delegation of Togo thanked the Director General and the Secretariat for the work they had accomplished in the first part of the period covered by the Program and Budget for 1998 to 1999. It was satisfied with the Director General's proposals on the use of budget surpluses and of the Reserve Funds to respond to the needs of Member States. The Delegation also welcomed the Organization's new orientation and policies, notably in the transparency and accountability it had shown. The Delegation further thanked the Director General for the assistance given to Togo in a national project, and hoped such assistance would continue.

114. The Delegation of the European Patent Office (EPO) described the strong and fruitful cooperation between the EPO and WIPO. The share of Euro-PCT applications in the EPO overall was 54 percent, and 55 percent of all PCT international search requests submitted worldwide were filed with the EPO. In addition, the number of PCT requests for international preliminary examination filed with the EPO in 1997 increased by 21 percent, compared with 1996. These figures illustrated that the EPO workload could be traced directly to PCT activity. As such, the EPO supported the PCT automation project and supported that PCT data be made available in character-coded form to allow data exchange via a network. The EPO was ready to support WIPO in this project. The Delegation described the EPO's technical assistance to developing countries, especially on behalf of the European Communities. In 1997, the EPO trained 2000 persons and set up a training division: the EPO International Academy. In the framework of trilateral cooperation, the EPO associated WIPO

in several projects carried out with the Japanese Patent Office and the United States Patent and Trademark Office. This coordination would facilitate the eventual proposal of worldwide standards and procedures. To this end, the EPO expressed its desire to contribute to the work of the Standing Committee on Information Technologies. In the context of widening cooperation, the EPO was willing to share with WIPO and its Member States its experience, as well as the tools in the following areas:

- (a) Data capture and digitization to facilitate data exchange and dissemination through networks.
- (b) Patent information dissemination through the Internet. The Esp@ceNet server was now fully operational and all PCT documents would be available on Internet.
- (c) Extension of CD-ROM development to countries as an alternative to other methods of dissemination.
- (d) Technical solutions tailored to the individual country's administrative procedures.

115. The Delegation for the African Regional Industrial Property Organization (ARIPO) commended the Secretariat for its support of the Organization and ARIPO member States. It thanked the Director General for attending the 6th session of the Council of Ministers of ARIPO held in Kenya in May 1998. The Delegation stated that it was this attendance that facilitated adoption of the ARIPO Declaration regarding the Budapest Treaty that would come into force on November 10, 1998. The Delegation also expressed gratitude to WIPO for two projects that would lead to the creation of a regional industrial property information network. This network would involve setting up a database for trademarks, patents and designs and establishing on-line linkages between ARIPO and its Member States.

116. The Delegation of the Organization for African Unity (OAU) expressed its particular satisfaction with the number of working visits that had been undertaken by the Director General to Africa since taking office. In addition they commended the work of the WIPO Academy, pointing out that an OAU official had already benefited from a training program in July this year. The Delegation expressed the hope that increased training would be made available to African officials.

117. The Delegation of the African Intellectual Property Organization (OAPI) said that the work of OAPI, including reinforcing ties between its member States, modernizing its working environment, promoting the importance of invention and innovation, and developing new training facilities, could not be done without WIPO's assistance. The Delegation noted increased collaboration between the two organizations, in particular WIPO's help in establishing a new OAPI organigram, revising the Bangui Agreement, and helping OAPI's telecommunications and computer networks. The Delegation expressed its satisfaction at the revival of the quadrupartite cooperation between WIPO, OAPI, ARIPO and the African Regional Centre for Technology (ARCT) aimed at improving cooperation and the dissemination of information.

118. The Delegation of the Commission of the European Communities (CEC) outlined major developments relating to intellectual property. In the field of industrial property, the main advance in the past year was a Directive on the legal protection of biotechnological inventions,

which entered into force on July 6, 1998. Another Directive of the Parliament on the legal protection of industrial designs was in the process of being adopted to harmonize national legislation in this field. In 1997, the Commission launched comprehensive consultations on the system of patents in the European Community by publishing a Green Book on the subject, on which the European Parliament would take a position. This would be followed by another publication showing the results of the consultations and proposing initiatives for the near future. The Delegation emphasized the importance attached by the Commission to the protection of marks. It thus supported WIPO's work in formulating international rules to prevent and resolve conflicts between marks and domain names on Internet, and expressed the view that this was the most appropriate forum to take all points of view into account. In the field of copyright, the Commission considered a proposal for a Directive on certain aspects of copyright and related rights in the information society. The proposal would integrate most of the relevant provisions contained in the WCT and WPPT which were signed by the European Community and all its Member States. Since April 1998, the legislative process of ratification of those two treaties had been in progress.

119. The Delegation of the Southern African Development Community (SADC) stressed the region's commitment to combat piracy. It noted that last May Ministers of the SADC had attended a Copyright Symposium organized by WIPO to keep fully up-to-date with moves to combat piracy. The Delegation stated that SADC wished to carry out follow-up work to this Symposium but stressed that they needed a study to be carried out to assess the extent of piracy in SADC countries and its effect on the development of cultural industries in the region. Furthermore, they requested WIPO's assistance on a coordinated strategy to achieve such a follow-up. In addition, the Delegation requested that WIPO provide assistance to the SADC Coordination Unit for all copyright matters, help set up copyright training courses to address the administrative aspects of copyright protection, and run workshops for those who used or created works. In addition, the Delegation requested WIPO's assistance for a seminar on copyright legislation to be held in Maputo in March 1999. October 14 had been designated the SADC Day for Creators and Performers. The Delegation stressed that its member States were working to ensure that their legislation conformed with the requirements of the TRIPS Agreement.

120. The Delegation from the Eurasian Patent Office (EAPO) stated that more than 30 countries were using the Eurasian Patent System and the number of patent applications filed was constantly growing. In 1996 and 1997, 118 and 457 applications, respectively, were filed while 678 applications were filed in the first eight months of 1998. As of September 1, 1998, 125 Eurasian patents were registered. The activities of the EAPO paralleled those of WIPO in the establishment of technological and information facilities, building a corporate image, and developing sustained relationships with national and international intellectual property communities. The Delegation expressed its gratitude to the patent offices of various countries for their support, as well as to WIPO and the European Patent Office.

121. The Assemblies and other bodies concerned reviewed and noted the contents of documents A/33/2 and 7.

ITEM 5 OF THE CONSOLIDATED AGENDA:

POLICY ON BUDGET SURPLUS

122. See the report of the session of the WIPO General Assembly (document WO/GA/23/7).

ITEM 6 OF THE CONSOLIDATED AGENDA:

POLICY ON RESERVE FUNDS

123. As proposed by the Chair of the General Assembly, this Agenda item was dealt with in conjunction with Agenda item 5, which report is included in document WO/GA/23/7, Paragraphs 5 through 13.

ITEM 7 OF THE CONSOLIDATED AGENDA:

TERMS OF REFERENCE GOVERNING AUDIT

124. Discussions were based on document A/33/6.

125. In introducing the document, the Secretariat noted that the Chairman of the Panel of External Auditors of the United Nations, Specialized Agencies and the International Atomic Energy Agency had encouraged all organizations of the United Nations system to adopt a revised text of the “audit opinion” in order to ensure that audit opinions reflected current best practice and to maintain consistency throughout the United Nations system. All organizations have agreed to do so; some have already implemented this change while others will implement it at the next meeting of their Governing Bodies.

126. The General Assembly of WIPO and the Assemblies of the Paris, Berne, IPC, Nice, Locarno, Vienna, PCT, Madrid, Hague and Lisbon Unions adopted the new text contained in paragraph 5 of document A/33/6.

ITEM 8 OF THE CONSOLIDATED AGENDA:

POLICIES AND PRACTICES FOR THE NOMINATION
AND APPOINTMENT OF DIRECTORS GENERAL

127. See the report of the session of the Coordination Committee (document WO/CC/42/3) and the report of the WIPO General Assembly (document WO/GA/23/7).

ITEM 9 OF THE CONSOLIDATED AGENDA:

CONSTITUTIONAL REFORM

128. The consideration of this item was based on document A/33/3.

129. Following informal consultations between the Chair of the WIPO General Assembly and the Group Coordinators, the General Assembly decided to take note of the contents of document A/33/3.

130. The following statements were made in response to the Chair's announcement concerning the working schedule for the next days proceedings.

131. The Delegation of Pakistan stated that in order to address the substantive and contentious issues tabled before the Assembly effectively, the working methods of the Assembly required improvement, providing for an in-depth exchange of views among Member States.

132. The Delegation of Mexico stated, on behalf of GRULAC, that they wholeheartedly endorsed the remarks made by the Delegation of Pakistan. GRULAC however, wished to acknowledge the efforts that had been made by the Group Coordinators. In recognizing also the extremely valuable efforts made by the Chair in conducting the consultations, GRULAC pointed out that experts attending the Assemblies from their capitals and diplomats resident in Geneva would have liked to contribute one way or another to the general debate in plenary on each and every agenda item. It was widely felt that in such a multilateral forum a full and frank exchange of opinions and views was needed in order to take full advantage of the opportunity for intergovernmental discussion, and therefore invited the Chair to proceed accordingly.

ITEM 10 OF THE CONSOLIDATED AGENDA:

INTEGRATION OF BUDGET AND PREMISES COMMITTEES

133. See the report of the session of the WIPO General Assembly (document WO/GA/23/7).

ITEM 11 OF THE CONSOLIDATED AGENDA:

PERMANENT COMMITTEES ON DEVELOPMENT COOPERATION

134. See the report of the session of the WIPO Conference (document WO/CF/16/2).

ITEM 12 OF THE CONSOLIDATED AGENDA:

PREMISES

135. See the report of the session of the WIPO General Assembly (document WO/GA/23/7).

ITEM 13 OF THE CONSOLIDATED AGENDA:

REPORT ON THE STANDING COMMITTEES

136. See the report of the session of the WIPO General Assembly (document WO/GA/23/7).

ITEM 14 OF THE CONSOLIDATED AGENDA:

INTELLECTUAL PROPERTY AND ELECTRONIC COMMERCE

137. Discussions were based on document A/33/4.

138. The Delegation of Egypt expressed support for the proposed activities of WIPO in relation to intellectual property and electronic commerce. Referring to the declaration on electronic commerce adopted by the second Ministerial meeting of the World Trade Organization (WTO), the Delegation stated that WIPO should take into account the related work of other international organizations, as well as the development requirements and needs of developing countries. The Delegation considered that there was a need to study the definition of electronic commerce with a view to coordinating WIPO's work with that of other international organizations. It expressed its support for the three regional consultation meetings proposed to take place in Africa, Asia and Latin America in the last quarter of 1998, and noted that the results from these meetings should be analyzed carefully before convening the International Conference which should be held in due time. It considered that every effort should be made to avoid a conflict in the dates of the international conference with other important events in Geneva. The Delegation supported the proposed study on electronic commerce and intellectual property and, in particular, requested that a study be made of the impact of electronic commerce on developing countries. The Delegation expressed support for a Steering Committee in order to provide guidance to the Director General on issues relating to electronic commerce, and noted that there should be adequate representation on this Committee from developing countries, as well as transparency in the manner of selection of the Committee and its activities. The Delegation expressed its support for the Internet Domain Name Process being undertaken by WIPO, particularly its focus on the resolution of disputes concerning Internet domain names. The Delegation sought clarification and further information on the affiliation between WIPO and the new organization to be established to administer the domain name system.

139. In response to the statement made by the Delegation of Egypt, the Secretariat stated that it took note of the concerns expressed by that delegation which were fully in line with the work methods adopted by the International Bureau on that particular matter. The Secretariat

assured the Delegation of Egypt that the needs of developing countries, as well as the development aspect in general, were fundamental priorities of the International Bureau in tackling this particular area. It confirmed that the work done by other international organizations or regional organizations involved in this area would be taken into consideration and that the proposed Steering Committee would bring together experts from all regional groups.

140. The Delegation of South Africa, speaking on behalf of the African Group, expressed its support for the proposals of WIPO in relation to electronic commerce and underlined the importance of making available more information about the subject. In this respect, the Delegation requested that the proposed issues paper on the impact of electronic commerce on the intellectual property system be circulated before the proposed regional consultation meetings. The Delegation noted that the time frame for the regional consultation meetings was very short.

141. The Delegation of India expressed its support for WIPO's initiative and proactive program in the area of electronic commerce and expressed its confidence that, within the work program of WIPO, the interests of both developed and developing countries would be taken into account. The Delegation stated that the pace of work in this area should take into account the resources and level of understanding of these issues in developing countries. It considered that appropriate representation from developing countries should be assured on the Steering Committee. With respect to Internet domain names, the Delegation requested more information about the proposed cooperation with the new organization that would manage the technical and policy aspects of the Internet domain name system. The Delegation stated that the role of WIPO in this area should be considered with respect to the definition of famous trademarks, and attention should be given to the use of names taken from traditional knowledge as domain names.

142. The Delegation of the Netherlands, speaking on behalf of Group B, endorsed the proposals in document A/33/4, and stated that it considered it to be very important that WIPO assume a leadership role in the area of intellectual property aspects of electronic commerce. The Delegation considered that careful consideration should be given to an appropriate involvement of the Member States should be ensured in these activities, and in particular, in the organization of regional consultations.

143. The Delegation of Chile expressed its support for the document prepared by the Secretariat, and noted the very short period of time in which the issues involved in electronic commerce had generated considerable interest. The Delegation of Chile stressed that electronic commerce had raised a series of problems and legitimate fears, particularly in the developing countries, that had resulted in various international organizations addressing the topic from the angle of their respective competencies. The Delegation expressed its support for the proposed regional consultation meetings and, in particular, the international conference planned for 1999, and the proposed Steering Committee. The Delegation recommended that WIPO adopt measures so as not to duplicate the work of other international organizations particularly the World Trade Organization. The Delegation noted the serious problem posed by the relationship between domain names and trademarks and expressed support for an institution to administer the domain name system. The Delegation expressed its support for initiating the international process with regard to Internet domain names as proposed by the Director General in order to reach a rapid solution to that type of problem.

144. The Delegation of Uruguay stated that the topic was of particular importance to its country, which had one of the highest ratio of Internet users to population. It considered that conflicts between domain names and trademarks should be studied in a transparent and participatory process.

145. The Delegation of Mexico expressed its concern with respect to the lack of legal and technical preparation of many countries when dealing with the subject of electronic commerce. The Delegation expressed its support for the work program of WIPO to ensure that there would be legal and technical stability for further development in this area of electronic commerce. The Delegation noted that countries needed practical measures, including information sharing, to promote electronic commerce in the area of intellectual property.

146. The Delegation of Brazil noted that electronic commerce was of great and growing importance on the contemporary international agenda and thanked the Secretariat for the document it had prepared. The Delegation expressed its support for the proposals in the first part of document A/33/4, as reflected in paragraph 9 of the document, noting that WIPO had both expertise and legitimacy to examine intellectual property issues in electronic commerce. With respect to Internet domain names, the Delegation of Brazil noted that the international process convened by WIPO was unique and addressed a complex matter, with participants from various sectors of the community, governments and individual trademark holders. Noting that it would be important that WIPO carry out the proposed regional consultation meetings, the Delegation stressed the need to avoid any overlap between the work involving the protection of famous marks in respect of Internet domain names within the context of the Domain Name Process and the work that was being done to review famous trademarks within the framework of the Standing Committee on Trademarks. The Delegation noted that paragraph 25 of document A/33/4 indicated that the findings and recommendations resulting from the process would be made available to the new corporation and reported to the Member States for consideration. The Delegation indicated that there should be an opportunity for Member States to consider any results of the process before they were communicated to the new corporation. The Delegation requested that any information on the new corporation be made available to the Member States.

147. In response to the questions of the Delegation of Brazil, the Secretariat explained that the international process concerning domain names related mainly to dispute resolution procedures. With respect to famous trademarks, the terms of reference of the process concerned a mechanism for the protection of famous marks. In contrast, the Standing Committee on Trademarks was dealing with the normative elements of what constituted a famous mark. With respect to providing information concerning the new corporation being formed to administer the domain names system, information would be made available on the web site which had been established by the Secretariat for the Domain Name Process and in paper form for circulation to the Member States when clear information became available on the situation relating to the new corporation.

148. The Delegation of the former Yugoslav Republic of Macedonia stated that, although there was disparity in the readiness of countries to deal with issues involving intellectual property and electronic commerce, the activities proposed in paragraphs 7 to 9 of document A/33/4 should proceed immediately. The Delegation stated its support, in particular, for the proposed Steering Committee, and the Internet Domain Name Process.

149. The Delegation of Argentina congratulated the Director General on his initiative in making available all means to address the theme of electronic commerce. The Delegation emphasized the importance of holding regional consultations and added that it considered that whether or not to have an international conference could only be established after those consultations had been carried out. In addition, given the complexity of the subject, it suggested holding seminars prior to the regional consultations. In relation to Internet domain names, the Delegation considered that the Standing Committee on Trademarks should draw up a study on the subject in order to bring it to the attention of Member States.

150. The Delegation of Cuba stated that electronic commerce was an important topic and congratulated WIPO on its work on the subject. It expressed the hope that all developing countries would be able to participate in any forums that might be convened to discuss the subject, owing to its importance in international business exchanges. It considered that WIPO should take into account the work of other organizations, including coordination with national Internet organizations.

151. The Delegation of Colombia expressed its support for the proposals on electronic commerce, including, in particular, the proposed regional consultation meetings, international conference, the proposed Steering Committee, and the Internet Domain Name Process.

152. The Delegation of Mexico, speaking on behalf of the Group of Latin American and Caribbean Countries, stated that it approved the proposals set out in paragraphs 9 and 26 of document A/33/4. It sought information on the intended composition of the Steering Committee which, it assumed, would have a balanced geographical representation and would be composed of experts on the subject.

153. In reply to the request of the Delegation of Mexico, the Secretariat indicated that the Director General wished to constitute the Steering Committee on an informal basis to have access to advice on issues in an area where developments were occurring at a very rapid pace. It was envisaged that the Steering Committee would have a composition of about 10 persons. In constituting the Committee, the Director General would consult with the group coordinators and seek their advice on appropriate experts to include on the Committee. The Committee's membership would be representative of all parts of the world.

154. The Delegation of the Philippines pointed out that the decision sought of the General Assembly in paragraph 9(ii) should properly refer to the General Assembly approving the constitution of a Steering Committee by the Director General, rather than to the General Assembly constituting such a Steering Committee.

155. The WIPO General Assembly approved the proposals set out in paragraph 7(i), (ii) and (iii) of document A/33/4, and the constitution by the Director General of an informal Steering Committee to advise the Director General on the implementation of WIPO programs and activities in relation to electronic commerce.

156. The WIPO General Assembly also approved the undertaking of the international process on Internet domain names described in paragraphs 18 to 25 of document A/33/4.

157. The Delegation of Egypt recalled that it had requested the International Bureau to reconsider the proposed dates for convening the International Conference on Electronic Commerce and Intellectual Property, as it believed that the proposed dates were too soon and would not allow the necessary time for developing countries to analyze and digest the issue of electronic commerce. The delegation added that the proposed dates coincided with other important meetings taking place in Geneva and requested that the International Bureau conduct consultations to agree on a different date for convening this conference, preferably in May or June 1999. The delegation stated that, in its view, the decision in paragraph 156 should be adopted with the exception of the date of the international conference, which should be fixed by the International Bureau after consultations with Member States.

158. In response to the statement made by the Delegation of Egypt, the Secretariat stated that the dates of all the preparatory stages leading to the International Conference and the date of the International Conference itself were carefully calculated. The Secretariat also informed the Delegation of Egypt that its concerns would be taken into account and that, if there was a growing consensus by many delegations that the fixed dates of the International Conference should be changed, the Secretariat would propose new dates. The Secretariat indicated, however, that fixing new dates also depended on the availability of a venue for hosting the conference as well as the logistical arrangements connected with the preparation of this important activity. The Secretariat added that it was difficult to decide at that moment whether these dates could be changed, but that the concern expressed by the Delegation of Egypt would be taken into account when the final dates for the preparatory stages, consultative meetings and the International Conference were fixed.

159. The Delegation of Egypt thanked the Secretariat for the clarifications given and repeated its request that paragraph 156 indicate that the date of the International Conference be fixed after consultation with Member States but that, if there were a major problem in changing the date of the Conference, Member States would consider accepting the proposed dates.

ITEM 15 OF THE CONSOLIDATED AGENDA:

AMENDMENT OF THE SCHEDULE OF FEES UNDER THE PCT

160. See the report of the session of the PCT Union Assembly (document PCT/A/26/2).

ITEM 16 OF THE CONSOLIDATED AGENDA:

AMENDMENT OF THE REGULATIONS UNDER THE HAGUE AGREEMENT

161. See the report of the session of the Hague Union Assembly (document H/A/17/2).

ITEM 17 OF THE CONSOLIDATED AGENDA:

ESTABLISHMENT OF THE OFFICIAL TEXT OF THE BERNE CONVENTION
IN THE RUSSIAN LANGUAGE

162. See the report of the session of the Berne Union Assembly (document B/A/24/2).

ITEM 18 OF THE CONSOLIDATED AGENDA:

DRAFT AGENDAS OF THE 1999 ORDINARY SESSIONS OF THE
WIPO GENERAL ASSEMBLY, THE WIPO CONFERENCE,
THE PARIS UNION ASSEMBLY AND THE BERNE UNION ASSEMBLY

163. The meeting of the Coordination Committee was chaired by Mr. Leo J. Palma, Vice-Chair of the Committee (Philippines), in the absence of the Chair of the Coordination Committee.

164. Discussions were based on document A/33/5.

165. The Delegation of Mexico stated, on behalf of the Latin American and Caribbean Group, that his group approved the draft Agendas as proposed in document A/33/5, and on the subject of constitutional reform which was covered in the four annexes. The Delegation thanked the Secretariat, on behalf of the Latin American and Caribbean Group, for the presentation of document A/33/3 on constitutional reform, which it found to be an interesting document and which would be used as 'food for thought' in their capitals. It further stated that the said document was a document required to be studied with great care, although it considered that it had been submitted by the Secretariat at the appropriate time. It suggested that the Secretariat call for comments, in writing, from the Member States and on the general issue of constitutional reform. The Latin American and Caribbean Group wished to have time to study the issue in depth and become acquainted with the views of other States. It suggested that the Secretariat prepare, for next year, a document as an addendum to document A/33/3, which would contain the information received over the next few months. During the next Assembly, a more informed and detailed discussion could be conducted.

166. Following the intervention by the Mexican Delegation, the Vice-Chair proposed that, as a result of the approval earlier of agenda item 8 "Policies and Practices for the Nomination and Appointment of Directors General," a new agenda item should be inserted reading "amendment to Article 9.3 of the WIPO Convention" in Annex II attached to document A/33/5, between the Program and Budget for 2000 to 2001 and Constitutional Reform.

167. The Delegation of South Africa stated that it also wished to have the above item included, as well as that of Constitutional Reforms, otherwise it endorsed the proposals of the Director General in document A/33/5, and concurred with the proposal of the Chair.

168. The Delegation of the Netherlands, speaking on behalf of Group B, stated that the amendment as proposed by the Vice-Chair seemed to follow logically from what had been adopted on Agenda item 8 and stated that it should instead read "proposal for amendment of Article 9.3 of the WIPO Convention" so as to carefully delineate what exactly should be discussed next year on this agenda item. Regarding constitutional reform, the Delegation said that since the Assembly took note of a document submitted by the Secretariat, it was its

original preference to delete it from the Agenda, on the understanding that if the need arose the item could be reintroduced. Group B was of the view that the item of Constitutional Reform needed thorough thought and consideration in the capitals, that consideration would undoubtedly take place, and was already taking place, and that it regarded the memorandum by the Secretariat as an input for consideration, as there might be other inputs. However, it would have no objection if the Secretariat circulated any contributions that Member States might make for consideration. The Delegation did not wish to see Member States' contributions as an Annex to the present document, and assumed that document A/33/3 would be re-presented next year, perhaps with deletions of the parts concerning the mandates of the Director General, because that subject had been treated separately.

169. The Director General stated that he did not feel that there was a difference of opinion on the substance of the initiative, and using the words of the distinguished representatives of Mexico and the Netherlands, it was true that the intention of the Secretariat was to have this initiative as "food for thought," and perhaps "food beyond thought." It was, however, not the intention to take any firm decision at this point. The proposal to seek comments of the capitals was a good initiative, and the Secretariat would certainly encourage this trend in keeping with the spirit of transparency. He also informed the Delegations that henceforth and until the Assemblies next year, there would be a series of consultations during which many dynamics of this initiative would be clarified with various regional groups and their leaders. He did not consider it timely for the Assemblies to discuss the fine details on whether the comments of States would be annexed to next year's document. The most important thing for the Secretariat was to know whether the item was to be retained on the Agenda, so that consultations could be continued and inputs could be sought from Member States in writing.

170. The Delegation of Mexico thanked the Director General for his remarks and expressed its concurrence. However, with regard to the suggestion made by the Delegation of the Netherlands, to use the word "proposal" for the amendment, it considered it appropriate to use the term "amendment to Article 9.3 of the WIPO Convention" to conform with the decision made by the General Assembly. This clearly reflected the progress made and the consensus reached.

171. The Delegation of South Africa, on behalf of the African Group, concurred with the Mexican proposal.

172. The Delegation of Germany stated that it joined the emerging consensus on the issue of constitutional reform and to include it as an Agenda item for next year. It also expressed the hope that the issue regarding a unitary contribution system, and the introduction of new classes for membership contributions would be formalized and legalized by making the necessary changes to the underlying financial provisions of the various Conventions.

173. The Delegation of the Netherlands stated that, on the new agenda item to be introduced, it agreed to delete the words "proposal for." On the item concerning Constitutional Reform, the delegation thanked the Director General for his comments. The Delegation noted the Director General's intention to consult with Member States on the approach to be taken, and suggested that rather than holding consultations, there should be an open exchange of views as no mandate for formal consultations had been given.

174. The Delegation of India endorsed the recommendations made by the Mexican, South African and Netherlands delegations. It particularly wished to compliment the Director General for the constructive stand taken on constitutional reforms.

175. The WIPO Coordination Committee adopted Annexes I and II, with revisions as reflected in paragraph 166 above, the Paris Union Executive Committee adopted Annex III, and the Berne Union Executive Committee adopted Annex IV of document A/33/5.

ITEM 19 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

176. See the report of the session of the Coordination Committee (document WO/CC/42/3).

ITEM 20 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE REPORTS

177. This General Report was unanimously adopted by the Assemblies of the Member States of WIPO concerned on September 15, 1998.

178. Each of the 21 Assemblies unanimously adopted the separate report concerning its session, at a separate meeting of the Assembly concerned, on September 15, 1998.

ITEM 21 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

179. The Chair of the WIPO General Assembly made the following statement:

“Distinguished Delegates, we are now at the conclusion of these 33rd series of meetings of the Assemblies of the World Intellectual Property Organization. Looking back over the first year of WIPO’s accomplishment under the leadership of Kamil Idris, it is clear that we have made tremendous, indeed almost inconceivable progress. To review all that we have accomplished in such a short time is to be amazed by the breadth and depth of our joint endeavors.

“A first ever series of informal consultations last Fall and Winter, led to our successful Assemblies in March. There, for the first time in the history of the organization, we had before us a strategic set of proposals in the draft Program and Budget for our consideration. The pressures and opportunities facing intellectual property protection in a fast changing external environment were related to proposals from the Director General which aligned program planning and budget allocations in a way that was open, transparent and understandable to us all. But this transparency symbolized something much deeper than a series of documents for decision. It was a first step in a new way of working between the International Bureau and Member States and a new way for all of us together to view our priorities and measure our success in meeting these priorities. And those priorities are many and challenging as we all know. Our overall WIPO policy direction and management, cooperation for development and the WIPO Worldwide Academy. The progressive development of intellectual property law, information technology and global protection systems and services. The underpinnings for a modern management style of a results-based program implementation which were firmly established in March have, at this Assemblies, borne their first fruit.

“The first ever Program Implementation Overview by the Director General which was before us for consideration was most warmly welcomed by all Member States. In addition the streamlined and disciplined way in which the Assemblies themselves tackled the consideration of this agenda item last week, established different standards of dialogue for future Assemblies to take into consideration. That more remains to be done to bring our vision of results-based program implementation to full fruition is not a sign of failure, but a sign of strength and forward movement. Major change is not accomplished overnight, but takes perseverance, focus and commitment. But no-one can doubt that we have firmly established the direction in which we wish to go and are committed to its full accomplishment.

“During the past year, we have also tackled issues related towards the broad use of information technology in the interest of intellectual property protection and operations. And to that we have now added new electronic commerce, intellectual property policy and operational issues that are engaging the world with such urgency. We have taken several decisions to streamline our work together by deciding how best to structure our Committee work, both with respect to norm-setting, information technology and WIPO management issues, and we have now finally resolved the long-standing and contentious issue of new WIPO premises, providing the Director General with a clear mandate to get on with it. But that is not all of our accomplishments. Along the way there have been many other noteworthy events, including the establishment of the senior echelons of the organization itself and the development of a new spirit of cooperation with our sister organization, the WTO. Indeed, tomorrow will see the first ever joint WIPO-WTO Symposium on TRIPS implementation issues. I wonder how many of us realize the tremendous pressure which our demands for action have placed on every member of the International Bureau. They have worked with such professionalism that it has seemed seamless and effortless to us, but behind the scenes were dedicated individuals who worked nights and weekends to deliver to us, often at the expense of their home and family life.

“In one short year, they have managed the substance and logistics of two Assemblies, numerous informal consultations, plus the regular meetings of the now Standing Committees, the Coordination Committee and the Budget and Premises Committee. We thank them for their dedication and commitment during this past year. We thank them for their patience and transparency as we asked question after question in writing and informal meetings, and we thank them most of all for the level of excellence in all that they did on our behalf. Over the past year, we the Assemblies, have experimented with ways of working together to give full expression to the Director General’s principles of transparency, accountability and ownership of WIPO by Member States. As in any experiment, learning opportunities of what works and what doesn’t have been plentiful. If we have learnt anything during this past challenging year, it is that we, the Assemblies, are most successful and most comfortable in decision-making when we have had formal or informal opportunities to exchange views amongst ourselves and with the International Bureau before considering sensitive items in a formal decision-making forum. This is a very important lesson, and one which is certainly not lost on me as your Chair, I can assure you.

“At this time I would like on your behalf and my own, to thank the Group Coordinators who have worked so hard on your behalf. Many individuals have fulfilled that role over the past year. Being a Group Coordinator is not an easy task at any time, but I think it has been particularly difficult this past year for new Coordinators who tried to cope with the experimental nature of some of our new working together processes here. All Group Coordinators this past year, have given of themselves to the utmost. That we as the Assemblies are as successful as we are is in large part a tribute to their skills and education, who worked on our behalf, on behalf of the Groups and for the common good of the intellectual property world.

“One final thanks to the interpreters and translators that we have seen so much of this past year. You have proved yourselves to be indispensable. We could not be the international community coming together to forward the ends of intellectual property protection, without your incomparable competence and professionalism.

“And so, in closing, to Kamil and the International Bureau, congratulations to you individually and collectively, for the flying start in the new mandate. The world will continue to unfold at an ever-increasing pace and we have given you a packed agenda for action, but we do hope that you will have at least some time in the not too distant future to slow down a bit, catch your breath, reflect a little and to practice what is known in North America as balancing work and family life. And then refreshed and recharged, begin to prepare for our next Assemblies.

“If there are no other issues to be raised, at this point in time by distinguished delegates, I will declare this session of the Assemblies closed. Thank you very much.”

180. After the usual interventions, the thirty-third series of Assemblies of the Member States of WIPO, were closed by the Chair of the WIPO General Assembly.

ANNEX

INDEX OF INTERVENTIONS BY DELEGATIONS OF STATES, REGIONAL GROUPS AND REPRESENTATIVES OF INTERGOVERNMENTAL ORGANIZATIONS

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[End of annex and of document]

¹ On behalf of the Asian Group

² On behalf of the GRULAC

³ On behalf of Group 'B'

⁴ On behalf of the African Group