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ASSEMBLIES OF THE MEMBER STATES OF WIPO

Thirty-Fifth Series of Meetings
Geneva, September 25 to October 3, 2000

GENERAL REPORT

adopted by the Assemblies

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INTRODUCTION

1. This General Report records the deliberations and decisions of the following 22 Assemblies and other bodies of the Member States of WIPO:

- (1) WIPO General Assembly, twenty-sixth (12th extraordinary) session
- (2) WIPO Conference, eighteenth (4th extraordinary) session
- (3) WIPO Coordination Committee, forty-fifth (31st ordinary) session
- (4) Paris Union Assembly, thirtieth (16th extraordinary) session
- (5) Paris Union Conference of Representatives, twenty-seventh (13th extraordinary) session
- (6) Paris Union Executive Committee, thirty-seventh (36th ordinary) session
- (7) Berne Union Assembly, twenty-sixth (12th extraordinary) session
- (8) Berne Union Conference of Representatives, twentieth (6th extraordinary) session
- (9) Berne Union Executive Committee, forty-third (31st ordinary) session
- (10) Madrid Union Assembly, thirty-second (19th extraordinary) session
- (11) Hague Union Assembly, nineteenth (7th extraordinary) session
- (12) Hague Union Conference of Representatives, nineteenth (7th extraordinary) session
- (13) Nice Union Assembly, nineteenth (5th extraordinary) session
- (14) Nice Union Conference of Representatives, eighteenth (4th extraordinary) session
- (15) Lisbon Union Assembly, sixteenth (3rd extraordinary) session
- (16) Lisbon Union Council, twenty-third (3rd extraordinary) session
- (17) Locarno Union Assembly, nineteenth (6th extraordinary) session
- (18) IPC [International Patent Classification] Union Assembly, eighteenth (6th extraordinary) session
- (19) PCT [Patent Cooperation Treaty] Union Assembly, twenty-ninth (17th extraordinary) session
- (20) Budapest Union Assembly, sixteenth (6th extraordinary) session
- (21) Vienna Union Assembly, twelfth (4th extraordinary) session
- (22) FRT [Film Register Treaty] Union Assembly, fourth (3rd extraordinary) session

meeting in Geneva from September 25 to October 3, 2000, where the deliberations took place, and decisions were made in joint meetings of two or more of the said Assemblies and other bodies convened (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/26/10), WIPO Coordination Committee (WO/CC/45/5), Paris Union Executive Committee (P/EC/37/1), Berne Union Executive Committee (B/EC/43/1), Madrid Union Assembly (MM/A/32/2), and the PCT Union Assembly (PCT/A/29/4).

3. The list of the States members of the Assemblies and other bodies concerned and the observers admitted to their sessions as of September 23, 2000, is set forth in document A/35/INF/1 Rev.

4. The meetings dealing with the following items of the Agenda (document A/35/1) were presided over by the following Chairs:

Items 1, 2, 3, 4, 5, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27 and 28	Mr. Marino Porzio (Chile), Chair of the General Assembly
Item 6	Mr. Federico Alberto Cuello Camilo (Dominican Republic) Vice-Chair of the Paris Union Conference of Representatives
Item 9	Mr. Jorge Amigo Castañeda (Mexico), Chair of the PCT Union Assembly
Item 10	Ms. América Néstar Santos Riveras (Cuba), Chair of the Madrid Union Assembly
Items 23, 24, 25 and 26	Mr. Rudolf Joó (Hungary), Chair of the WIPO Coordination Committee
Item 27	The Chair (or, in his absence, a Vice-Chair, or, in the absence of the Chair and both Vice-Chairs, an <i>ad hoc</i> Chair) of one of the 22 Governing Bodies concerned, that is for the General Report, the Report of the WIPO General Assembly, Mr. Marino Porzio (Chile); the Report of the WIPO Coordination Committee, Mr. Rudolf Joó (Hungary); the Report of the Paris Union Executive Committee, Mr. Paul Omondi-Mbago (Kenya); the Report of the Berne Union Executive Committee, Mr. MacDonald Mafhanza Netshitenzhe (South Africa); the Report of the Madrid Union Assembly, Ms. América Néstar Santos Riveras (Cuba), and the Report of the PCT Union Assembly, Mr. Marino Porzio (Chile).
Item 28	Mr. Marino Porzio (Chile), Chair of the WIPO General Assembly.

5. An index of interventions by Delegations of States and Representatives of intergovernmental organizations and non-governmental organizations mentioned in this report will be reproduced as an Annex to the present report. The Agenda, as adopted, and the list of participants will appear in documents A/35/1 and A/35/INF/3 respectively.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The thirty-fifth 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 22 Assemblies and other bodies concerned by the Chair of the General Assembly, Mr. Marino Porzio (Chile).

Opening Speech by the Chair of the General Assembly

“8. Good Morning Ladies and Gentlemen, and welcome to this Thirty-fifth Series of Meetings of the Assemblies of the Member States of WIPO. This Assembly is of particular importance because it is the first Assembly to be held in this new Century and the beginning of a new millennium. Moreover it marks the 30th Anniversary of the entry into force of the Convention that constituted this Organization, the Convention that brought into being the World Intellectual Property Organization and which entered into force on the 26 April 1970. I presume that you have received all the documents for this session and so before we go into the list of the Agenda items and their adoption, I should like to give the floor to the Director General, Dr. Kamil Idris.”

9. The Director General made the following statement:

“Mr. Chairman, distinguished delegates, it is my pleasure to extend to you a warm welcome. We have before us seven days for fruitful discussion and sharing of ideas on how to fine-tune the work of the Organization so that it corresponds even more closely to the needs of the international intellectual property community.

“I would like to take this opportunity to highlight briefly some of the main achievements of the Organization in the past year.

- March this year saw the filing of the 500,000th PCT application. While it took 18 years to reach 250,000 applications, it took only four years to double that figure.
- The Hague system, now even more flexible and user-friendly following the adoption of the new Geneva Act, registered its 50,000th application in February.
- And a record nine States, including Japan, have adhered to the Madrid Protocol in the last 12 months, an indication of the growing realization of the benefits to be obtained from the Madrid system.
- Activities in the WIPO Arbitration and Mediation Center, have intensified since the beginning of this year. The WIPO Domain Name Dispute Resolution Service quickly proved its worth as a swift and cost-effective alternative to court proceedings in Internet domain name disputes, after its launch in December last year. To date, more than 1,240 cases have been received from complainants in 68 countries and over 500 decisions have been rendered. These cases have covered domain name registrations of many well-known enterprises and famous personalities, including Miriam Makeba, Jimi Hendrix, Julia Roberts and Harry Potter. At the request of Member States, WIPO is

launching a second Internet Domain Name Process to consider outstanding questions in this area, including personal names, geographical indications and trade names. This should lead to further improvement and expansion in domain name dispute resolution and increase confidence in the Internet as a place to do business.

- The Center is also in the process of establishing a dispute resolution procedure to serve the needs of the application service provider industry, to be launched early next year.
- Information on the full range of areas impacted by electronic commerce is available on the WIPO website. I would draw your attention in particular to the WIPO Digital Agenda and to the WIPO International Conference on Dispute Resolution in Electronic Commerce to be organized next November.
- The Organization's commitment to information and communication technology is evidenced by several major projects. WIPONET will create a global information network linking the world's intellectual property Offices with each other and with the WIPO Secretariat. Connectivity for 65 national offices, currently without Internet access, will be established by the end of 2001. These offices, along with 145 already connected, will then benefit from a range of central services, to be provided by this Organization by mid-2001. These include database collections, electronic mail, web-hosting, virus scanning, Distance Learning, and remote participation in meetings.
- The IMPACT project, the single largest IT project ever undertaken by this Organization, is designed to fully automate the Patent Cooperation Treaty operations. Electronic filing is a central component of this project and technical and legal experts have already started developing the necessary standards.
- Information technology has also fuelled the creation of several new on-line services, such as the WIPO electronic bookshop (illustrating electronic commerce at work within the Organization) and the Collection of Laws for Electronic Access database, which provides searchable on-line access to 900 legislative texts from 35 countries. Texts from a further 35 countries will soon be added.
- Information technology is also being used to improve the workings of the WIPO Secretariat itself. The Administration Integrated Management System (AIMS) Project will transform how the Organization handles and presents financial and management data. This will help to further streamline the strategic, results-based budgeting, introduced earlier and in the current biennium.
- There has also been great headway in the progressive development and codification of intellectual property law. Promotion of adherence to the WIPO Internet treaties, geared to ensuring copyright protection in cyberspace, has been a priority for the Organization.
- A diplomatic conference on a possible new complementary instrument protecting the rights of audiovisual performers will be held in December.
- Another diplomatic conference held in June resulted in the adoption of the new Patent Law Treaty, which harmonizes national and regional patent formalities leading to speedier and more cost-effective procedures.
- Given the need to adapt to the rapid changes taking place in our increasingly technology-driven society, the Organization has also been implementing a "soft law" approach to certain issues, such as, the joint recommendation on well-known marks adopted last year and that on trademark licenses that will be considered during this session.
- Activities in the cooperation for development sector have strengthened and deepened in scope and quality in many aspects and have also expanded, with the creation of the

least-developed countries unit, the copyright collective management division, the infrastructure and innovation promotion division and the WIPO Worldwide Academy. Emphasis is on strengthening national intellectual property systems, creating institutions and an intellectual property culture at the national level that will create a lasting legacy. The demystification of the intellectual property system and raising of awareness of its importance are critical to social, economic and cultural development.

- Cooperation with countries in transition is being strengthened in all fields of intellectual property and the Organization is sensitive to the special needs of the countries concerned.
- New projects currently underway include the Caribbean Copyright Link, a proposed sub-regional system for collective management of copyright in the Caribbean.
- The session of the Academy's Distance Learning due to start in October, has already registered a substantial increase over the first session. The Distance Learning program has great potential for expansion – especially when seen in the context of growing Internet connectivity and the WIPONET project.
- The Office of Global Communications and Public Diplomacy continues its campaign of public outreach and to this end is also moving at an ever faster pace towards making the best possible use of available information technology.
- The WIPO website continues to attract growing attention, 25 million hits were recorded in the first six months of 2000 alone, compared with 29 million for the whole of 1999. An Arabic version of the website is also now available, and it is hoped that Chinese and Russian versions will follow soon.
- The Policy Advisory Commission and the Industry Advisory Commission both continue to make a positive contribution to the vision of this Organization.
- The new exhibition in the Information Center, **entitled Music in the Digital Age**, will open this evening. It shows how digital technology and the Internet have transformed the creation, dissemination, access and consumption of music today.

“These glimpses of some of the Organization's activities are by no means exhaustive. However, they indicate that WIPO's agendas have greatly increased in complexity, breadth, depth and volume. To generate and maintain the energy necessary to drive these activities forward requires a staff that is dedicated to the Organization and committed to realizing the vision we have for it. Unfortunately, the capacity of human resources has not kept pace with the rapidly growing workload. So, in order to keep the momentum, the members of the Secretariat have had continually to absorb increasing levels of work. The enormous transformation of the Organization that has taken place over the last three years and that has ensured its place as the global leader in intellectual property issues would not have been possible without this sacrifice from the men and women who make it thrive; the staff of this Organization.

“I applaud the staff of this Organization. I would like to pay tribute to them and to send a clear signal that their contribution is recognized and appreciated. Such a message, also coming from you, would be a true endorsement of the effort they have put into maintaining the dynamism that is responsible for the Organization's current success and high international profile. I must admit that I am concerned about our ability to retain high-calibre staff and recruit others of the same quality given the current conditions of service. To a certain extent, attempts to improve those conditions are restricted by the fact that WIPO is part of the United Nations common system and therefore bound to a certain established framework. However, where there is the opportunity to offer some token of recognition to staff, this would demonstrate clearly that the owners of this global body are aware of and appreciate the work of the Organization. Such a step would also illustrate that staff welfare is of concern to you –

a very necessary signal to give if you want to create a solid foundation of staff loyalty on which the Organization can rely and build for its future success. The agenda of your Organization has never been so inter-related, so pressing or so complex. It requires from all of us new ways of thinking, new tools and new commitment of political will.

“Let us continue to build an Organization that will view change as a friend—not change for its own sake, but change that permits us to do more good by doing it better. We seek an Organization that is leaner, more focused, more flexible and more responsive to changing global needs. Thank you for your attention.”

10. The Chair thanked the Director General for his excellent summing up of the chief activities of WIPO, and noted that the Assemblies had been given the advantage of knowing the underlying philosophy of the work in directing this organization. He felt that the Director General had been very modest when he referred to the growth of the Organization because quite clearly it has met and indeed exceeds anything anticipated in terms of integration of intellectual property into all areas of activity in the world today. It was a gap that is being bridged and we in this Organization were proud of this. He said that the Director General deserved our congratulations and so of course did his staff. He acknowledged the known fact that it was sometimes difficult within the United Nations system to handle the volume of work and concerns confronting the organizations, and thereby fulfilling the mandate that the Member States of this Organization had placed on the shoulders of the Organization. He requested, on behalf of the Assemblies of the Member States, that the Director General circulate his statement as it would be extremely useful to everyone to be able to reread it at their leisure, and to study the different issues raised.

ITEM 2 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDA

11. After due consideration, each of the Assemblies and other bodies concerned adopted its agenda as proposed in document A/35/1 (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

12. Discussions were based on document A/35/INF/1 Rev.

13. Following informal consultations undertaken by the Chair of the WIPO General Assembly and the outgoing Vice-Chairs of the WIPO Coordination Committee, a proposal for the election of the officers of the WIPO Coordination Committee, the Paris Union Executive Committee and the Berne Union Executive Committee was presented by the Chair of the WIPO General Assembly.

14. On the basis of that proposal, the said Committees elected the following officers:

for the WIPO Coordination Committee

Chair: Rudolf JOÓ (Hungary)

Vice-Chair: Iftekhar Ahmed CHOWDHURY (Bangladesh)

Vice-Chair: América Néstar SANTOS RIVERAS (Mrs.) (Cuba)

for the Paris Union Executive Committee

Chair: Paul OMONDI-MBAGO (Kenya)

Vice-Chair: Mykola PALADIY (Ukraine)

Vice-Chair: Dissanayake Mudiyansele KARUNARATNA (Sri Lanka)

for the Berne Union Executive Committee

Chair: Lucy MARTÍNEZ-MONT (Mrs.) (Guatemala)

Vice-Chair: MacDonald Mafhanza NETSHITENZHE (South Africa)

Vice-Chair: Maureen DOUGAN (Mrs.) (Canada)

15. The revised list of the officers for the Assemblies and other bodies appears in document A/35/INF/4.

16. The Delegation of the Dominican Republic, speaking on behalf of the Group of Latin American and Caribbean countries, stated its understanding that the new Chair of the Coordination Committee had been elected in his capacity as a representative of the Group of Central European and Baltic States. The principle of rotation among regional groups had therefore been maintained. The Delegation of the Dominican Republic expressed the hope of GRULAC that, consistent with the principle of rotation among regional groups, the next Chair of the Coordination Committee would be a representative of GRULAC.

17. The Delegation of Japan, speaking on behalf of the Group B countries, explained that the new Chair of the Coordination Committee had been elected as a joint candidate of Group B and the Group of Central European and Baltic States. It was the understanding of Group B that the practice of electing Chairs of the Coordination Committee by alternating between Group B, on the one hand, and all the other Groups, on the other hand, had been maintained, and the Group expressed its wish that the practice would continue.

18. The Delegation of Uganda, speaking on behalf of the African Group, stated that the Group associated itself with the statement made by the Delegation of the Dominican Republic, speaking on behalf of GRULAC. The African Group was also of the view that the practice of electing a Chair for the Coordination Committee should be done on the basis of rotation among the regional groups.

19. The Delegation of Malaysia, speaking on behalf of the Asian Group, also wished to record its understanding that the new Chair of the Coordination Committee had been elected as a representative of the Group of Central European and Baltic States. The Asian Group wished to emphasize that it shared the views expressed by the Delegations of the Dominican Republic and Uganda, speaking on behalf of GRULAC and the African Group respectively.

20. The Delegation of Bulgaria, speaking on behalf of the Group of Central European and Baltic States, thanked all Delegations for their trust and cooperation in electing the Ambassador of Hungary as the new Chair of the Coordination Committee. The Delegation

expressed its full confidence in the new Chair, and confirmed that the new Chair was a joint candidate of Group B and the Group of Central European and Baltic States.

21. The Delegation of China expressed its support for the election of the new Chair and Vice-Chairs of the Coordination Committee.

22. The Delegation of the Russian Federation, speaking on behalf of the Group of Central Asian, Caucasus and Eastern European countries, welcomed the decision of Group B and the Group of Central European and Baltic States to put forward a joint candidate for election to the Chair of the Coordination Committee. The Delegation observed that agreement on the modalities for the principle of rotation was an outstanding problem that needed resolution in the near future.

ITEM 4 OF THE CONSOLIDATED AGENDA:

EVALUATION OF PROGRAM PERFORMANCE IN 1998-1999

23. Discussions were based on documents A/35/2 and A/35/13.

24. The Chairman, noting the lengthy agenda and a desire towards efficiency, recommended that oral statements should not exceed a five-minute time limit. Written statements should be submitted to the Secretariat, and any Delegation that did not wish to take the floor could submit written statements, which would be reflected in the report as if they had been given in the plenary session. Almost all Delegations and representatives who requested the floor filed written statements with the Secretariat.

25. In introducing the document, the Secretariat recalled that the Program and Budget for the 1998-1999 biennium, as adopted in 1998, was WIPO's first results-based program and budget, and that the corresponding evaluation of program performance was a fundamental component in the results-based management approach adopted by the organization. The Program Performance report (document A/35/2) provided, in its first part, an account of the most important achievements made by the organization during the biennium under review, followed by an overview of specific accomplishments by cluster of main programs and concluded with an assessment of WIPO's transformation towards a modern, business-based and result-oriented organization. The second part of the report contained a tabular summary of the results attained and the related performance indicators by sub-program. The use of performance indicators was essential for the assessment of the results achieved and the measurement of the progress made towards the objectives set out in the Program and Budget. This Program Performance report was also expected to provide Member States with a full insight of the level of efforts, resources and priority necessary to achieve the expected results and objectives that had been established for 1998-1999.

26. Under this agenda item, a second document had been distributed in the plenary, the Program Implementation Overview - January 1 to June 30, 2000. It had been prepared to provide to the Member States with observations on the activities within each Main Program, giving notice of selected accomplishments and attained milestones. The corresponding Program Performance report, covering all of the year 2000, would be presented to the WIPO Assemblies in September 2001.

27. A brief ceremony was held by the Secretariat, in honor of the seven contemporary Arab artists, from Bahrain, Egypt, Jordan, Lebanon, Oman, the Sudan and Tunisia, whose paintings graced the mezzanine of WIPO's foyer. The Director General welcomed them on behalf of the Delegations attending the WIPO Assemblies, and thanked the Secretary General of the League of Arab States for the League's support and participation that had made such an exhibition possible.

28. The Representative of the League of Arab States welcomed the exhibition and the participating artists, saying that it was a great source of personal and official pride to address the WIPO Assemblies and its Director General on this august occasion. The representative recalled that those artistic works were wonderful expressions of contemporary Arab art, and the world from which it derived. Arab culture was proudly displayed, and the artists' participation showed the diverse nature of the world's holders of intellectual property. The representative concluded by noting that WIPO was certainly on the road carrying forward a message, in its diverse and multicultural setting, towards a standard of exceptional work, protecting excellence.

29. The Delegations of the following 82 States and six intergovernmental organizations made statements concerning Agenda Item 4: Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Bulgaria, Burkina Faso, Burundi, Canada, Chad, Chile, China, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Egypt, Estonia, Finland, Gambia, Georgia, Germany, Ghana, Guinea, Honduras, Hungary, Iceland, India, the Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kyrgyzstan, Lesotho, Macedonia, Madagascar, Malaysia, Mali, Mexico, Mauritania, Morocco, Nepal, New Zealand, Niger, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Russian Federation, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Togo, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam; Organization of African Unity (OAU), African Intellectual Property Organization (OAPI), African Regional Industrial Property Organization (ARIPO), World Trade Organization (WTO), European Commission, (EC), European Patent Office (EPO).

30. The Delegation of Japan, speaking on behalf of Group B, expressed its appreciation to the Director General and to the Secretariat for their work and efforts at improving the budget process, and with respect to constitutional reform. The Delegation pointed to the challenges of the coming century regarding globalization and rapid progress in the development of information technology, as to which, the Delegation emphasized, Group B particularly welcomed the initiative by the Director General. The Delegation underscored the importance to Group B of the following issues presently before the Assemblies of the Member States of WIPO. First, constitutional reform. Regarding the simplification of WIPO's Assemblies and Conferences of Member States, a reform of the management of WIPO should be further conducted. Group B supported the idea of streamlining the governing structure, such as abolishing a governing body which does not have any important or useful role in practice. However, further clarification and discussion were needed as to the consequences of such reform on various points, including the right to vote, chairmanship and financial implications. The Delegation requested that the Director General continue studying this issue under the Working Group on Constitutional Reform, while having consultations with Member States. Secondly, the Delegation emphasized Group B's support for the proposals regarding changes to improve and streamline the budget formulation process, and looked forward to increased

transparency in the implementation of the new approach. As to the subject of arrears, Group B was of the opinion that the establishment of a provision for contribution-financed unions to cover arrears accumulated prior to 1994 should not lead to the discouragement of the countries to pay their contributions. Regarding the proposal to increase the budget for the renovation of the WMO building, Group B was concerned that it is an enormous increase from the initial budget, and felt that the International Bureau should have made its utmost effort to implement the project within the approved budget. The Delegation reminded that the initial plan was proposed and approved as the most appropriate, useful and cost-effective solution, as compared to other alternatives; it also requested the International Bureau to ensure that similar situations would not be repeated in the future. Thirdly, the premises. Regarding the new construction, Group B welcomed the fact that WIPO was able to finalize the international architectural competition, and was able to determine the best solution for the construction elements. The Delegation stressed Group B's expectation that the construction work would be implemented without delay and within the approved budget. Fourthly, in view of the successful conclusion of the Patent Law Treaty Diplomatic Conference, the long-awaited exercise relative to the substantive harmonization of patent law should be kicked-off again at the next Standing Committee on the Law of Patents. Alongside the work on substantive harmonization, Group B looked forward to efforts conducive to the reform of the Patent Cooperation Treaty to ensure that it develops as fully as the global system. Fifthly, concerning the International Day of Intellectual Property, the Delegation said that if such a day were to be celebrated, it would be necessary to promote the understanding of the diverse activities of WIPO at the national level. Therefore, the Delegation felt that it would be more appropriate for the Director General to continue to conduct further studies of the activities to be promoted once the International Day of Intellectual Property were to be established. Sixthly, creation of posts at grade P-6. Group B was not able to support WIPO's current proposal to introduce a P-6 grade at this stage and requested WIPO to provide Member States with more specific information on the problems outlined by the Secretariat, at which point it would then consider with WIPO whether this was an appropriate solution. Eighth, WIPONET. The Delegation felt that the use and development of the intellectual property system worldwide would be greatly assisted by making information available through WIPONET. Ninth, Domain names. The Delegation underscored Group B's appreciation as to the efforts made by the Secretariat in the field of Domain Names, and in particular, by the arbitration activities of the WIPO Arbitration and Mediation Center in recent days. Finally, the Delegation welcomed the issuing of the 1998-1999 Program Performance Evaluation Report, which it felt, was in line with the newly established result-based budgeting. However, Group B was of the opinion that there was room for further improvement. The Delegation looked forward to receiving a more concrete report in which criteria and performance indicators were more precisely formulated.

31. The Delegation of Bulgaria, speaking on behalf of the Delegations of the Central European and Baltic States, expressed its opinion that, through the period under consideration, WIPO had become a more modern and efficient Organization. It had introduced new approaches in its work; new, more coherent structures had been set up; the overall performance had been improved; and the system of WIPO's administration of Treaties had been strengthened. The Delegation said that under the leadership of the Director General, WIPO had embarked on new paths and had extended its activities to new fields, such as the areas of Intellectual Property and Electronic Commerce; human rights; traditional knowledge; and, biodiversity and biotechnology. The Delegation welcomed these developments. The new Digital Agenda, introduced around the time of the last session of the Assemblies, had become a great success. The Delegation particularly underscored the importance of the WIPO Domain Name process, the WIPO on-line arbitration services, the

automation of the PCT and of the Madrid systems, and the WIPO Worldwide Academy's Distance Learning program. It looked forward to seeing a quick implementation of the WIPONET project, and was of the opinion that the Digital Agenda should be reinforced and further developed because, the Delegation felt, it was more associated with the new image of the Organization, and at the same time, also reflected the needs of the Member States. WIPO had developed its relations with various partners, and through the recently established Policy Advisory Commission and the Industry Advisory Commission, it had benefited, both from the presence of political and economic leaders, and public and private sector leaders, to explore issues of the future. The Delegation asked that WIPO's close cooperation with governments, and with public and civil society structures, should be maintained in the future and remain a model for other United Nations organizations and agencies. The Cooperation for Development concept had been high on WIPO's agenda this year as well. The Delegation stated that those in the Central European and Baltic States tended to see development as a broader concept from which different groups of countries could benefit, depending on their current development needs, and that there were various ways to assist development, not the least of which was by way of helping those who could support the process. The Delegation stressed that the cooperation between WIPO and the Central European and Baltic States in the last year had been fruitful. It mentioned that the Director General had visited a number of countries in its region, and expressed its appreciation for those visits, which, in its opinion, had contributed to focusing public attention on the importance of the Intellectual Property system, and the need for enhanced cooperation with the WIPO. The Delegation pointed to the activities envisaged under Main Program 7, Cooperation with Certain Countries in Europe and Asia, and noted that those activities had been followed and performed as the document A/35/2 put it: "on schedule." The countries of the Central European and Baltic States shared the view that the cooperation with WIPO had been fruitful. The forms of cooperation had often been related to technical assistance projects. In its opinion, promotion of adherence to WIPO administered treaties had been impressive. It noted that, during the period under consideration, countries from its region accounted for 32 ratifications of WIPO administered treaties; and further, the countries of this region represented the region where most ratifications of the new WCT and WPPT had taken place. The Delegation also mentioned that its countries had benefited from legal advice helping to ensure compliance of its national laws with relevant international standards, including the TRIPS Agreement. Training of officials and experts, as well as strengthening the organizational and management aspects of the national intellectual property systems, had been an important topic of cooperation with WIPO. However, the Delegation noted that, if it were to address results in the Organization's performance, it should be borne in mind that there was still not a mechanism whereby it was possible to assess the direct impact of a program or activity on economic growth. It suggested that the Nationally Focused Action Plans could possibly become a pilot project in this regard. The Delegation suggested that more use could be made of the recently established Economic Analysis, Forecasting and Research division at WIPO. It stated that it was up to the Member States to come up with new ideas and to discuss them with the International Bureau and with the other Member States; the Central European and Baltic States were prepared to do that in the process of the preparation of the new Program and Budget. The Delegation felt that while document, A/35/2 was an excellent document, it did not contain much self-criticism or hints that improvements were possible. It therefore recommended that the next Program Performance report contain some indications of areas where improvements could be made. The Delegation concluded by noting for the record its approval of the main results outlined in the document under consideration.

32. The Delegation of Malaysia, speaking on behalf of the Asia and Pacific Group, observed that the concept of Intellectual Property offered a unique opportunity to reward

creative individuals for translating ideas into tangible products and businesses, thus turning them into income and employment. The IP system should therefore be a user-friendly and accessible tool, which should be extended to the protection of new areas such as traditional knowledge, genetic resources and folklore. It noted that the progress of WIPO's work in new intellectual property-related subjects, such as traditional knowledge, were considered to be crucial in mitigating misperceptions about IP protection. The Delegation stated that the Asia and Pacific Group appreciated the extensive work undertaken by WIPO to address the important issue of the protection of traditional knowledge; such work included fact-finding missions, country surveys and consultation meetings involving traditional knowledge in both developed and developing countries. The issue of traditional knowledge was closely related, *inter-alia*, to the issues of folklore, genetic resources and biodiversity, and represented a new global development in the international IP regime. Although traditional knowledge and its related issues had become prominent and relevant, there had not been adequate international legal protection. Initial findings from the work done so far suggested that there were traditional information and knowledge systems which the IP system could assist and that the possibility of creating a *sui generis* system for the protection of traditional knowledge would avoid unscrupulous exploitation of traditional knowledge. In this connection, the Delegation supported WIPO's proposal concerning the setting up of a WIPO Inter-Governmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. It observed that it would also be necessary for WIPO to coordinate its work with those of the different bodies that have experience dealing with the same subject matter, such as UNCTAD, FAO, WTO and the Convention on Biodiversity Secretariat. The Delegation stressed that WIPO was the most appropriate forum to give a clear and transparent view relating to these areas. In addition, it suggested that the protection in the areas of traditional knowledge and biodiversity could be further strengthened through the setting-up of traditional knowledge digital libraries. The Delegation emphasized that the issue of the protection of traditional knowledge, genetic resources and folklore was not a North-South issue, but rather an issue of concern to all. The Asia and Pacific Group was very optimistic that the proposal would enjoy the full support from the other regional groups. The Delegation observed that the knowledge-based economies and the Internet revolution had significantly lowered the competitive barriers; it was therefore crucial for policy-makers to adopt and implement measures to encourage small and medium-sized enterprises (SMEs) to play a dynamic role in sustaining the economic growth and employment of any country. The active use of IP by SMEs was essential. The Delegation, noting that many SMEs were not aware of the patent system under which their innovations could be adequately protected and more effectively marketed, needing in particular to adjust and find their niche in the new knowledge-based economy, shared the opinion that WIPO Member States might wish to further develop WIPO activities with a view to enhancing the competitiveness of SMEs. The Asia and Pacific Group believed that it was timely to begin discussing what WIPO could do to support SME activities, and accordingly supported the proposal that a substantial new program of activities focusing on the IP-related needs of SMEs worldwide should be included in the draft Program and Budget for the next biennium. The human element was also crucial to every aspect of the IP system, especially since the prominence of IP had increased greatly in the global economy. As such, the Delegation underscored that the development of human resources had become an important and strategic component in the efforts to modernize and effectively utilize the IP system for international, economic, social and cultural development. The WIPO Worldwide Academy provided an excellent opportunity for Member States to obtain specialized knowledge and skills to enable them to derive benefits from the IP system. The Delegation hoped that more developing countries would take full advantage of the various courses offered by the Academy, and suggested that the Academy should explore and create ways of reaching out to a wider audience, in order to remain as a center of excellence for

human resource development. The Delegation stressed the appreciation of the Asia and Pacific Group to WIPO, and in particular, to the Cooperation for Development Bureau for Asia and the Pacific, for organizing a wide-range of technical cooperation activities in the region. It pointed out that the region had benefited tremendously from the activities, and hoped to continue to avail of such assistance in the near future as part of a sustained capacity-building process. The Delegation concluded by noting for the record that the Asia and Pacific Group was in agreement with most of the proposals put forward by the Director General of WIPO.

33. The Delegation of Uganda, speaking on behalf of the African Group, observed the tremendous advancements that Dr. Kamil Idris, the Director General, had brought to the World Intellectual Property Organization since he took office three years ago. The Delegation underscored the revitalization of the Organization, through the reform of its administrative policies and management practices, through the intensive introduction of information technology, and through the strengthening of its human resource base, as well as its oversight mechanisms; all of these changes now seemed to be bearing fruit. The result was the transformation of WIPO into a modern, business and result-oriented Organization – an Organization ready to meet the challenges facing it in the new millennium. The Delegation stated that globalization and rapid development in information technology had emphasized the urgent need for action to bridge the digital and knowledge divides, and thus bring technology and information to people throughout the world. Appropriate intellectual property protection could contribute to the economic, social and cultural progress of the world's diverse population. The Delegation believed that proper utilization of Intellectual Property could mean the right tools for development; however, the adverse could mean further marginalization for developing countries, and for least developed countries in particular. The Delegation emphasized that for Electronic Commerce to become a truly global instrument of growth and prosperity, inequalities in access, connectivity costs, and financial and human resources needs had to be properly identified and swiftly addressed by the international community. The Delegation noted with appreciation the establishment of the Director General's WIPO Digital Agenda, which, in its opinion, had established clear directions for the Organization's ground-breaking work in the area of IP and Electronic Commerce. It pointed to Main Program 6.2, which it felt provided solutions to problems raised by the impact of Electronic Commerce on IPR, and also ensured that all countries were part of the globalization process through appropriate communications networks. The Delegation commended the Director General for the establishment of the Standing Committee on Information Technologies (SCIT), which it felt had been a key policy forum for guiding WIPONET and other information technology projects' development. The Delegation stressed the importance which the African Group placed on WIPONET, which would lead to the linking of 220 Intellectual Property offices in 170 countries, and recognized that this process, when implemented, would be beneficial to developing countries and least developed countries. The Delegation observed that it would provide a wide range of much-needed services currently lacking in the African continent, and requested that this project be completed as soon as possible, particularly connecting the 64 developing countries which currently did not have Internet connectivity, which, it felt, should be in tandem with capacity building and human resource development. The Delegation underscored that the WIPO Worldwide Academy had a very crucial role to play in this regard, and quoted the words of Dr. Idris: "distance should no longer be an obstruction to instruction." It observed that traditionally, Distance Learning had used correspondence courses with students working from printed materials, with provision for a period of study on campus. However, the Internet had short-circuited that long procedure, which had now developed into a mechanism for interactive ways of learning, provided one were to be connected. The Delegation appreciated

that WIPO as an Organization had been in the forefront of taking advantage of this technology, and noted that some countries in its region had already been beneficiaries of the Distance Learning programs of the Academy, which programs were tailored to meet the needs of the end-user and targeted not only IP offices, but also lawyers, patent agents, engineers, economists, journalists and university students. The Delegation stressed that this was a very cost-effective way of enabling people to be exposed to general and specific IP issues, and emphasized the importance of connecting more developing countries to enable them to benefit from the same opportunities. The Delegation stated that the African Group welcomed the conclusion of an item on intellectual property and genetic resources, traditional knowledge and folklore. The emergence of modern biotechnologies in respect to genetic resources had assumed increasing economic, scientific and commercial value to a wide range of stakeholders. Similarly, traditional knowledge associated with those resources was attracting widespread attention from an enlarged audience. The Delegation stated that these new global issues required innovative and creative responses to deal with the challenges posed. The African Group was pleased to note that WIPO was assuming its rightful role in trying to address these new global issues; the establishment of an inter-governmental body within WIPO to exchange views on these very important issues was, in their view, long overdue. The Delegation noted its special appreciation to the Cooperation for Development Division. It had been instrumental and successful in fulfilling its mission of assisting national, subregional and regional Intellectual Property administrations in developing and least-developed countries to deal more effectively in Intellectual Property promotion. The Delegation made special mention of WIPO's cooperation with the World Trade Organization and the World Customs Organization, which helped to support Member States in their implementation of the TRIPS Agreement. This cooperation should be strengthened. The Delegation emphasized that Intellectual Property issues were of great importance to industry, business and the public at large. An effective intellectual property regime could increase social, cultural, technological and economic development. It was suggested that developing countries should have inter-ministerial bodies to draw up national intellectual property policies and to review national and international developments in this economically important area. The Delegation also stressed the importance of having public awareness campaigns to sensitize both the public and the private sector on the importance and benefits of the intellectual property system. These challenges could be met with concerted efforts on the part of the Member States and the international community, and as well with increased technical assistance from the relevant United Nations specialized agencies like WIPO, ITC and ITU, particularly with a view towards helping developing countries in the area of capacity-building. The Delegation confirmed the support of the African Group during the deliberations of these Assemblies.

34. The Delegation of India expressed its appreciation for the dynamic leadership provided to WIPO by the Director General, whose efforts towards Cooperation for Development, and his role in the transformation of WIPO into a forward-looking, result-oriented Organization with clear goals, transparent policies and management practices, deserved special mention. The Delegation pointed to the expanded use of information technology, the strengthening of human resource bases, and a monitoring mechanism, which had resulted in a revitalization of WIPO. The Delegation stated that the focus of the program and budget was on facing the challenges of the 21st Century. The report on Program Performance in the 1998-1999 biennium brought out clearly the results achieved in various sub-programs. As far as the countries in the developing world were concerned, the Delegation felt that they would need to be assisted in order to prepare themselves to face the new challenges in the areas of legislation and human resource development. The Delegation underscored the need in the developing countries for conducting specific, specialized studies in newly emerging intellectual property

areas such as the protection of indigenous knowledge, folklore, bio-resources, and electronic commerce. The Delegation thanked WIPO for its assistance to India in their legislation review process. It said that India had amended its Copyright Act to make it fully compatible with the TRIPS Agreement, and had also enacted new legislation for the protection of geographical indications and layout designs of integrated circuits, as well as new legislation in place of existing legislation in the field of trademarks, and of industrial designs. New legislation to amend the Patents Act was under consideration in Parliament and the process of further amending its Copyright Act to achieve compliance with the WCT and the WPPT had also been initiated. The Delegation noted that India's accession to the Paris Convention and to the PCT, in December 1998, had given a boost to industrial property activities in the country. Since its accession to the PCT, India had been designated in over 60,000 PCT applications filed worldwide. The Delegation stated that the Government of India was committed to providing an intellectual property system that was able to satisfy the needs and aspirations of the users. In this context, India had taken up projects of modernization of the patent and copyright offices and expressed its Government's thanks to WIPO for its assistance in the area of modernization of intellectual property administration. The Delegation informed that the Government had also been paying special attention to strengthening the enforcement of the copyright law. Since the police and customs were the major enforcement agencies, attention was being focused on training to police and customs personnel. The Delegation offered the Government's thanks to WIPO for extending cooperation in the academic area also, and noted that a WIPO Delegation visited India to explore academic cooperation between the Worldwide Academy and Indian educational institutions. In order to develop the teaching of intellectual property rights in the universities, the Government of India had launched a scheme last year for giving financial assistance to educational institutions for introducing IPR courses, and also for conducting research on the subject. The Delegation hoped that the Government's request to consider the setting up of WIPO chairs for IPR in Indian universities would be considered favorably. The Delegation also expressed its appreciation for the Distance Learning program of the Worldwide Academy, noting that Indian subscribers had responded overwhelmingly to the program and had enrolled in large numbers in the forthcoming course. In concluding, the Delegation expressed the gratitude of the Indian Government to the Director General of WIPO, and noted that India had not only benefited from the numerous programs of WIPO, but had also been able to provide useful inputs in policy development and strategic planning and research.

35. The Delegation of the Republic of Korea expressed its satisfaction with the various programs and activities carried out by WIPO. The Delegation praised WIPO's efforts in introducing and applying advanced information technologies to develop more efficient global IPR systems, and made special mention of WIPO's initiatives in respect to the WIPO website, WIPO's IPDLs, and the PCT automation project (IMPACT). The Delegation suggested that WIPO's initiatives had provided ample opportunities to get easy, prompt access to IPR information, and that these opportunities would grow in the future. The wide-ranging legal and technical assistance WIPO provided had contributed to the conformity of the IPR systems in developing countries, allowing compliance with the TRIPS Agreement as well as other international instruments. The Delegation felt that diverse Korean Intellectual Property Office (KIPO) training programs and mechanisms, as well as WIPO's Worldwide Academy, had led to enhanced human resource development in the field of IPR. The Delegation underscored the significant progress made by the various Standing Committees within WIPO, and said that those had played pivotal roles in promoting harmonization of IPR laws, standards and practices around the world. The Delegation particularly appreciated the Standing Committee on Patents, stating that its key role allowed the adoption of the Patent Law Treaty at the Diplomatic Conference held in May, 2000. Regarding efforts to streamline

operational and financial structures within WIPO, the Delegation endorsed the proposal as prepared by WIPO. At the same time, it hoped that the reforms addressed in the proposal would address the common interest of all Member States, which constituted the WIPO foundation. As to its administration, the Delegation stated that reducing pendency and maintaining high examination quality were two goals often working in the opposite direction to each other. KIPO thus had taken the decisive measure of doubling the number of examiners during the last five years. However, against worldwide trends of government downsizing, it seemed difficult to augment the number of examiners in proportion to the escalating workload. Therefore, the Delegation suggested that the best choice was to improve the productivity of IPR administration. For this purpose, KIPO was undertaking extensive outsourcing, in which private sector organizations performed particular assignments. The Delegation further suggested seriously considering the mutual recognition of examination results among IP offices, which would lessen the repeated examinations of the same inventions; moreover, the mutual recognition of examination results among IP offices was the long-term, ultimate goal of globalized IPR administration. As such, KIPO had been striving to raise its examination standard to a high level in order for its examination results to be honored by any IP office. The Delegation informed that the IPR Administration Renovation Project had been under way since August last year. As the new millennium unfolded, IPR offices were facing new challenges and a new project, "World Best KIPO 21," aimed at raising the operation quality of KIPO's administration in every aspect. The Delegation stated its firm belief that the computerization of IP administration was crucial to improving its productivity, and had provided a user-oriented IPR administration service. KIPO had launched and operated an online electronic filing system, named KIPONET, that had enabled KIPO to computerize the entire administrative procedure from filing through all steps until the publication of official gazettes. Since its launch in January 1999, the online application rates in the field of patents and utility models reached around 90 percent as of September 2000. The Delegation noted that KIPO had planned to continue to globalize its IP administration service to connect KIPONET with other IP offices. In the meantime, the Delegation informed that Korea was trying to further harmonize its IP system in respect to international standards. To this end, Korea was in the process of revising its laws so as to join the Trademark Law Treaty (2001), the Madrid Protocol (2002), and the Patent Law Treaty (2003), respectively. The Delegation mentioned that KIPO had assumed its function as an International Searching Authority (ISA), and an International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty, from December 1999. This year, the Delegation expected that PCT applications from Korea would double. The Delegation expressed its hope that WIPO would pay more attention to the different conditions between developing and developed countries, and would exert all possible efforts to ensure the co-sharing of values and benefits arising from the evolution of intellectual property. By doing so, WIPO would further the creation of a harmonized global intellectual property community. Lastly, the Delegation asserted that KIPO would continue to participate in worldwide efforts to establish international IPR norms in the fields of electronic commerce, biotechnology and traditional knowledge. Concurrently, KIPO would offer to provide cooperation and assistance to any IP office that was trying to develop online application systems. The Delegation underscored that the development of international IPR norms needed to move towards promoting applicants' convenience, which would lead to the expedited worldwide advancement of science and technology and the furtherance of human welfare.

36. The Delegation of the Republic of Estonia stated that, although the Estonian Patent Office had commenced operations only as of 1992, as of the year 2000, the legal protection system for industrial property had been built up to a point that it met the requirements of users both in Estonia and in other countries. This status had allowed Estonia to accede to the WTO

in November 1999, and would enable the country to accede to the European Patent Convention in 2002. The Delegation mentioned that preparations were also under way for the country's accession in 2003 to the European Community Trademark protection system, pursuant to a Memorandum of Understanding signed in December 1999 with the Office for Harmonization of the Internal Market (OHIM). The Delegation underscored that Estonia was planning to join the TLT in 2001, and the PLT in 2002. At national level, the Delegation mentioned that new legislation had been passed relative to utility models; that the Estonian Patent Office had recently created a trademark search database via the Internet; and that an initiative for electronic filing of patents would bear fruit in year 2002. The Delegation, with particular reference to the section dealing with Service-Oriented Main Programs in document A/35/2, observed that the small industrial property offices had to fulfill the same tasks as the large IP offices. In this respect, there were two serious obstacles to be considered. First was the ability to follow the extremely fast development in the field of information technology; second was the absence of net budgeting. The Delegation stated that it would appreciate WIPO's assistance in solving those problems. It proposed a joint memorandum for financing industrial property offices and their transition to result-oriented government agencies with net budgeting. Such proposal would include the updating of the information technology equipment, and the transition to electronic filing for the small offices. It was felt that this would enable a fee-reduction in the states. The Delegation expressed its appreciation and deepest gratitude to WIPO, and stated that WIPO had given all possible support to the Republic of Estonia in creating a modern industrial property protection system.

37. The Delegation of the Dominican Republic, taking the floor in the name of the Member States of the Group of Latin American and Caribbean countries, and also in its own name, congratulated the Director General of WIPO and the Secretariat on the results achieved in the course of 1998-1999 biennium. It said that the implementation of the results-based system of programming and budgeting had contributed significantly to the achievements presented, which related to the three main sectors of international registration, technical cooperation and the drafting of intellectual property treaties, and set an example for other bodies. At the same time it had made it possible to broaden the scope of the program, extending it to other spheres such as that of traditional knowledge and electronic commerce. The Delegation emphasized the importance attached to cooperation for development in the form of assistance to national, subregional and regional offices of developing countries, least developed countries and countries in transition. It considered that the focus of the assistance should be maintained and strengthened with a view to improving the efficiency of the promotion, administration and use of intellectual property for the social and economic benefit of Latin American and Caribbean countries. With that in mind, the plans for strategic action and orientation should continue to be the main component in the program of cooperation for development. The Delegation expressed the wish that, in the next biennium, WIPO might assist national, subregional and regional authorities in the better use of intellectual property rights as instruments for the promotion of innovation, in such a way as to involve the creative and innovative sectors of the countries of the region in the exercise of those rights, which was a necessary prerequisite of the indigenization of innovation processes. That better use of intellectual property law for the benefit of its natural constituents called in addition for more effective support to be given to institutional development work in those countries of the region that had had to reform their national legislation in compliance with multilateral undertakings. The Delegation stressed the need to engage in further activities, according to the needs of the countries of the region, including the conduct of comparative law studies. It said that the countries of the region had noticed a lack of information on the procedures for the assertion of intellectual property rights in other countries. Legislative texts, case law, implementing regulations and institutional structures formed part of the store of knowledge that the international community had to

provide in order to guide countries in their efforts to strengthen their intellectual property law; that was the reason for which the Delegation expressed the desire to see the creation within WIPO of a unit for the study of comparative intellectual property law, which would contribute to a strengthening of the already impressive results achieved by WIPO in the field of cooperation.

38. The Delegation of Egypt expressed its gratitude to the Director General and the Secretariat for his comprehensive Opening Statement and for the prepared documents, including the Program Performance report for the 1998-1999 biennium, which addressed a number of positive performance indicators. Effectiveness and transparency were important aspects added to the performance of the Organization's activities, as well as swift implementation of new proposals, that have in combination allowed better dissemination of intellectual property concepts. The Delegation noted positive evolution in the field of technical cooperation that WIPO's Cooperation for Development programs provided to developing countries. Specifically, the development of human resources and legislative assistance, in the adaptation of current or the introduction of new legislation, which allowed these countries to achieve conformity with their obligations under the TRIPS Agreement. Egypt was one such beneficiary State, and its draft law on Intellectual Property taking into account this Agreement was soon to be submitted to the new National Assembly, after the forthcoming elections. The Delegation noted its extensive record of interaction with the Secretariat, which included a July visit by the Director General of WIPO to Cairo. Further, workshops and seminars continued the training of Egyptian experts in various fields of expertise; the WIPO Worldwide Academy had set the framework for some of these activities. Various Egyptian experts had consultations with the Secretariat regarding the above items. The Delegation placed into the record its accession to the Trademark Law Treaty in 1999. The Delegation referred to an issuance of the Egyptian Ministry of Foreign Affairs White Book that explained the aspects of intellectual property rights to raise awareness within the Arab Countries; the Director General was given a copy by the Egyptian Foreign Ministry. The Delegation noted WIPO's extensive efforts to institute protection of traditional knowledge and folkloric expressions, a topic of concern to Egypt, other developing countries and LDCs, and expressed its pleasure at seeing the consultations and investigative efforts undertaken, which included the joint WIPO/UNESCO regional consultations. The Delegation urged that WIPO move forward to determining how to protect owners of traditional knowledge from piracy and commercial exploitation. The modernizing of WIPO through Information Technologies in several departments was approved, specifically WIPONET as a solution to the acquisition of intellectual property information. Some countries still have no access to the Internet within their national bureaux, or lack modern computer hardware, and may have staff lacking of training in these vital tools. WIPO's program to expand these bureaux computer training and its provision of computer hardware have proved a great service. The Delegation proposed that the International Bureau could consider the possibility of convening a regional consultation within the Arab region, to increase cooperation between WIPO and the Arab countries. Egypt welcomed the convening of the first international conference on electronic commerce and intellectual property held last year. The International Bureau was asked to step up assistance to those developing countries needing to catch up with these late developments in the field of commerce, allowing these countries' economies to accelerate further into the new global economy, and retain a fair share of those income-generating markets. Egypt commented on the WIPO Worldwide Academy, including the Distance Learning program. The Delegation hoped the Secretariat would exert stronger efforts in establishing these educational systems. Finally, the Delegation expressed its appreciation of WIPO's important role in helping all Member States to improve their economic development, through respect of the rights of all Member States and through equal

treatment and protection without any distinction, which, the Director General and the staff of WIPO have succeeded in doing. The Delegation wished full success in achieving the goals of the Organization and service to the Member States.

39. The Delegation of Argentina congratulated the Director General on his excellent leadership, and also the International Bureau on its work and the quality of the documents produced. In addition, the Delegation endorsed the statement made by the Representative of the Latin American and Caribbean Group. The Delegation said that there had been a change of government in Argentina on December 10, 1999. The new President of Argentina, Dr. Fernando De la Rúa, had ordered changes at the head of the National Institute of Industrial Property (INPI) and given precise instructions in that connection, with the result that the defense of industrial property rights had become a State priority. It mentioned that on October 24 Argentina would begin to grant patents for pharmaceutical products. In addition it announced the impending accession of Argentina to the PCT. In the latter connection, the procedure for the approval of the Treaty by the Argentine Congress was in its final stages, as two of the three technical commissions of the Congress, which had to pronounce on the approval of the PCT, had declared themselves unanimously in favor of it. Very soon, therefore, users could enjoy the benefits and advantages of the PCT in Argentina as well. The Delegation thanked the Director General and his colleagues for the active and efficient technical collaboration provided by WIPO throughout the entire process of Argentina's accession to the PCT. It emphasized the importance of the protection of industrial property rights to the commercial and economic development of nations, while at the same time it was an efficient instrument that benefited innovation, investment and technology transfer. The Delegation therefore concluded with a request for ever greater support on the part of WIPO in the economic and technical assistance given to developing countries as a means of promoting the international protection of intellectual property rights.

40. The Delegation of China opened its statement with an expression of gratitude for the Director General of WIPO and his colleagues for the preparation of these General Assemblies. In the coming millennium, it was observed, WIPO would certainly play a larger role, with even more remarkable successes. China obtained tremendous success in its recent cooperation with WIPO, and has applied various reform measures, to strengthen and reinforce the activities of WIPO. As a developing country, China expressed its support for the measures undertaken by the Director General to meet the challenges posed by the Information Age and the age of knowledge-based economy in the 21st century, such as the premises program necessary for the development of WIPO; enhancement of the research on the protection of the intellectual property rights in genetic resources, traditional knowledge and folklore; creation of P.6 posts; strengthening of personnel training in the field of intellectual property, as well as the constant improvement of WIPONET. The Delegation fully endorsed the efforts made by WIPO in promoting and developing international cooperation on intellectual property, in particular, in providing technical assistance to developing countries. In view of WIPO's extremely important position in promoting the international intellectual property system, it expected that WIPO would devote more resources in the future to (i) finding ways and means by which the intellectual property system could meet the challenges of the 21st Century marked by information and knowledge-based economy; and (ii) providing more technical assistance to developing countries, including China, in the fields of legislation, enforcement and the training of professionals. China also hoped to see that more staff members would be recruited from developing countries, at different levels, in WIPO in the future. The Delegation stated that China had made significant achievements in processing many more requests, in their national system, for patents and registration of marks. The Delegation mentioned that patent growth had shown significant increases, with 134,239

total patent applications, while 13,328 international applications had entered China through the PCT system. With respect to China's trademark system, remarkable increase had been experienced in both applications and registrations. In 1999, the total number of applications filed for trademarks and service marks had reached 170,715 requests, an increase of 13,032 as compared with that of 1998, while the total of registrations granted were 122,401 in 1999. Also, China handled 11,212 territorial extensions of international trademark registrations under the Madrid system. Work on verifying copyrights and their registration had been transferred to the new, functional Chinese Center for the protection of copyright. China joined, in March 1999, the International Union for the Protection of New Varieties of Plants (UPOV) to which it had become the 39th Member State. Further, by the end of 1999, there were 115 applications filed in the agricultural area, as well as 109 in the forestry area. The Delegation also informed the delegates that the revision of Chinese patent law had been approved in August 2000. The Chinese Delegation further stated that in the Hong Kong Special Administrative Region (Hong Kong SAR), a new Bill had passed in May 2000, which would make it a criminal offense for an enterprise knowingly to possess an infringing copyright work for the purpose of generating its business revenue. Also, taking video-recording equipment into a place of public entertainment without the permission of the management was also to become a criminal offense. This, it was asserted, would stop the 'bootlegging' of films and live performances. Those legal amendments were to come into effect by the middle of 2001. In June 2000, Hong Kong SAR had enacted a new Trade Mark Ordinance, scheduled to take effect late in 2001, replacing the outdated trademark law. That ordinance would provide for multi-class applications and simpler licensing and assignment of marks. Color, smell and three-dimensional marks will become potentially registrable.

41. The Delegation of Peru fully subscribed to the statement made by the Representative of the Latin American and Caribbean Group. It addressed its sincere thanks to the Director General for the consultations provided and the efforts made for the establishment of the WIPO Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore. It also thanked the International Bureau for drafting document WO/GA/26/6, which in its opinion covered the main aspects that the Committee would have to deal with and constituted a valuable contribution to the discussion. It recalled that the Latin American and Caribbean Group, with the support of other regional groups, had requested at the 1999 Assemblies that such a Committee should be created so that a substantive analysis could be made of the relation between intellectual property, access to genetic resources, biodiversity, traditional knowledge and folklore. The Delegation therefore expressed pleasure that the aspirations of many countries, developed as well as developing, would come to fruition in the course of the present Assemblies. Finally the Delegation commended the International Bureau for the technical cooperation granted to its country, which is very valuable for the future promotion and development of intellectual property.

42. The Delegation of Hungary expressed its gratitude to the Director General and the Secretariat for the clear and precise Program Performance report on the 1998-1999 biennium. It highly appreciated the overall performance of WIPO in many areas, even exceeding expectations. These achievements supported the statement in the report that WIPO has become a modern business-based and result-orientated organization, ready to meet the challenge of the new millennium. The Delegation also underlined the success of the Diplomatic Conference for the adoption of the Patent Law Treaty earlier in 2000. The Patent Law Treaty is a milestone in the further international harmonization of patent law. Hungary is looking forward to the Diplomatic Conference in December, 2000 with the goal being to adopt an international instrument on the protection on audiovisual performances. A recent development in Hungary was highlighted: as a part of the process reforming the central

administrative bodies, an act was passed at the end of 1999, which amended the status of the Hungarian Patent Office. The HPO becomes the independent administrative authority for the protection of Intellectual Property, which can provide competent assistance and functions under the direction of the government, with the President of the office to be appointed by the Prime Minister. Thus, from the entry into force from January 1, 2000 of the relevant act, the Hungarian Patent Office is responsive not only for industrial property, but for copyright as well. The provisions on function, competence, organization and office activities were included in a government agreement issued June 15, 2000. The Delegation highlighted a very important feature of that decree: the clear definition of the office functions in the government's strategy on intellectual property enforcement, which was an increasing priority in the Hungarian government's economic strategy. Furthermore, those activities confirmed Hungary's cooperation in intellectual property protection. A mandate was given to the HPO to represent the Hungarian government at WIPO and in the TRIPS Council at the WTO. The Delegation believed that this mandate confirmed the importance attributed by the Hungarian government to intellectual property. That formed the basis on which the Delegation wished to continue advancing its improved cooperation with WIPO.

43. The Delegation of the Sultanate of Oman thanked the Director General for his great efforts to expand the activities of the Organization. The Delegation aligned itself with the statement by the Delegation of Malaysia made on behalf of the Asia and Pacific Group. It also referred to the visit of the Director General to Oman in February 2000, during which Dr. Idris met his Majesty Sultan Qaboos bin Said Al Said and many of the high authorities in the Sultanate. There were discussions during that visit concerning a possible international forum to be held in Oman next year, and the Delegation hoped that that forum could be realized. It was emphasized that the Sultanate of Oman attached great importance to intellectual property matters concerning genetic resources, traditional knowledge and folklore. The Delegation mentioned a special law on Folklore and its recently issued Law 82/2000 regarding Patents, and suggested that Oman would be acceding to the Patent Law Treaty in due course. The Delegation pointed to a WIPO mission which had recently visited Oman, and thanked WIPO for the support which it had provided, and more particularly thanked the Arab Bureau. The Delegation referred to and supported the prior intervention of Egypt.

44. The Delegation of the Democratic People's Republic of Korea expressed its gratitude to the Director General and Secretariat for the efforts made in carrying out the activities in the 1998-1999 program. It said that 1999 had been a real turning-point in the program. The Delegation praised the Director General's concern for transparency and his determination to simplify the running of the Organization, referring notably to the reform of the Convention establishing WIPO. It said that WIPO was henceforth a modern organization that had succeeded in equipping itself with the appropriate computer technology. The Delegation was pleased that WIPO was giving constant attention to developing countries in the form of ever-expanding cooperation activities. It emphasized the need to invest part of the Organization's Reserve Fund in cooperation for the benefit of developing countries. It mentioned that under the government's policy of attaching great importance to science and technology, much progress had been made in this field. The Delegation reaffirmed its desire to strengthen its relations with WIPO.

45. The Delegation of the Republic of Uganda referred to and endorsed the intervention made on behalf of the African Group. The Delegation commended the Program Performance report for the 1998-1999 biennium, which it felt was well laid out, and which indicated that much had been achieved in fully satisfying the objectives. The Delegation noted that WIPO's achievements had been made despite the facts showing the percentage increase of activities

exceeded the percentage increase in human resources, with savings accounting from various activities. Appreciation was expressed for the staff of WIPO. The Delegation stated that Uganda had benefited from WIPO's Cooperation for Development program in terms of training, for which most of its requests for training in the field of intellectual property had been met. Special appreciation was expressed for the activities of the African Bureau, and for the WIPO Worldwide Academy. Regarding international intellectual property systems, it was reported that the Cabinet of Uganda had accepted a Patent Amendment Bill which incorporated the Patent Cooperation Treaty System into its patent laws, and that the next target would be the Berne and Madrid systems. While technical assistance had been received in modernizing its existing intellectual property laws, the Delegation observed that Uganda faced some areas where it did not have any existing laws, and as such, it would need technical assistance to build-up those latter areas to comply with existing international systems. The Delegation expressed its hope that WIPO would be instrumental in enabling the Uganda National Intellectual Property Office to participate in the Nationally Focused Action Plan, particularly in respect to implementation of the TRIPS Agreement under the joint initiative of WIPO and WTO. It referred to WIPONET, and hoped that it would soon be a part of this initiative. The Delegation noted that much had been achieved, but stressed that more needed to be done in respect to the following: promotion of the use of international IP systems; the area of Electronic Commerce; that of traditional knowledge; promotion of the use of intellectual property instruments generally; sensitization on enforcement; sensitization on the OAU WIPO Invention Award; and, generally on the basic principles and the technological, economic and social importance of Intellectual Property rights in the Least Developed Countries (LDCs).

46. The Delegation of Slovakia, referring to the program performance of WIPO during the last biennium, recalled the contents of the "Vision and Strategic Direction of WIPO" document, issued by the Director General at the prior year's meeting of the WIPO Assemblies, which outlined WIPO's view on further developments of intellectual property protection, including WIPO's role. The Delegation observed that the process of dynamic development of new technologies and human creativity went hand-in-hand with globalized intellectual property protection. It felt that WIPO had an irreplaceable role, and declared that it would continue to support those global strategies. The Delegation believed that WIPO had to launch a transformation process pertaining to the proposed changes in WIPO's structure, resources and legal framework. New activities related to the protection of intellectual property rights, especially when linked with the digital economy, biotechnology, biological diversity, protection of folklore, internet domain names and automation of PCT operations, all called for intensified cooperation and harmonization efforts. As such, WIPO's knowledge-based and professional services provided to the Member States were invaluable. Slovakia, in the field of Intellectual Property rights protection, was focused on its tasks resulting from its membership in many international agreements, treaties and conventions. The Delegation mentioned that Slovakia was currently in an accelerated harmonization process with its national legislation so as to conform with the relevant EU legislation (*acquis communautaire*), a prerequisite for admittance into the European Union. The Delegation stated that the Government had attached importance to intellectual property rights enforcement, which meant expediting courts' decisions, strengthening customs authorities and border measures. The European Commission in Brussels was evaluating those activities within a regular screening process, with very encouraging and positive results. Slovakia announced it had recently received an invitation to join OECD. As to copyright and related rights, it had already adopted and enacted new laws, harmonized with the TRIPS Agreement and / or other treaties. To continue the preparations to join the European Patent Convention, as of July 1, 2002, a new compliant Patent Law had been prepared by the Industrial Property

Office of the Slovak Republic. That accession to the EPO would require necessary organizational and structural changes in its Industrial Property Office. Priority was to be given as well to public-oriented services: to industries, academic circles, business communities and others, public awareness raising was a priority objective. The Delegation expressed its appreciation to the EPO for its support, carried out under the Regional Industrial Property Program, financed by PHARE and EPO. It also informed that Slovakia had recently received funded assistance from the Government of the Netherlands, for a two-year project; with the main objective of strengthening the Intellectual Property Office services and activities. Also, the recodification of its law protecting semi-conductor topographies had been completed and was currently in force. The Delegation informed that Slovakia intended to accede to the Geneva Act of the Hague Agreement and the PLT. The Delegation then stated, under full authority of the Government of Slovakia, that pursuant to Articles 16(4)(b) and 25(4)(b), of the Paris Convention and the Berne Convention, respectively, Slovakia had decided to change the current contribution class from class V (5 units) to class VI (3 units). This change was to be effective at the beginning of the next calendar year, that is, as of January 1, 2001. The Delegation requested the Secretariat of WIPO to record this request and statement, and subsequently communicate the change in contribution class to the Government of Slovakia.

47. The Delegation of Kenya thanked the Director General for the elaborate report, on the program of the activities for 1998-1999, which was stimulating and assuring as to the way that WIPO was on the move. The Delegation offered its support for the statement made on behalf of the African Group. The Delegation thanked WIPO for the support it had given to the Kenyan Government, especially in the promotion and development of its Intellectual Property system. It pointed to the technical assistance of WIPO regarding the reviews of its laws, which had resulted, *inter alia*, in the Industrial Property Bill 2000, which was compliant with the TRIPS Agreement, and the new Copyright Bill 2000, which also conformed with the TRIPS Agreement as well as the WIPO 1996 Copyright Treaties. The Delegation commended a WIPO presentation on Electronic Commerce in a recent meeting of the Council for TRIPS and requested further WIPO assistance in respect to the areas of the fight against piracy and counterfeiting, in the crucial area of creating public awareness for Intellectual Property: the public in general needed to be aware of the law, but more importantly, the small and medium-sized enterprises needed to understand the role of Intellectual Property in national economic development. The Delegation noted that the subjects of traditional knowledge, genetic resources and folklore were not new subjects to those from the developing world and thanked the Director General for his initiative to have those subjects discussed within a WIPO forum. The Delegation mentioned the importance of automation and infrastructure development, especially in the developing world, and hoped that Africa would be an integral part of WIPO's programs in this regard. The Delegation concluded by referring to the importance of human resources development, and asked the Director General to put more expertise in the African region.

48. The Delegation of Pakistan endorsed the statements that were expressed earlier by the Delegation of Malaysia, on behalf of the Asian and Pacific Group. It noted that WIPO demonstrated during the last year its sustained commitment to cooperation for development, and that a number of countries, of which Pakistan, had benefited from the technical assistance activities sponsored by WIPO for the modernization and automation of their IP offices. In conclusion, the Delegation looked forward to continued cooperation with WIPO and its continued support for development of IP-related activities in Pakistan.

49. The Delegation of the Ukraine stated its appreciation for the Director General's work on reforming the Organization. By his decisive actions, WIPO made significant achievements, and became more up-to-date and effective regarding its strategic objectives. The Ukraine had reformed its national intellectual property system, having seen the encouraging results of making the intellectual property system accessible and all-embracing. The Government of Ukraine attached great importance to the development and perfection of its intellectual property protection system. A new Patent Law had recently been adopted as well as preparations of a draft law on the licensing of audiovisual works. On 1 June, 2000, the Ukrainian Parliament had adopted a decision to accede to the Madrid Protocol and to the Nice Agreement. Regarding this, the Delegation expressed its belief that the Ukraine would continue towards accession to other WIPO Treaties, with continued help from WIPO. The Ukraine declared its support for WIPO's activity in the use of new information technology and the development of the WIPONET system, as well as the work of the WIPO Worldwide Academy and the Distance Learning system, such that it could be increased towards training of Ukrainian specialists. The Delegation announced an intention to provide scholarships for young people and students to specialize in intellectual property law, and as an extension of teaching intellectual property concepts, hoped to receive help from both WIPO and the WWA regarding the commercializing of intellectual property products, especially as to technology transfers. Plans to set up a local body charged with the commercialization of intellectual property products were underway and other relevant matters were hoped to be developed in WIPO's future work. In conclusion the Delegation, on behalf of the Government of Ukraine, invited the Director General, Dr. Kamil Idris, to visit their fine country and to witness with his own eyes the fruits of WIPO's transformation at their national level.

50. The Delegation of Georgia noted that the world community faced new challenges, in the field of intellectual property, for the coming century: biotechnological achievements and computer-related inventions; Internet domain names and trademarks; as well as rising interest in traditional knowledge. Georgia noted that in 1999 it had adopted 6 intellectual property laws offering various new protections, and since the last Assembly had developed the necessary regulations and rules for full enactment of those laws. The Georgian Patent Office's Chamber of Appeals also began active work, with some 150 appeals considered. Certain practices there had revealed that judges required advanced training to improve comprehension of intellectual property's importance. That issue stimulated the Sakpatenti Administration, as well as the Georgia court system administration, to react with plans to solve those problems with a request for WIPO's assistance. Intensive office automation improvements had been conducted by bringing online an active unified automated informational and control system with more than 80 networked work stations, overcoming many past problems in their operations, and with the creation of an "Open information space." Finding more efficient mechanisms for national patent office participation in WIPO's WIPONET, IPDLS, IMPACT projects had been raised at the last Standing Committee of Information Technologies session, since those have a direct impact in the computerization of its Office, particularly in the implementation of a plan for a new automated operation system, with database control. The Delegation drew attention to low public awareness about intellectual property, and stated that Georgia intended to establish special means for teaching and offering services to the public, through implementation of distance teaching methods, for which WIPO and WWA assistance was desired. Concerning the use of appellations of origin for wine, Georgia undertook various initiatives: the Law on Appellations of Origin and Geographical Indications of Goods entered into force in November 1999; the Georgian Patent Office prepared an Agreement on Measures of Prevention of Using the False Trademarks and Geographical Indications, signed by the Heads of CIS countries on June of 1999; and, Georgia had acted to become a WTO member. The Delegation noted that the subject of

geographical indications regulation was addressed in Geneva during the Working Group session of the Lisbon Agreement, composed of its small number of Member States, in the summer of 2000. The Delegation believed that it would be reasonable to consider the establishment of a new international Agreement based on harmonization with TRIPS' wider concepts and general protections, the relevant European Community regulations and the Lisbon Agreement's system of notification and registration principles. This could be done through the establishment of a Working Group composed of WIPO and WTO representatives and including other IGOs and Delegations. The Delegation announced its willingness to participate in such a working group. Finally, the Government of Georgia invited the Director General to visit Georgia. Such a visit would have a significant impact on Georgia's intellectual property system development and could culminate with the signing of a cooperation between WIPO and the Government of Georgia. Finally, the Delegation affirmed again the government's high evaluation of WIPO activities.

51. The Delegation of Croatia extended its support, and associated itself with the statement made by the Delegation from the Republic of Bulgaria, as official coordinator of the Central European and Baltic States, and requested to relate some very specific information concerning the Intellectual Property Office and intellectual property system within the Republic of Croatia. However, the Delegation first offered praise for WIPO's activities under the effective leadership of Director General. The Delegation noted that the State Intellectual Property Office of Croatia had participated actively in promoting those activities on national and international levels. At the national level, those activities had been directed to harmonization of the Croatian legislation of intellectual property with the relevant European Union and international regulations. Accordingly, on June 30, 1999, the Croatian State Parliament had adopted five new industrial property laws, which entered into force as of January, 2000. It also adopted the Law on the Amendments of the Copyright Law. The enactment of those laws brought Croatian legislation in full compliance with the TRIPS provisions, which was one of the preconditions for the accession of Croatia to the WTO. Laws were also harmonized, to the most possible extent, with the provisions of the relevant European Union Directives. The Croatian National Parliament would be deciding on the accession of the Republic of Croatia to the WTO, on its first session in the autumn of 2000. According to the provisions of the Croatian Patent Law, the results of the full examination granting procedure of those PCT search and examination authorities, with which the Croatian Office had signed a corresponding agreement, could be accepted in the patent-granting procedure as relating to the same invention in Croatia. Thus far, agreements were signed with the Austrian and German Patent Offices, while agreements with the offices of Australia, EAPO, Japan, China, Russia, USA, Spain and Sweden were under preparation. Croatia hoped to sign, in due course, such an agreement with the EPO. The Delegation marked great shifts that were made by WIPO towards introducing information technology in intellectual property procedures: PCT, WIPONET, IPDL and others, and welcomed and supported those. Reference was made to Croatia's +2E Project, launched earlier in 2000, together with the new industrial property laws. The Delegation offered that this project made a step closer to the achievement of a paperless office. The basic rule for patent applications, and all related documents coming to the Office, irrespective of their form or media, were to be stored in electronic form, as a machine-readable and searchable text, and as a facsimile, for purposes of the working process and electronic archiving. In implementing such a process, the Office had eliminated requirements for filing several patent application copies, and provided the possibility for applicants to receive a computer printout of that application after 3 to 4 days. All this should contribute substantially to better quality Office communications with applicants from the very earliest stages. The Republic of Croatia welcomed and supported the proposal given by the Director General on the promulgation of 26 April, as World Intellectual

Property Day. In conclusion, the Delegation of the Republic of Croatia and its State Intellectual Property Office, offered to continue to support, cooperate and participate in the projects and activities of WIPO.

52. The Delegation of Jamaica expressed its full concurrence with the statement made by the Ambassador of the Dominican Republic on behalf of GRULAC earlier in the day. It applauded the Director General and his staff for the progress made in implementation of the WIPO results-based activities and programs since the 1999 General Assembly meetings. Particularly noted by the Delegation were activities relating to cooperation for development. Jamaica and the Caribbean as a whole, it was remarked, continued benefiting from WIPO's assistance in this area, particularly as consolidation efforts are undertaken to create a legislative, administrative and enforcement structure for the development of intellectual property. Jamaica placed into the record its gratitude of WIPO for the significant technical assistance it received over the past year. Since the last General Assemblies, WIPO has facilitated Jamaica's program of development on intellectual property, particularly as to the areas of institutional strengthening, the revision of IP laws, the creation of mechanisms for collective management, reducing intellectual property piracy and increasing awareness of IPRs. Jamaica was in the process of creating a modern intellectual property office which would discharge increased IP administrative functions and address new challenges, particularly the challenges of the new technology-driven 21st Century. That initiative received the full support of WIPO. Looking at e-commerce and intellectual property, Jamaica was honored to be given the opportunity to chair the Caribbean/WIPO Regional Committee on E-Commerce and Intellectual Property, convened by Caribbean Ministers at a WIPO Forum in June 1999. For Jamaica, new opportunities were to be afforded to small developing countries through the Internet and e-commerce, which were to be an important aspect of its development strategy. Jamaica, therefore, was very supportive of WIPO's Digital Agenda and its WIPONET vision which, it was hoped, would continue to grow in the 21st Century. Jamaica expressed its gratitude for the assistance it had received from WIPO concerning required legislative changes for proper implementation of the "WIPO Internet" Treaties and was also honored to be hosting the regional deliberations on the protection of audiovisual performances foreseen in November 2000. Having a small developing economy, the Jamaican Delegation viewed assistance in the areas of intellectual property protection to SMEs with great importance. The focus was placed on facilitating and enabling growth for SMEs, which comprised the majority of Jamaica's private sector. The proposal on IP protection concerning SMEs was welcomed as being a substantive agenda item at these Assemblies. Therefore, the Delegation joined with other countries, in support of the call for a new program of activities related to the intellectual property needs of SMEs worldwide, in the draft Program and Budget for the 2002-2003 biennium. In conclusion, as relating to IP and genetic resources, traditional knowledge and folklore, the Delegation noted that those have been central to debates in many regional and international fora, particularly in response to modern technologies. Jamaica, like many other countries, was making every effort to preserve and safeguard those rich cultural and biological resources. The Delegation acknowledged with gratitude the work that has already commenced on these issues in WIPO, and anticipated further efforts as that topic advanced. Jamaica supported the need for a defined forum, which would deal with those issues on a regular and consistent basis, as organized by WIPO, and endorsed the convening of a meeting in 2001 on that important subject.

53. The Delegation of Armenia offered its gratitude to the Director General of WIPO for all the work done in the past biennium and associated itself with the proposal by the Delegation of Estonia. Indeed, it highlighted the burden placed on the Patent Office of a small State, in

carrying out the same workload as that of a larger States, but under unequal conditions. It was observed that some offices hold hopes to become self-financing, while others did not. The Delegation suggested that if, by Agreement, its Office could use 30 per cent of the incoming fees, then it could better fulfill its obligations. For this reason, the Delegation suggested it would be a good step if the General Assembly were to adopt a recommendation for the transformation of patent offices into self-financing institutions.

54. The Delegation of Nepal expressed deep appreciation to Director General for his continuing leadership and initiative in having made WIPO's work increasingly relevant for all, as the Organization prepares to meet the challenges of the new century. The vigorous revitalization of the Organization through reform of its administrative policies and management practices, intensive introduction of information technology, and by strengthening its human resources-base and oversight mechanisms, have proven to be very significant. The operations under the Organization's three main sectors, consisting of the programs on International Registration of intellectual property, technical Cooperation for Development with Member States, and intellectual property treaty-making and normative development, had all been reinforced. The expansion of WIPO's programs into new areas, such as traditional knowledge, genetic resources, biodiversity, folklore, human rights and the increasing impact of electronic commerce, were very significant and merited comment. The WIPO Worldwide Academy could play a meaningful role, especially in human resources development in the developing world. Nepal acceded to WIPO in 1997 and had, since then, enjoyed active participation as a member of the Coordination Committee. As of this report, the Delegation was honored to inform the General Assemblies that the Nepalese Parliament had recently ratified the Paris Convention and the 1979 Amendment. As a country in the process of WTO accession, the Delegation found the joint initiative of WIPO and WTO to provide legal technical assistance to developing countries for the TRIPS Agreement particularly useful. WIPO had assisted Nepal by providing comments on its draft Intellectual Property legislation, thus making that legislation compatible with both WIPO-administered treaties and the TRIPS Agreement. WIPO also had conducted a number of seminars and workshops in Nepal, such as the sub-regional Forum for Intellectual Property Cooperation among Member States, in September 1999. The regional seminar on Modernization of the Intellectual Property System for the Least Developed Countries in Kathmandu, hosted in May 2000 by His Majesty's Government with WIPO's assistance, had made several important policy recommendations, making WIPO's work more relevant from the LDCs perspective. Nepal had also benefited tremendously from WIPO's human resource development and training programs. The Delegation also wished to concur with the statement made by the Asian Group Coordinator and concluded with one last remark: with its membership of 175 States, WIPO had gained universality. That increasing interest and participation of States in WIPO reflected a growing faith in the institution, its leadership and its ability to ensure a more equitable share of the benefits from opportunities created by the emerging process of globalization and economic liberalization, and in particular the unprecedented development in technology, especially information technology. However, recent experience suggested that the process of globalization also created serious risks of exclusions or marginalization for societies and individuals. The Delegation believed that WIPO should continue to reflect these existing, differing realities, so as to adjust to these emerging dynamics. The Delegation offered to continue working closely with other Delegations and the Director General, in making WIPO a modern, member-driven international organization, leading the intellectual drive for a just, equitable and sustainable future for all humanity.

55. The Delegation of Jordan extended its gratitude to WIPO as represented by its Director General, for the efforts it had made in protecting intellectual property and all that it had done

in this area, and to the the Secretariat for preparing the documents in an organized manner, as well as for the help given to the Arab countries: in training and awareness, workshops and seminars, all of which has spread greater knowledge internationally of intellectual property. The Delegation noted that Jordan had joined the Berne Convention and had amended its legislation on intellectual property to be in line with international agreements. Jordan has been combating the piracy of software, videos, and CDs and has continued in its efforts so as to accede to the two WIPO Internet Treaties: on copyright (WCT) and audiovisual works (WPPT). Accordingly, Jordan is progressively amending its legislation and the Delegation requested WIPO's help in the process of amending and updating its national laws. The Delegation requested WIPO to provide the material and logistics necessary, especially regarded the collective management of copyrights. The Delegation requested WIPO to consider holding more seminars and workshops on intellectual property, as well as seminars on e-commerce and the organization of training courses. The Delegation supported both Distance Learning and the protection of genetic resources and traditional knowledge in developing countries. Jordan expressed its wish that WIPO could send out expert teams to study Jordan's traditional knowledge and folklore, and also how they are protected in developing countries, so that appropriate protection measures could be taken. Finally, the Delegation of Jordan supported the Asian Group statement that had been expressed earlier.

56. The Delegation of Sri Lanka congratulated the Director General for the dynamism introduced into the Organization and for transforming it into a revitalized, practical and result-oriented organization and commended the WIPO staff for their commitment and dedication in translating the vision of the Director General into practice. The Delegation endorsed the views expressed by the Delegation of Malaysia in its capacity as spokesperson for the Asian group. The Delegation expressed its support for the new and innovative programs introduced by the Organization, in particular, the Distance Learning program, activities pertaining to traditional knowledge and genetic resources, the WIPO digital agenda, particularly the WIPONET project, the focussed and practical human resource development programs and the enhanced importance given to collective management of copyright. The Delegation expressed, in this context, its appreciation for the Cooperation for Development program, of which Sri Lanka has been a recipient and a partner, for the assistance extended to Sri Lanka, in particular with respect to the automation of its intellectual property administration. The Delegation expressed the hope that such support and assistance would continue. The Delegation further stressed the need for promoting regional cooperation in the field of intellectual rights and stressed, in this context, the importance of supporting regional bodies such as the South Asian Association for Regional Cooperation (SAARC).

57. The Delegation of Kyrgyzstan supported the efforts of the organization in its efforts towards building international awareness and consensus in the areas of genetic resources, traditional knowledge, folklore and biodiversity, the importance of which have been further sharpened through the development of information technology. The Delegation thanked WIPO and its Director General for the continuous support and assistance provided to economies in transition in general and to Kyrgyzstan in particular and highlighted the regional seminar on intellectual property held in August 1999 and the Seminar on TRIPS in April 2000 held in Bishkek. The Delegation also expressed appreciation for the assistance provided to them in the field of collective management of copyright and related rights. The Delegation informed the Assemblies that it had joined the Berne Convention and had ratified the WIPO Copyright Treaty (WCT) and that it intends to accede to the treaties on related rights. The Delegation requested WIPO for assistance and support for a symposium on patents in countries in transition to be organized in 2001. It also requested, in particular, assistance from WIPO for strengthening the areas of copyright and related rights, and in this respect

considered that the participation of Kyrgyzstan in the forthcoming Diplomatic Conference on the Protection of Audiovisual Performances to be held in December would be very useful. In conclusion, the Delegation extended an invitation for the Director General of WIPO to visit Kyrgyzstan.

58. The Delegation of Qatar commended the efforts of the Director General in bringing the image of WIPO well into international focus and also expressed its appreciation for the high quality documents provided to the delegates. The Delegation also expressed gratitude for the assistance provided to Qatar, in particular the legal assistance provided by the Arab Bureau in amending its legislation so as to be in line with the requirements of the TRIPS Agreement and the support provided with respect to awareness creation programs such as the workshops organized in Qatar. The Delegation endorsed the views expressed by the coordinator of the Asian group and stated that it would like to second the request of the Sultanate of Oman to host the International Conference of Intellectual Property to be held early in the year 2001. It expressed the hope that legal and technical assistance in the area of intellectual property rights law and administration will continue to grow, through training courses and specialized seminars, and in particular through the advice of experts that may assist countries in the region in the various challenges lying ahead of them.

59. The Delegation of Trinidad and Tobago expressed their emphasis of the importance of these series of meetings and of international cooperation in the field of intellectual property. The Delegation further endorsed the views expressed by the Delegation of Dominican Republic on behalf of GRULAC. Given the increased assistance demanded by the countries of Latin America and the Caribbean, particularly with respect to increasing public awareness, it expressed the hope that the Cooperation for Development Bureau for Latin America and the Caribbean will be further strengthened with more staff. The Delegation emphasized its perception that the need to provide training and education was growing exponentially, and that the Secretariat put into action such activities as were highlighted in the Director General's Opening Statement. The Delegation noted with satisfaction the overwhelming success of the PCT and mentioned in this connection that an advanced seminar on the PCT was successfully concluded in Trinidad and Tobago in January 2000. The Delegation welcomed the report on the fact finding missions on traditional knowledge undertaken by the organization and recognized the enormity of, while emphasizing the importance of, the task of building international consensus in this area. It further expressed satisfaction with the inclusion of the agenda item on Small and Medium Enterprises. The Delegation stated that encouraging creativity and innovation required more than legal protection; it also requires effective management. To that extent, the Delegation confirmed the establishment of a new Caribbean regional Collective Management agency with the assistance of WIPO, the head office of which will be established in Trinidad and Tobago. The Delegation concluded by thanking the Director General and the Secretariat for the continued assistance in developing the intellectual property system in Trinidad and Tobago.

60. The Delegation of Madagascar commended the Director General for his efforts and praised the modern outlook that he had succeeded in giving to WIPO. It also thanked the International Bureau for the quality and clarity of its documents. It subscribed to the statement made by the Delegation of Uganda in the name of the African Group and fully supported WIPO's Distance Learning program. It said that there was already an intellectual property teaching module in existence at the University of Tamatave, following an agreement between the University and the Malagasy Industrial Property Office: it had taken the initiative of introducing a Distance Learning program on intellectual property. The Delegation declared itself satisfied with the assistance given by WIPO, and expressed the

wish that the implementation of the WIPONET project, which is concerned with Distance Learning, might take place soon, notably for the least developed countries. It then mentioned that Madagascar, which is known for its biological diversity, ranked preservation of its environment foremost among its priorities. It repeated its desire for the establishment of a Standing Committee responsible for considering the possibility of introducing a system for the protection of traditional knowledge, folklore and genetic resources, which were of particular importance to it, as they were fundamental to the development of inventions for Madagascar's pharmacopoeia. It declared finally that, as a member of the Berne Union Conference of Representatives, it supported the abolition of the bodies mentioned in document A/35/3 concerning constitutional reform.

61. The Delegation of Chile thanked the Secretariat for the 1998-1999 Program Performance report. It referred first to WIPO-WTO cooperation, pointing out that as a member of the TRIPS Council it could testify to the appreciation that many Members had addressed to WIPO for the assistance given them in the process of legislative alignment and in the implementation of the TRIPS Agreement. It considered that the collaboration between the two Organizations should not only continue but also be strengthened, and that new areas of cooperation should be opened up, for instance in the dissemination of the reports of special groups and the Appellate Body of the WTO dispute settlement mechanism where those reports have a bearing on intellectual property. As a second point it emphasized the important role of the WIPO Arbitration and Mediation Center, especially in the settlement of Internet domain name disputes, and suggested investigating the possibility of compiling a collection of settled cases as a means of publicizing the criteria applied to the settlement of the disputes concerned. The Delegation laid stress on cooperation for developing countries as an efficient and effective means of promoting intellectual property, and urged the Director General to build up that activity with specific programs and projects that could be tailored to the requirements of the various countries, and also to continue the search for new, more efficient forms of cooperation. The Delegation concluded by endorsing the statement made by the Representative of the Latin American and Caribbean Group.

62. The Delegation of the Islamic Republic of Iran emphasized the importance of intellectual property rights to economic development, based on updated technologies, particularly through investment and transfer of technology, while at the same time preserving traditional knowledge. The Delegation noted the many developments underway in the Islamic Republic of Iran in this area, highlighted some of the more important activities being implemented and mentioned in particular its commitment to accede to the Convention establishing the Intellectual Property Organization, the modernization of the Department of Industrial Property of the State Organization for Registration of Deeds and Properties, the establishment of a legal consultative committee to provide advice on new draft laws, the establishment of a state high level committee for coordination of different aspects of intellectual property rights within different ministries and organizations, and the continued promotion of public awareness of the importance of intellectual property rights, particularly through symposiums and seminars. The Delegation concluded by expressing its appreciation to the Director General for his support and assistance and reiterated its commitment and support for the programs of WIPO.

63. The Delegation of South Africa expressed its satisfaction with the programs and activities being implemented by WIPO and confirmed that they are in harmony and in line with the economic agenda of the government of South Africa. The Delegation highlighted some of the important activities undertaken by the government in cooperation with WIPO, mentioning in particular, the seminar to create awareness of the PCT system held in

November 1999, resulting in a very high increase in patent applications entering the national phase through the PCT system; a workshop held in December 1999 on the internet treaties, and another held in May 2000 on negotiation of licensing agreements for small and medium enterprises. All of these programs, while they were very successful and empowered the participants, should be supported by further follow up action. The Delegation stated for example that it was important to give Small, Micro and Medium Enterprises(SMMEs) incentive schemes, to assist them in gaining skills in negotiating licensing agreements and that they should be assisted in managing their intellectual property assets. It further mentioned a pilot project undertaken in June 2000 for the eradication of software piracy in the public sector and the introductory course on intellectual property held in July 2000. The Delegation stated that it continues to work in the area of e-commerce with the assistance of WIPO and a decision as to the suitable legislative approach would have to be taken. The Delegation noted that in the area of traditional knowledge that there is a danger of overconsultation and that the focus should now be on implementation. The Delegation expressed its appreciation to WIPO for the assistance provided to South Africa and that it would be seeking WIPO assistance particularly in the area of collective management. The Delegation would also seek the advice of WIPO with respect to the office automation project that is presently underway.

64. The Delegation of Bangladesh thanked the Director General for his informative opening statement and expressed appreciation for his leadership and vision in restructuring WIPO into a modern, result oriented and development focussed organization. The Delegation recalled that the world was moving towards a new global economy where knowledge and technology are predominant but that this transition would not be without cost. It asserted that it is imperative that this transition be well managed so as to ensure the widening of the spectrum of social and economic choices and opportunities, to be enjoyed by all. The Delegation expressed satisfaction with the work done by the Cooperation for Development Bureau for Asia and the Pacific in enhancing the capacity of countries to manage the intellectual property systems and called for further strengthening of the programs. The Delegation also commended the internship program implemented by the organization for building capacity of the younger generation. The Delegation highlighted the importance of regional cooperation and announced it would continue to work closely with the South Asian Association for Regional Cooperation (SAARC) countries and the WIPO Secretariat in the evolution of appropriate sub-regional programs. Given the large number of least developed country members of the Organization it commended the establishment of the LDC unit in WIPO and called for its further strengthening. In this connection, it referred to the forthcoming conference on LDCs in Brussels to be organized by the European Union and expressed the hope that WIPO would join in the preparatory process and actively participate in the event itself. The Delegation concluded by stating that it accords to WIPO every possible support and cooperation in the implementation of its programs and activities.

65. The Delegation of Costa Rica endorsed the statement made by the Representative of the Latin American and Caribbean Group, and noted with satisfaction the clarity with which the Director General had presented the results of programs in terms of the objectives set. It expressed appreciation for the inclusion in the agenda, as priority items, of matters of consequence in the technological age, and voiced approval for the activities carried on, such as the technical assistance to national offices and the setting up of specialized units, notably that for the promotion for innovations, not to mention the progress of WIPONET and the Distance Learning programs of the WIPO Worldwide Academy. The Delegation placed emphasis on the action of the International Bureau in connection with the subject of genetic resources and folklore, considering that they were matters of the utmost importance to the various countries, and that the work of dealing with them, in the search for genuine protection

by means of existing or new machinery, had to be concentrated within WIPO. It had appreciated the recent visits to Costa Rica by the Director General and a number of his staff, as testimony to the joint work done by the country and WIPO. The Delegation gave information on the progress made by its country in legislation to comply with its obligations under the TRIPS Agreement and in the modernization of its intellectual property system. A new law on trademarks and the necessary reforms of the patent and copyright laws had entered into force on February 2000, as had new legislation on industrial secrets and undisclosed information. In addition, discussions were in progress within the Legislative Assembly on the approval of the criminal legislation necessary for sanctions and legal machinery to be introduced with which to achieve proper enforcement of intellectual property rights. Finally the Delegation laid stress on the importance of the subject of Internet domain names and of being able to have an international system for the settlement of disputes. It said that Costa Rica was making rapid progress in the field of electronic commerce and the grant of domain names, which was why it would welcome all the technical assistance that it could receive from WIPO in connection with the national management of domain names, in order that the greater efficiency of internal machinery might benefit users.

66. The Delegation of Israel underlined some of the more important developments in the area of intellectual property in Israel. The Delegation was pleased to report that Israel was now fully compliant with the requirements of the TRIPS Agreement, that it had implemented legislation strengthening the enforcement mechanisms for violation of intellectual property rights and that, in particular, a special police force responsible for intellectual property matters had been established. Further, the Delegation reported that the powers of the customs had been strengthened and the capacity of the judiciary improved. The Delegation was also pleased to report that the public awareness of intellectual property rights was very high. To illustrate the low tolerance of its government of intellectual property violations it mentioned, for example, that businesses that do not respect intellectual property rights were disentitled to loan privileges. The Delegation was pleased to announce that it had signed the Patent Law Treaty. In the area of cooperation with WIPO the Delegation reported the high level cooperation and assistance and was pleased to highlight in particular the Israeli-Palestinian seminar enabling both groups of people to share their views on a common platform. It took the opportunity to invite all countries in the region to cooperate with each other for the growth and development of intellectual property in the region. The Delegation also noted with satisfaction the seminars on electronic commerce, PCT and on the Madrid System that were held in Israel. The Delegation also mentioned its intention to join the Madrid System. The Delegation expressed gratitude for the assistance provided by WIPO, in particular the program of activities provided through the NFAP. It also mentioned with gratitude its ongoing cooperation with the Worldwide Academy.

67. The Delegation of The former Yugoslav Republic of Macedonia thanked the Director General and the entire Secretariat for its satisfactory performance and commended, in particular, the quality and clarity of the documents presented for consideration of the delegates. The Delegation mentioned the progress that had been made in its country towards strengthening the intellectual property system evidenced by the increase in applications for industrial property rights. It mentioned, in terms of activities undertaken in cooperation with WIPO, the seminar on Industrial Property, Theory and Practice organized in June 2000. It highlighted the importance of patent information and in this connection informed the Assemblies of the establishment, with the assistance of Luxembourg and the European Patent Office, of a Technology Watch Center which will be opened shortly. The Delegation was pleased to report that it would soon become a member of the Budapest Treaty, Madrid

Protocol and the Strasbourg Agreement. It concluded by affirming its support for the statement made by Bulgaria on behalf of the Central European and Baltic States.

68. The Delegation of Bulgaria referred to and reiterated its previous statement on behalf of the Central European and Baltic States. The Delegation recalled with satisfaction the two visits of the Director General to Bulgaria and his meetings there with Government, academia and the private sector which highlighted the importance of intellectual property rights to the overall economic development of Bulgaria. The Delegation also informed the Assemblies of the presence of the President of Bulgaria in the Policy Advisory Committee of WIPO and the contributions it would continue to make to the policy development of WIPO. The Delegation thanked the Director General for the assistance provided to Bulgaria, in particular, the assistance provided through the Nationally Focused Action Plan (NFAP). The Delegation was pleased to inform the Assemblies that it had ratified Nice, Locarno, Vienna and Strasbourg Agreements and that the procedure for the ratification of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty was being finalized. The Delegation further noted with satisfaction the cooperation between Bulgaria and the WIPO Worldwide Academy and mentioned, in particular, the successfully concluded International Conference on Teaching of Intellectual Property for Purposes of Business held in Sofia. The Delegation was pleased to note in this connection that an agreement of cooperation with the WWA was being formalized.

69. The Delegation of Mexico gave an account of the achievements of its country in the intellectual property field in 2000, mentioning also that they would not have been possible without the support received from WIPO and without the Government's political will to understand that intellectual property is the driving force of technological development in any economy. The Delegation informed the Assembly that Mexico had received a visit from the Director General in March of the current year, on which occasion a cooperation agreement for the strengthening of the intellectual property system in Mexico was signed. June saw the successful completion of the first Mexican course on intellectual property which, over nine months, had been transmitted by satellite to a substantial number of recipients not only in Mexico but also in certain countries of Central and South America. That course had marked the establishment of the Academy of the Mexican Institute of Intellectual Property (IMPI) as a vehicle of the most efficient training, cooperation and monitoring from a cost-benefit point of view. The Delegation said that, only ten days prior to the present Assemblies, IMPI had signed an agreement with the Monterrey Institute of Technology and Graduate Studies on the creation of a number of support centers for the patenting of Mexican research findings, designed for national inventors and with a view to substantially increasing the number of Mexican patents. In that connection the Delegation emphasized that the project, with financial support from WIPO, had been and would continue to be crucial to the success of the efforts made in that direction. It also mentioned that the Senate of the Republic had approved Mexico's accession to eight treaties administered by WIPO, namely the two Internet Treaties, the instruments of ratification of which had been deposited with WIPO, and the Nice Agreement, the Budapest Treaty, the Locarno Agreement, the Vienna Treaty, the Strasbourg Agreement and the Stockholm Act of the Lisbon Agreement, the latter instruments being due to be deposited officially in the coming weeks.

70. The Delegation of Burundi expressed its satisfaction with the results of the 1998-1999 biennium and commended the dynamism of the Director General. It thanked him in particular for having made the concept of intellectual property accessible to the general public. It appreciated the Director General's personal involvement in the forthcoming establishment of an intellectual property office and hoped that the project would soon come to fruition. It

supported the creation of an intergovernmental committee on intellectual property and genetic resources, traditional knowledge and folklore, and attached particular importance to the protection of the national heritage. Finally, the Delegation expressed its agreement with the declarations of the Delegation of Uganda made on behalf of the African States.

71. The Delegation of Tajikistan expressed its gratitude to WIPO and to the Director General for providing assistance and support to Tajikistan, a young country with an equally young, recently established system for the protection and administration of intellectual property rights. The Delegation was particularly grateful for the opportunity accorded to it to participate in meetings of the Madrid system, the first such occasion for Tajikistan. The Delegation commended the comprehensive and clear documentation provided which, in its view, demonstrated that WIPO is a contemporary, hardworking and results oriented organization. The Delegation concluded by emphasizing the need for an increase in legal and technical assistance, particularly with respect to implementing the provisions of the TRIPS Agreement.

72. The Delegation of Antigua and Barbuda congratulated the Director General and WIPO for their continuous work in the various states of the world. The Delegation supported the statement made on behalf of the Latin American and Caribbean countries, and particularly emphasized the request in that statement for a comparative study on the Intellectual Property systems in its region, and the need for harmonization of those systems. The Delegation recommended that WIPO undertake a study on the effects of an increase in Intellectual Property activity on small market economies such as Antigua and Barbuda, which could be used by its Government to measure the economic potential of a strengthened IP system. The Delegation mentioned that Antigua and Barbuda had recently acceded to certain IP treaties, and was in the process of undertaking a series of projects to strengthen the IP system in the country, including the renovation of the physical site for the new Intellectual Property Office, and was awaiting the necessary equipment, for which it requested WIPO's assistance. The Delegation suggested that few countries in the Caribbean had received substantial assistance from WIPO, mainly due to the lack of information from WIPO regarding the procedure for accessing the necessary assistance. The Delegation stressed that Antigua and Barbuda needed to be given the opportunity to create wealth in those circumstances. In addition to its new Intellectual Property Office, it was reported that the Government intended to create a Copyright Compliance Unit, responsible for enforcing copyright regulations. The Government was also considering conducting an informal comparative study on the operations of other intellectual property offices in the region; St. Lucia, and Trinidad and Tobago were mentioned. The Delegation requested assistance from WIPO in respect to information on access to WIPO aid, technical support and training, to help the country to develop its Intellectual Property system so that it could reap the economic benefits.

73. The Delegation of Australia congratulated WIPO and the Director General on the active and successful delivery over the past year of a wide-ranging program of activities, which had served the overall objectives of WIPO to promote the protection of intellectual property around the world, and to assist its Member States in developing their intellectual property systems to world standards. The Delegation particularly noted the successful conclusion of the Patent Law Treaty as a major step in the process of achieving global harmonization of patent administration systems, and a major triumph for the Director General. The Delegation affirmed that Australia had continued its close involvement in WIPO's program, through active participation in WIPO's Standing Committees and working groups, and through contributions to the technical assistance projects. It noted that Australia's Patent Office representative at the PLT Diplomatic Conference, having participated through much of the

negotiating stages, was able to contribute further by chairing the Drafting Committee. Australia's accession to that Treaty would be considered by its Government once its national legislation will have been confirmed as conforming to the Treaty's requirements. The Delegation informed that Australia's accession to the Madrid Protocol was about to be considered by the Government. The Delegation mentioned that another highlight of the past year was the joint hosting of the WIPO-Australia Regional Symposium, in Sydney, in March 2000. This important occasion was attended by more than 120 representatives of Asia-Pacific countries, and was made even more significant by the attendance of the Director General, who opened the symposium with an inspirational address, and then joined with Ministers of the Australian Government in signing a Joint Statement on Cooperation on Technical Assistance in the region. Under the terms of this Joint Statement, Australia would work with WIPO to optimize the efficiency and effectiveness of the delivery of technical assistance to Asia-Pacific countries, and explore ways in which the intellectual property issues facing those economies in the 21st Century could be addressed in a practical, supportive context. Several meetings of the Working Group set up under the Joint Statement had been held, in Australia and Geneva, and joint activities had been conducted. The Delegation pointed out that Australia's activities in providing technical assistance over the past year had included expert missions to Fiji, Samoa, India, China, Brunei and Singapore; the training of overseas officials from Malaysia, Thailand and Hong Kong; the hosting of numerous visits from overseas intellectual property practitioners from both the public and private sectors; and the provision of information technology equipment for Tonga. Training seminars in the patenting of biotechnology were held in Australia for participants from APEC economies, followed by in-country workshops tailored to the respective economy. Training courses in all aspects of the IP system were conducted for Indonesian Government officials, in Indonesia and in Australia. Australia delivered a 6-month World Bank funded project in Indonesia, aimed at the redevelopment of the Indonesian Directorate General of Intellectual Property Rights. The Delegation informed that Australian IP experts had participated in seminars throughout the Asia-Pacific region, making presentations on many of the key issues challenging the IP system, such as the burgeoning field of Electronic Commerce, the knowledge-based economy, the effective protection of biotechnology and information technology, and the complex and sensitive area of Traditional Knowledge. In conjunction with the Judges of the Central Intellectual Property and International Trade Court of Thailand, Australian legal experts had prepared a handbook: "Intellectual Property Rights: Comparative Notes on Law and Practice in Thailand." The Delegation reported that in the past year, the Australian IP office had made significant progress in bringing its services on-line. All databases were available to the public via the Internet, and on-line filing had been implemented for trademark applications. In conjunction with WIPO and other Member States, discussions were taking place to provide on-line filing for patents in the year 2001. The Delegation affirmed that Australia looked forward to working with the International Bureau on the many challenging issues which lay ahead.

74. The Delegation of Austria congratulated the Director General on the achievements made in transforming WIPO into a modern, performance-based and information technology-driven international Organization, as shown in the Program Performance report for the 1998-1999 biennium. The Delegation appreciated that considerable accent had been placed on modern management and transparency, including accountable program management. The Delegation observed that confidence in the Organization and its management was also illustrated by the growing number of adherences to the global protection systems administered by WIPO, especially the PCT and the Madrid Agreements, as well as the encouraging statistics of applications and registrations filed during the last biennium. The Delegation noted with appreciation the efforts undertaken by WIPO to adopt

and use advanced information technology, and shared the view of the International Bureau, as expressed in the conclusions of the Report, that the Organization was ready to face the challenges of the new millennium and a globalized world. The Delegation expressed its special satisfaction in regard to the success of the WIPO programs for Cooperation for Development, Main Programs 06 and 07, and with Main Program 08, Human Resources Development. Referring to the interregional seminar and training course on Patent Documentation and Information at the Austrian Patent Office in Vienna, the Delegation reiterated its commitment to provide assistance and support, either by organizing seminars in cooperation with WIPO, by participating in the Organization's state-of-the-art search service, or by providing reports in regard to the International Cooperation on Search and Examination of Inventions (ICSEI). Concerning activities and developments on the national level during the period since the last Governing Bodies, the Delegation informed that on October 27, 1999, Austria became party to the Vienna Agreement Establishing an International Classification on the Figurative Elements of Marks. An amendment to the Patents Act to implement the EU-Directive on biotechnological inventions had been forwarded to Parliament. The number of trademark applications continued to rise, justifying expectations of an increase of approximately 15 per cent compared to 1999. The Delegation noted that, in regard to the project on automation of IPR-administration in the Austrian Patent Office, preparations had been started to establish an all-electronic procedure for the processing of trademark applications.

75. The Delegation of Azerbaijan offered its congratulations to WIPO for the successful implementation of the 1998-1999 Program and Budget, affirming that the Director General had managed to transform the Secretariat into a modern Organization, capable and efficiently facing challenges in the fields of intellectual property. As important milestones, the Delegation pointed to the adoptions of a New Act of the Hague Agreement Concerning the International Deposit of Industrial Designs, in Geneva, July 1999, and the recent adoption of the Patent Law Treaty, which had harmonized formal requirements set by patent Offices and streamlined the necessary procedures for obtaining patents, making them more efficient and less costly. As such, the Delegation noted the PLT would be instrumental in the further harmonization of national and regional patent laws. As to the Joint Recommendation Concerning Trademark Licenses, the Delegation commended WIPO's efforts, as well as all other work undertaken for the protection of trademarks, trade names and geographic indications of origin, especially as related to uses through the Internet. An expression of gratitude was offered to WIPO on its successful efforts to address the emerging intellectual property issues in a timely manner, as well as the efficient sessions of the Standing Committees and other WIPO bodies. Azerbaijan announced that it would soon be prepared to accede to a number of international treaties administered under WIPO. The Delegation appreciated the programs aimed at providing assistance to the countries in transition, and wished all future successes in the implementation of its future programs.

76. The Delegation of Burkina Faso congratulated the Director General and the Secretariat on the excellent work done during the 1998-1999 biennium, and on the detail in the documents on the Organization's activities. It expressed gratitude for the technical and financial assistance that it had received. In particular it mentioned the plans to modernize the management of authors' rights and the intellectual property protection system, the seminar on distinctive signs and the various forms of support that had enabled Burkina Faso to take part in the Diplomatic Conference on Patent Law in particular. It also spoke of its new law on the protection of literary and artistic property, which conformed to the TRIPS Agreement and had been voted on December 22, 1999. The Delegation went on to say that it wished to see cooperation with WIPO reinforced. It expressed its desire that the Organization direct its

action towards the grant of long-term industrial property and copyright fellowships, the conduct of information activities, especially the introduction of collective management for neighboring rights, the fight against infringement and piracy and the provision of assistance in the compilation of a national list of appellations of origin for certain export goods. It concluded by expressly thanking those States that had provided assistance in the implementation of projects in favor of Burkina Faso.

77. The Delegation of Canada reiterated its appreciation for WIPO's on-going efforts and achievements to promote the use and protection of intellectual property throughout the world. It proposed to survey a range of issues, beginning with certain WIPO initiatives, for which Canada wanted to commend WIPO for achieving its goals. Particularly, the adoption of the PLT in the Summer of 2000 created a very positive contribution to the global patent community. Canada had been closely involved in the preparations that led to the Diplomatic Conference, a Canadian official having served as the Chair of Main Committee I. The Delegation hoped that the collaboration demonstrated by Member States during the Conference would lead to addressing many more substantive issues, such as first-to-file, grace period and early publication. Canada announced it would support PCT reform and noted that enhancing the PCT would be key to development of an effective international patent system. Under the Standing Committee on Information Technologies (SCIT), Canada considered essential the acceleration of WIPONET in light of increasing global electronic commerce pressures involving government, businesses, organizations and citizen consumers. Information technologies were critical for users of the intellectual property system at WIPO headquarters and in intellectual property offices all over the world, in both industrialized and developing countries. Canada considered essential WIPO's new thrust for full transparency and accountability based on solid management approaches and practices. At the WIPO Assemblies session held on April 28, 1999, Canada, among others, had reiterated the importance of the principles which would ensure budgetary discipline: transparency, results-based budgeting, greater accountability, four-year business planning cycles, solid revenue management, as well as increased effectiveness and efficiency. In the Delegation's view, further work was required regarding performance indicators, as well as on implementing a surplus and reserve funds policy. Canada considered that the Program and Budget Committee should be tasked to help the Organization further develop its strategic four-year framework to include revenues and expenditures, as well as plans for human resources, information technologies and capitalization. In the area of trademarks, WIPO had undertaken a number of initiatives to consider issues relating to Internet domain names. Canada had participated actively in those exercises and was pleased with the WIPO's adopted consultative Internet Domain Name Process. Canada considered that constitutional issues would require very significant resources both for the International Bureau and for the Member States, including preparations for diplomatic conferences. Canada can support pragmatic solutions to the governance of WIPO, such as the discontinuation of the Conferences of Representatives of the Paris, Berne, Hague and Nice Unions and the Lisbon Union Council. Otherwise, Canada considered that WIPO's special initiatives and consequent resources should focus on electronic commerce and information technologies, strategies directed at SMEs, as well as prudent financial management. With respect to technical assistance to developing countries, Canada wished to encourage the WIPO Worldwide Academy to continue course development, including the development of Internet-based courses, aimed at improving expertise in intellectual property offices in developing countries, as well as assisting them in meeting their TRIPS obligations. In a review of internal Canadian developments, the Delegation mentioned that the Canadian Intellectual Property Office (CIPO) had, over the past year, launched a comprehensive consultation process with its stakeholders to review the relevance of provided products and services. Consultations also encompassed the possible

need to establish new products and services as part of an extensive service improvement strategy, as well as requirements to update and modernize legislative and regulatory foundations. The results of those consultations would lead to re-engineering of CIPO's internal operations, with a strong quality control focus, to achieve optimal efficiencies in its mandate and to assist the Office in making good on a commitment for reduction of turnaround times (TATs), while meeting challenges such as increasing demand. CIPO had created a Client Service Center, merging a number of functions to facilitate access to information and searching and by providing one-stop shopping for its clients. CIPO was also moving to provide an integrated end-to-end business environment, enabling electronic communications, both securely and routinely. CIPO has been providing electronic filing capabilities for applicants, owners and their agents for all its key product lines: patents, trademarks, industrial designs and copyrights, as well as information on filings through its databases on patents and trademarks. During the past year, Canada had completed its regulatory changes in that area by amending the Industrial Designs Rules. Canada had continued the process of developing regulations required to implement provisions found in the 1997 amendments to the Copyright Act: all of the revised Act had to date been proclaimed into force. In closing, the Delegation assured WIPO that Canada would continue to support the invaluable work of the International Bureau in moving WIPO's agenda forward.

78. The Delegation of Chad gave its support to the Director General for his efforts to bring about change in the field of management and information technology. It also expressed its appreciation of the work carried out by WIPO in the development and promotion of intellectual property in developing countries. It expressed gratitude to WIPO for its technical assistance, and wished that such assistance might be increased. The Delegation congratulated the Director General on having included proposals in the agenda concerning the reserve funds and the budgetary surplus, intellectual property and genetic resources and traditional knowledge and folklore, and also the item on the protection of intellectual property for small and medium-sized enterprises.

79. The Delegation of the Côte d'Ivoire paid tribute to the remarkable work by the Director General and his Secretariat. It reviewed the various activities conducted during the 1998-1999 biennium and during the first half of 2000. It referred in particular to the installation and reinforcement of the capabilities of the Ivorian Industrial Property Office, through the provision of various types of equipment, the training of staff, the necessary legal and technical assistance to ensure conformity and implementation of the TRIPS Agreement, efforts for awareness to promote invention and innovation and awareness of the stakes of electronic commerce in relation to intellectual property. It stated that Côte d'Ivoire had hosted two seminars and a subregional round table. It mentioned its support for the achievement of the WIPO program, in particular the activities for protecting copyright and performers, the training of human resources, the fight against counterfeiting and piracy, the promotion of geographical indications and the protection of genetic resources, traditional knowledge and folklore.

80. The Delegation of Cuba expressed its appreciation of the report "Program Performance in the 1998-1999 biennium," and for the results achieved by WIPO in relation to the objectives set for that biennium. Particularly gratifying were the results achieved on matters of great consequence at the international level, including electronic commerce, biological diversity and biotechnology, folklore protection, the conversion of PCT documents to electronic format, the use of working languages and the promotion of the PCT and Madrid systems in developing countries and countries in transition. Cuba emphasized the importance to the consolidation and development of intellectual property at the international level, of the

creation within WIPO of the Standing Committees on the Law of Patents, on Trademarks, Industrial Designs and Geographical Indications, on Copyright and Related Rights and on Information Technology, and also the holding of the Diplomatic Conference for the Adoption of the Patent Law Treaty. It further mentioned that the Permanent Committee on Cooperation for Development Related to Intellectual Property had contributed to the establishment of an appropriate institutional framework for the debate on international cooperation, and praised the good work done by the Organization towards helping the various countries achieve harmonization in the filing of applications for industrial property rights. The Delegation congratulated WIPO on the results achieved in the 1998-1999 biennium in the field of electronic commerce, especially with respect to domain names and intellectual property, and also in the field of cooperation with developing countries, which the Delegation considered should continue and increase because of its relevance to the development of human resources, to computer technology and also to the strengthening of its own national intellectual property system. With regard to cooperation activities between WIPO and the Cuban Industrial Property Office (OCPI) during the 1998-1999 period, there was the implementation of the computerization project for the introduction of online access to the CD-ROM databases of the OCPI via the Internet, the setting up of provincial industrial property Delegations, the creation of a high-quality computer product, the MARIPOSA CD-ROM, containing the bibliographic and figurative data of all trademarks in force in Cuba up to 1998, both by the national and by the international route. Still on the subject of cooperation, Cuba had received advice and assistance in the drafting of new intellectual property legislation that conformed to all the rules laid down in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) of the World Trade Organization, while the seminars and roving workshops that had been organized in Cuba on the application of various WIPO-administered international treaties, and also on subjects connected with technological innovation, trade activity and plant varieties, had also contributed to the training of the country's judges, public prosecutors and customs officials. Finally, WIPO's organization of Distance Learning courses through WIPONET had provided the technical staff of the Cuban Office to surpass themselves and bring their skills up to date. The Delegation spoke of Cuba's great satisfaction with the Director General's visit to the country, in the course of which an assessment had been made of the joint work done by it and WIPO, and guidelines set for the conduct of new projects that would contribute to the strengthening of such collaboration.

81. The Delegation of the Czech Republic expressed its great appreciation for the results achieved during the period under consideration, including PCT automation and WIPONET. It congratulated WIPO for its successful technical cooperation work. The Delegation offered its thanks to the Director General and the WIPO staff for the International Seminar on Enforcement of Intellectual Property Rights, organized in Prague this year by WIPO in cooperation with the Czech Industrial Property Office. The Delegation welcomed WIPO's activities, particularly concerning domain names, the WIPO Worldwide Academy and reform of the PCT. The Delegation informed that in the Czech Republic, several new legislations had been passed relative to patents, utility models, the topography of semiconductor products, and trademarks. The new Act on the Protection of Biotechnological Inventions, and the new Act on the Protection of Industrial Designs, would become effective on October 1, 2000. The Delegation stated that these acts represented further significant implementation of the obligations of the Czech Republic under the Europe Agreement, and pursuant to the TRIPS Agreement. The country also adopted a completely new Copyright Act, which would become effective on December 1, 2000, which would create harmonization with existing international agreements governing the protection of the rights of authors, performers, producers of phonograms and broadcasters, and which would approximate the legislation of the European Community. The Delegation mentioned that the country's copyright legislation also granted

protection to producers of audiovisual works, *sui generis* protection of databases, computer software and photographs. The term of protection was likewise lengthened to 70 years after the death of the author, and seizure and destruction of illegal copies were provided for. The Delegation stated that the Czech Republic expected to accede to the WCT and the WPPT soon. The Delegation announced that the Czech Republic, having considered Article 16(4)(b) of the Paris Convention, and Article 25(4)(b) of the Berne Convention, had decided to change its contribution class from Class V to Class VI, and that such change would take effect at the beginning of the year 2001.

82. The Delegation of Denmark expressed the highest respect for the work, undertaken by the Director General to revitalize the Organization and to constantly generate and evolve WIPO's efforts in the field of intellectual property rights. It was pleased to note that WIPO was ready to take on new challenges and reform itself in parallel with the changes in the world. To that, the Delegation expressed appreciation for the staff of WIPO, that their excellent work had been on display, not only with respect to this meeting, but to every meeting taking place within the framework of WIPO. Since the Assemblies last met in September 1999, much of significance had occurred in Denmark's intellectual property rights field. First Denmark had the pleasure of welcoming the Director General in November 1999, where he met with the Danish Minister for Trade and Industry as well as users of the intellectual property rights community. Denmark hosted a conference under the title *New Trends in Industrial Property Rights*. On that occasion the Minister presented two top government issues. The first involved the establishment of an innovative insurance scheme in order for patent proprietors to be able to afford lawsuits against presumed patent infringers. The second allowed for the possibility for competent national patent authorities to participate in the handling of the European patent application. During the last year the Delegation noted that Denmark had been involved in the process of revision of the European Patent Convention, which had been an interesting process involving much hard work, and expressed hope that good results will be achieved. The Delegation announced the adoption of the Patent Law Treaty, for which thanks were offered to WIPO and its staff for their tremendous efforts in making the Treaty become a reality. In reference to law, the Delegation mentioned that Denmark had succeeded in implementing the EU biotechnology directive into Danish law. It also referred to efforts soon to be successful as to the Danish Parliament's approval on a revised Danish Industrial Design Act. That act had been under thorough revision and the results have already been highly regarded. Later in 2000 a proposal was to be presented to amend all of Denmark's industrial intellectual property legislation on the point that concerned national representation. If that proposal were to be adopted by Parliament, no longer would Denmark require international applicants to be represented by a national representative, although their processing language would still be uniquely Danish. The Danish Patent and Trademark Office had devoted necessary time to improve its legislation, as well as time spent in analyzing their position and tasks in the future fields of intellectual property rights. To enable the DPTO as a national patent authority to give its national citizens the best available tools in the questions relative to intellectual property rights, it remained vital to align national laws and other international treaty conditions. The global competition, the new economy, the knowledge-based society, the Internet and e-commerce were some of the key words, which put DPTO customers in a new world. Not only national patent offices must contribute to that progress in society, but also the international organizations hold an even more important role to play. In conclusion, the Delegation stressed its belief that WIPO created a shining example of an international organization that had managed to develop in line with the societal trends, and that had also managed to look ahead and foresee the new trends. As such, it looked forward to participating in future cooperation with WIPO.

83. The Delegation of the Commonwealth of Dominica wished to place on record its gratitude towards WIPO for the assistance that Dominica had received in the field of intellectual property, as well as for WIPO's assistance across the entire Caribbean Region. The Delegation looked forward to receiving further support in intellectual property protection, in particular towards their rich culture, their indigenous forms of folklore and the heritage of their country, which was treasured so much. Dominica, the Delegation noted, was among the last countries where the original inhabitants of the Caribbean - the Caribs - still lived; it was jealously safeguarding their indigenous way of life and the art forms that accompany it. Dominica was described as a small, developing country, rich in those various art forms (for example the "Zouk" music), that have been produced and for which they were well-known. Finally, Dominica wished to record its full support of the statements made earlier on their behalf by the Spokesperson of GRULAC, and looked forward to working together, in the future, with the Director General, for whom Dominica held the utmost admiration, for the success of this Organization and for that of "our global village."

84. The Delegation of Finland thanked the Director General for the clear and comprehensive documents prepared for the meeting as well as the extensive work during the period of activities under consideration. The Delegation stated that it was happy about the modernization work taking place in WIPO, and its working methods in the leadership of the Director General, mentioning as an example the work of two Advisory Commissions. From among the recent achievements, the Delegation referred to the Patent Law Treaty which had been adopted at the diplomatic conference in May 2000. It thanked WIPO for the organization of that diplomatic conference, observing that the consensus prevailing at the meeting had been shown in the fact that no votes had to be organized. The Delegation pointed out that the signing of that Treaty was a long step forward in the process of harmonizing the patent law, and the astonishingly high number of the countries that had signed the Treaty reflected how much it was needed - this was a good basis for continuing towards the harmonization of substantive patent law. The Delegation referred to another significant achievement, the WIPONET project. Electronic communication on the whole was a global challenge, which, when realized, also offered opportunities and benefits never seen before. Once completed, WIPONET would interconnect WIPO and all PCT offices to form a common network, which would enable communication between numerous combinations of parties as well as the exchange of information and documents. The Delegation affirmed that this would be very significant also for the developing countries. While the project involved many problems, the Delegation observed that, a satisfactory solution had already been found for most of the problems. The Delegation stated that cooperation between WIPO and Finland had traditionally taken place in a warm spirit and been carried out in good mutual understanding. A good example of this would be the high-level international conference "Forum on Creativity and Inventions - A Better Future for Humanity in the 21st Century," to be held in Helsinki from 5 to 7 October 2000, in which the leading experts in this field, and decision makers, would meet each other.

85. The Delegation of Gambia commended the International Bureau for its Program Performance report for the 1998-1999 biennium, and particularly commended the Director General for his tireless efforts and dynamic leadership. The Delegation associated itself with the statement made by Uganda on behalf of the African Group. The Delegation noted with satisfaction the inclusion of an agenda item relating to genetic resources, traditional knowledge and folklore, of which Africa had a rich heritage. The Delegation supported the establishment of an intergovernmental committee to work on this issue. The Delegation informed that it had participated in the diplomatic conference which adopted the PLT. The country had hosted a PCT seminar organized by WIPO, which was successful. The

Delegation noted that its country was very near to completion of the revision to its Intellectual Property legislation to bring it into compliance with the TRIPS Agreement. The Delegation concluded by praising the Director General for his vision and direction in keeping WIPO more focused, and the staff of WIPO for their good work and efforts at keeping the Member States informed.

86. The Delegation of Germany congratulated the Director General and his excellent team on their impressive achievements over the past year and offered WIPO its continuing support in overcoming the challenges of the new century. The Delegation mentioned that the report on Program Performance for the 1998-1999 biennium once again documented WIPO's prominent role, as well as WIPO's rapidly growing responsibilities viewed against the background of the globalization of the protection of Intellectual Property. Also, the Report vividly showed that the process of turning WIPO into a modern, strategic and future-oriented Organization had been successful. The Delegation pointed out that the establishment of Standing Committees on patents, trademarks, industrial designs and geographical indications, on copyright and information technology, had been just as successful as the new senior managerial fora and the special task-oriented working groups. The Delegation welcomed WIPO's rapid transformation into a dynamic information technology-driven Organization through substantial investments in modern IT systems and Internet technology, as well as key initiatives such as the IMPACT Project and WIPONET. WIPO's program of global communications and public diplomacy had substantially contributed to the transparency of information on Intellectual Property and to optimization of contacts with users throughout the world. The unexpected increasing numbers of international registrations under the PCT and the Madrid systems confirmed the huge attraction of WIPO's cost-effective Intellectual Property protection systems and their global acceptance. The Delegation mentioned that another indication of the high esteem in which WIPO was held was seen in the more than 1,000 domain name cases that had been filed with the WIPO Arbitration and Mediation Center in the last ten months in line with the Uniform Domain Name Dispute Resolution Policy adopted by ICANN. The Delegation pointed to this extremely important function performed by WIPO in the area of legislative and enforcement training, which it felt had also been most laudable. The WIPO program of Cooperation for Development was an essential pillar in the constructive cooperation with the World Trade Organization, and served as an indispensable tool for assisting numerous developing countries and countries in transition to comply with their legal obligations under the TRIPS Agreement. With regard to program and budget performance, the Delegation was encouraged by the outcome of the recent session of the Program and Budget Committee. WIPO had shown its strong willingness to increase transparency and to streamline and unify budgeting while ensuring that the resources met its needs. The Delegation was confident that with rigorous application of the decisions taken, there would, in the foreseeable future, be a further reduction in fees for the benefit of users of the international registration system. As to the challenges that still had to be met in the coming years, the Delegation suggested the following: the ambitious program in the 2000-2001 biennium encompassed a number of different tasks; numerous projects were already under way like the Second WIPO Internet Domain Name Process; with regard to new Intellectual Property-related issues, such as protection of folklore or the question of the legal protection for traditional knowledge, substantive pioneering investigations had already been undertaken under existing intellectual property regimes. In this regard, the Delegation supported the establishment of a new Working Group. In respect to the conclusions reached in the Working Group on Constitutional Reform, the Delegation anticipated optimization and streamlining of the opinion-forming process within the Organization. The Delegation concluded by wishing the Director General and his team every success.

87. The Delegation of Ghana, on behalf of its government, expressed its appreciation to the Director General and to his team for the excellent documentation the Delegations had received, which was commended for being as concise as it was clear. Such efforts reflected the Organization's total commitment for relevance to the requirements and developments of our times. A critical study of the documents prepared by the International Bureau and of the areas of collaboration between Ghana and WIPO had indicated that all activities during the year marked the major changes that affected the Organization's objectives and programs, yielding vigorous revitalization through reform of administrative policies, management practices and intensive introduction of Information Technology. That also included deepening its human resource base and oversight mechanisms. Additionally, concrete achievements had been undertaken in programs delving into new areas such as traditional knowledge and electronic commerce issues. As a developing country, Ghana was fully conscious of the indispensable role of Intellectual Property as a tool for economic, technological and cultural development. Under WIPO's Cooperation for Development program, Ghana had benefited through development of its human resources, legislative review efforts, institutional capacity-building, awareness-raising and smoother TRIPS Agreement implementation. However, further strengthening was both requested and needed in human resource development, particularly for intellectual property office officials. The Delegation believed that long-term training programs would enhance the skills of those officers and strengthen, especially in developing countries, the Intellectual Property systems. The Delegation mentioned that legislative bills on copyright, patents, protection of plant varieties, layout designs of integrated circuits, protection against unfair competition, geographical indications and trademarks had all been placed before Parliament, which was expected to adopt those before the end of the year 2000. The Delegation requested to make particular mention in this record of the visit by Delegations from Zimbabwe and Botswana, sponsored by WIPO, to study the Ghanaian copyright system, enabling them to gain exposure to both copyright administration and the collective administration of copyrights. On behalf of the government, the Delegation expressed its gratitude for WIPO's approval of a human resource/institutional capacity-building program to enable Ghana to effectively discharge its duties in the area of intellectual property. Under its Nationally Focused Action Plan, Ghana had received equipment for the modernization of her industrial property office. During the first quarter of the year 2000, Ghana was delighted to host WIPO's African Regional Seminar on Performances. In that same quarter, WIPO participated in the organization of a national seminar on reprographic rights, which was aimed at raising public awareness in the area of reprographic rights. Ghana was in the process of establishing a Reprographic Rights Office (RRO), which would begin licensing users by the beginning of 2001. The Delegation was pleased that WIPO facilitated Ghanaian nationals to actively participate in several major WIPO meetings and seminars, so as to share their modest experiences with other developing countries. Ghanaian officials had also been sponsored by WIPO to serve as resource persons in various WIPO meetings within Africa. In conclusion, the Delegation expressed its great satisfaction with the program performance for the period under review, noting that with such vision, realism and commitment, the World Intellectual Property Organization continued to be responsive to the challenges of the 21st Century.

88. The Delegation of Guinea paid tribute to the Director General and to the Secretariat that had made WIPO a modern institution resolutely turned towards the future. It praised the efforts of the Organization in promoting intellectual property with respect to the developing countries. It made mention of the project for modernizing its industrial property office and the 225 million Guinean francs allocated by the Ministry of Trade, Industry and the SME to provide for suitable premises. It thanked WIPO for having provided modern equipment and for the high-level training given in institutions such as CEIPI in Strasbourg. Finally, it

reiterated its unfailing support to the entire program undertaken by the Director General, particularly in the field of electronic commerce, biodiversity, protection of traditional knowledge, cooperation with the business world, the WIPONET project and the WIPO Academy.

89. The Delegation of Honduras endorsed what was stated by the Coordinator of the Group of Latin American and Caribbean countries (GRULAC) and thanked the Director General for the support and the generous cooperation given to Honduras by WIPO. The Delegation said that it was thanks to that support that the Directorate General of Intellectual Property, which was under the authority of the State Secretariat for Industry and Commerce, had set in motion a project for cooperation with WIPO in the modernization and strengthening of institutions, which would contribute to a strengthening of its administrative structure and the consolidation of its role as an advisory body in matters of observance of intellectual property rights. The support of WIPO would be appreciated in the continued reinforcement of the industrial property and copyright sectors in the country. The Delegation also mentioned that, although Honduras was not yet party to the PCT, its Government was seriously considering the possibility of acceding to the Treaty. The Delegation said that it was pleased to see the initiative on the program for assistance to small and medium-sized enterprises, adding that the program would contribute to the greater and better participation of the country at the local, regional and international level, and also would stimulate the economic growth, competitiveness, energy and creativity of Honduras.

90. The Delegation of Iceland congratulated WIPO and the Director General on the excellent work done over the 1998-1999 biennium. It felt that the Program Performance report for that period clearly showed progress gained, and major changes in the organizational structure of WIPO had prepared both the Organization and its Member States to meet the work ahead and the challenges of the new millennium. The Delegation indicated its awareness that under the Director General's leadership, WIPO had, during a very short time, changed into a modern and effective institution, which would not have been possible without the supporting efforts of the WIPO staff. It observed that the reform of the Organization, its administrative policies and management practice had clearly affected the Member States and the users in a very positive way. Much had been achieved in that biennium. Firstly and foremost, it welcomed the First WIPO Internet Domain Process, pointing out that the report that was published in 1999 contained several important recommendations, and that it was clear the adoption by ICANN of the Uniform Resolution Policy was of great value to trademark owners and the Internet community. Thus, the Delegation fully supported the Second WIPO Internet Domain Process and expected it to be as successful as the first one. Secondly, the Delegation welcomed the achievements made in the information field, noting that WIPO's websites contained much information that was useful and accessible for the National Offices and for the citizens of the Member States. In events at the national level, the Delegation mentioned that the number of Patent and Trademark applications in Iceland had increased enormously after the country's adherence to the PCT and to the Madrid Protocol. It referred to the Geneva Act of the Hague Agreement, expressing hope that design protection would become more attractive for the industry and result in an increase of applications. It mentioned that last year, Iceland's Minister of Industry founded a working group to evaluate the Icelandic patent system, in order to stimulate their industry and the R & D institutions, and to increase the awareness of IPRs. The Delegation looked forward to continued active participation by Iceland in the work of WIPO and hoped that WIPO would continue to prosper as the leading organ in the development of IPRs in the world.

91. The Delegation of Italy said that the annual report documents were of the usual clarity and precision. It commended the Director General for the specific results achieved, and went on to list the main objectives attained in the course of the year. Saying that the Italian authorities had deposited the instruments of ratification of the Madrid Protocol on the international registration of marks on January 17, 2000, it mentioned that a considerable increase in applications had been noted since its entry into force of the Protocol and Madrid Agreement on April 17, 2000. It added that the Italian Parliament had ratified a new law entitled "New Standards of Copyright Protection" on July 25, 2000. The new provisions, which had entered into force on August 18, 2000, provided for an "anti-piracy" stamp, and punished anyone who violated copyright, even once. Italy had thereby brought its legislation on infringement and the fight against piracy into line with that of the main industrialized countries. The Delegation also announced that, under the Protocol with the United Nations on the development of cooperation activities in the human resources sector, the Italian Government had financed the secondment to WIPO of a new "Junior Professional Officer" for the coming two years as from October 1, 2000. It then spoke of the introduction in Turin of the specialized intellectual property law course which was the result of collaboration between WIPO, the Italian Government, the University of Turin and the ILO Training Center in Turin, following the official visit of the Director General to Italy on September 24, 1998. The program of the new, three-month courses provides for the attendance of 40 experts specialized in intellectual property law, financed half by the Italian Government and half by WIPO. The Delegation wished to see the same initiative extended to other universities in the center and south of Italy, so that contacts with the developing countries of the Mediterranean region might be facilitated in cooperation with WIPO.

92. The Delegation of Japan congratulated WIPO on its 30th anniversary, and expressed its appreciation for the great efforts and number of achievements of the Secretariat since 1970. The Delegation welcomed the fact that the International Bureau was making positive steps on a variety of activities, which included reform of the budget process, and constitutional reform towards streamlining and improvement of organizational function. The Delegation felt that such positive steps were in line with the principle of securing a transparent, accountable and member-oriented Organization, as advocated by the Director General. In order to work in this direction, the Delegation believed that it was desirable that the International Bureau undertook more management reforms through a close consultation with Member States, so that the budget could be managed with a minimum surplus, based on accurate predictions of revenue, and that any surplus could be returned to system users. In addition, streamlining of administrative operations, in particular automation of the PCT, was also crucial for the Organization. The Delegation underscored that efficiency improvement would bring about great benefits to both WIPO and system users. The Delegation pointed out that the Standing Committees had achieved significant results in harmonization of Intellectual Property systems and the establishment of related norms. Success in the Diplomatic Conference on the Patent Law Treaty was a noteworthy result, for which it commended the efforts of the Member States as well as the International Bureau. As regards patent systems, the adoption of the PLT marked an important step for the harmonization of formal procedures. As to the next step, the Delegation was strongly convinced that it was the time to resume discussions on substantive harmonization of patent systems, and at the same time, the Delegation suggested that consideration should be given to the establishment of a new and more appropriate PCT scheme. The Delegation underscored that Japan was willing to make every effort towards a global patent system. Regarding the trademark system, the Delegation was pleased to inform that Japan had acceded to the Madrid Protocol in December 1999, and had begun accepting international applications in March 2000. Regarding copyright issues, Japan attached great importance to accession to, and implementation of, the new WIPO "Internet"

Treaties, which it considered as the international rules of the Internet age. In that regard, Japan had acceded to the WIPO Copyright Treaty in June 2000. The Delegation expected that the on-going negotiations would bear fruit on audiovisual performances at the Diplomatic Conference scheduled for December 2000. Additionally, the Delegation suggested that there should be further development in the discussions on the WIPO Digital Agenda, including emerging issues such as file-swapping software on the Internet, which, it believed, was the way to adequately respond to the IT revolution and the development of Electronic Commerce. The Delegation observed that during the 1998-1999 biennium, developing countries had made a positive effort towards implementation of the TRIPS Agreement, and in that regard, it appreciated WIPO's technical cooperation activities undertaken to assist their efforts. However, despite these accumulated efforts, on the other hand, counterfeiting and piracy still remained a serious problem worldwide. Although many developing countries had completed introduction of relevant legislation under their TRIPS obligations, there was still a strong expectation for WIPO to provide further assistance, so that those countries could acquire sufficient capacity to put their legislation into appropriate operation. In concluding, the Delegation noted that in the coming century, globalization of the world economy and drastic progress in information technology would be accelerated. In that situation, Intellectual Property rights would be increasingly significant, and as a consequence, the role of WIPO would be more crucial. The Delegation affirmed that Japan would continue to actively participate in WIPO activities, particularly in work towards substantive harmonization of patent systems and technical cooperation programs for development.

93. The Delegation of Lesotho wished to register its satisfaction with the excellent documents prepared by the Secretariat. It observed that the Director General's policies of accountability and transparency had promoted the image of the Organization, showing how WIPO is a true "Organization of the Future." The establishment of the Worldwide Academy, the various Standing Committees, as well as those initiatives undertaken towards finding a lasting solution for the protection of indigenous knowledge, generic resources and folklore, were only some examples of the Director General's dynamic policies. The analytical approach that had been used in the Program Performance report enabled Member States to take stock of activities carried out during the past biennium, and the delegation wished to associate itself with the statement of the African Group on that subject. It also desired to expressly mention some of the activities carried out in Lesotho during that biennium. In line with the Government's policy to take intellectual property to the people, the National Industrial Property Office had embarked on an aggressive outreach program: one-day seminars had been held in each of the ten National Vocational and Technical colleges, using materials that had been provided by WIPO. The Office announced it had planned to hold similar seminars in selected primary and high schools. In addition the Office continued to enjoy hosting a weekly slot in the national radio station. In line with a decision taken in 1999 by the OAU Summit of Heads of State and Government to declare the 13th September as the African Day of Intellectual Property and Technology, the National Industrial Property Office organized an essay competition for primary and high school pupils, as well as a National Exhibition of Inventions. The prize-giving ceremony had been attended by the Right Honorable the Prime Minister, Cabinet Ministers, the Director General of ARIPO, members of the Diplomatic Corps, and senior government officials. Some of the prizes that were awarded on that occasion had been donated by WIPO. Lesotho also continued to benefit under WIPO's various training programs, for which it appreciated the Secretariat's efforts. The delegation respectfully requested WIPO's assistance in holding two national seminars: one for law enforcement agencies and the other for lecturers from vocational and technical schools. In conclusion, Lesotho wished to register its appreciation for assistance given by WIPO to ARIPO, especially in the field of information technology.

94. The Delegation of Mali addressed its sincere thanks to the Director General for the quality of the documents presented by the Secretariat. It stated that the content of those documents attested well to the efforts exerted by WIPO to place intellectual property more in the service of the developing countries. It expressed its gratitude to the Africa Bureau of WIPO which had unceasingly given its support to Mali in implementing its policy of promoting intellectual property. That support had been expressed, quite recently, at the first national exhibition of technological inventions and innovations held at Bamako from September 13 to 17, 2000, to commemorate the African Technology and Intellectual Property Day. The Delegation stated that Mali was ready to participate fully in the activities of WIPO. It had sought from WIPO approval and implementation as soon as possible of the program of activities for 2000-2002 that had been transmitted to it. It had requested the organization, by WIPO, in collaboration with the Government of the Republic of Mali, of a subregional or regional meeting dealing with intellectual property and genetic resources, traditional knowledge and folklore. It stated that Mali held the Presidency of CEDEAO (*Communauté Économique des États de l'Afrique de l'Ouest*) and of UEMOA (*Union Économique et Monétaire Ouest Africaine*). It continued by pointing out that the presence of WIPO at the summit meetings of those two institutions planned for the end of the present year at Bamako would be an opportunity to draw the attention of the political and administrative authorities of several African countries to the importance of intellectual property in the economic development of States. Observer status for CEDEAO and UEMOA with WIPO would further strengthen relations between the three bodies.

95. The Delegation of Mauritania congratulated the Director General on the dynamic spirit he had instilled into WIPO, which today had become an example for success. It also congratulated the Director General and all the staff of WIPO on the excellent work carried out during the 1998-1999 biennium. It expressed its particular satisfaction with the enormous work carried out to date and the ambitious projects which WIPO was continuing to put in hand. It expressed its gratitude for the technical assistance it had received, in the form of equipment, documentation, consultant missions, the organization of subregional and national seminars and of training. It expressed its wish that cooperation should be reinforced in order to develop the intellectual property system in Mauritania and to derive even more benefit for the technical, economic and social development of the country. The Delegation repeated its invitation to the Director General to visit Mauritania since such a visit would be certain to provide a new impetus to cooperation between Mauritania and WIPO and to contribute in strengthening the projects for the promotion of the intellectual property system.

96. The Delegation of Morocco pointed out that it had experienced in the past year a process of modernization of its industrial property system, particularly following the adoption of a new law on industrial property in compliance with the provisions of the TRIPS Agreement. It further referred to the setting up of the Moroccan Industrial and Commercial Property Office as a result of the merging of the Moroccan Industrial Property Office and the Central Register of Commerce. The Moroccan Office was therefore now responsible for the registration of trademarks, of industrial designs, of patents and of trade names. It was most satisfied with the importance given by WIPO to the program of cooperation for the development of intellectual property and restated its commitment to contribute, in collaboration with WIPO, to the training sessions for Arab countries and for French-speaking African countries. It further referred to the modernization of its information system, thanks to cooperation with the European Patent Office, of which the "electronic archiving" element was now facilitating access to patent documents and simplifying the management of the documentary holdings. Finally, the Delegation wished to express its thanks to WIPO, to the

French National Institute of Industrial Property, to the Spanish Trademark and Patent Office and the European Patent Office for their technical assistance and for their efforts devoted to serving the development of industrial property in Morocco.

97. The Delegation of New Zealand offered its appreciation for the efforts of the International Bureau in producing the comprehensive and thorough report on the program achievements in the 1998-1999 biennium. It reflected the commendable progress WIPO had made in enhancing accountability and transparency and encouraged further efforts that might enlarge the quality and robustness of WIPO's performance reporting. The Delegation remarked that the 1998-1999 biennium had been a period of considerable achievement for WIPO, and notable among the successes had been the adoption of the Patent Law Treaty. New Zealand's accession to that Treaty was the subject of consideration by their Government, as was New Zealand's position in relation to the Madrid Protocol. The proposed introduction into Parliament of a new Trademarks Bill later this year was an essential precondition to that set of decisions. It also acknowledged WIPO's continued efforts to deliver more information and services through IT systems. The WIPONET and IMPACT projects were pivotal to these initiatives and it was important that WIPO continued to take leadership of the IT standard and norm-setting process. The pace of technological change and the increased demands on national offices to automate systems and introduce electronic filing and processing required that consultation and decision-making on those issues was worked through in a disciplined and timely manner. The New Zealand IP office had also introduced a new IT system, rolled out in late 1999, making accessible the trademark and patent databases to the public, free of charge, via the Internet. On-line filing for trademarks with e-payment functionality was to be implemented in early 2001. Application and registration fees payable to the Office had been reduced by 30 per cent in 1999/2000, to reflect the reduced cost of providing services achieved through increased productivity and efficiency. New Zealand encouraged the International Bureau to continue to explore the potential for further registration fee reductions payable by international applicants. In conclusion, the Delegation appreciated the Director General's efforts to achieve a more open, results-oriented and accountable form of stewardship in WIPO's program and activities, and supported further initiatives in that regard.

98. The Delegation of Niger wished to emphasize the intensity of WIPO's activities during the 1998-1999 period, despite a lack of human resources. It then made reference to the various cooperation activities undertaken during those two years. It referred to the modernization of its industrial property office and to the training of several officials. The Delegation expressed its satisfaction at ascertaining that intellectual property was no longer a field reserved for the intellectuals, but was now an integral part of everyday life. It announced that the Ministry of National Education had agreed to the introduction of industrial property teaching in the curricula of the vocational and technical teaching establishments. The teaching module, currently under study, was likely to be operational in January 2001. At an appropriate time, WIPO's assistance would be requested for the implementation of that project. The Delegation thanked WIPO for its technical and financial assistance, particularly in the fields of Distance Learning and with regard to the worldwide WIPONET project. It declared its interest in developing activities in the field of protection for traditional knowledge and folklore. In conclusion, it expressed its gratitude to the Bureau for Africa of WIPO and to the Innovation Division for their valuable contributions.

99. The Delegation of Norway observed that it was encouraging to note the many major developments and results achieved in the 1998-1999 biennium, and looked forward to the continuation of these developments in the same fashion. The Delegation commended the Director General for his achievements in transforming WIPO into a business-based and

result-oriented Organization, one which was ready to face the many new challenges which lay ahead, and stated that one of his many important initiatives was that of result-based programming and budgeting. The Delegation felt that this measure in particular deserved special recognition since it had contributed towards providing a new, more efficient and transparent framework, which would be all the more accountable and receptive to the needs of the people and the States that it served. The Delegation emphasized that all should be proud of the fact that WIPO stood as a pioneer in introducing result-based programming and budgeting within the United Nations system. It underscored that IPR had proven to be a fundamental part of a modern global economy, and a fundamental part of future development and economic growth throughout the world. However, the Delegation stressed that this fact alone did not mean that there were not major challenges ahead, not least of which was the challenge to create harmonized, streamlined, efficient and user-friendly systems within the whole area of IPR. The Delegation was further encouraged by the recent adoption of the Patent Law Treaty, and in that regard, informed that Norway was well on the way towards ratifying the Patent Law Treaty. Regarding the Geneva Act of the Hague Treaty, a Norwegian Design Law Committee had recently delivered a recommendation to the Government to ratify the Geneva Act. As regards the Trademark Law Treaty, the Delegation foresaw that Norway would accede within the next two years. The Delegation welcomed and supported measures such as the simplification of the PCT system, the amendments to the Madrid system, and also the Trademark Law Treaty. The Delegation informed that in August 2000, Norway had received a group of eight trainees through the WIPO Academy. This program had proven to be a very productive and pleasant experience for Norway and the Delegation looked forward to receiving more such groups. The Delegation reaffirmed Norway's commitment to participating in the WIPO Assembly in constructive and positive ways.

100. The Delegation of Paraguay expressed its gratitude to the Director General and Secretariat for the quality of the documents submitted, and its support for the Director General's administration as reflected in the report on Program Performance in the 1998-1999 Biennium. The Delegation pointed out that its country, working in concert with WIPO, has succeeded in placing intellectual property among the priorities of both the Paraguayan Government and Paraguayan society. In that connection it announced Paraguay's intention to ratify the WIPO Copyright and Performances and Phonograms Treaties in the near future, and added that a new Patent Law was currently before the national parliament. The Delegation also said that Paraguay's national legislation had been brought into line with the standards of the TRIPS Agreement and would be examined by the TRIPS Council of the WTO in the coming November. The Delegation then informed the Assembly that the close cooperation between WIPO and Paraguay had been reinforced by an effective National Plan of Action, and in that connection expressed the gratitude of the Government of Paraguay for the valuable collaboration of the Cooperation for Development Bureau for Latin America and the Caribbean. The Delegation expressed praise for the increase in the activities of WIPO and the optimum level of performance achieved in general, and in certain areas in particular, such as the WIPO Arbitration and Mediation Center, WIPONET and the program of Internet connection for national offices, the WIPO Worldwide Academy and the Innovation Promotion Section, which placed the Organization at the forefront of development cooperation and global intellectual property management. The Delegation ended by expressing its firm support for the Director General's administration, highlighting the clarity noted in consultations and the transparency of its implementation.

101. The Delegation of the Philippines announced that it looked forward to fruitful discussions and extended an expression of deep satisfaction to the Director General of WIPO

regarding program implementation within WIPO during the 1998-1999 biennium. His successful efforts in transforming WIPO's vision and strategic direction were praised and appreciation of the excellent work by WIPO staff was also highlighted. The Philippine Patent Office was created in June 1947, followed by the establishment of a registration process for trademarks, trade names, and service marks, as well as their protection from unfair competition and false marking. Since then national legislation had sought fuller protections in light of the tremendous advances being made in science and technology, and also the arts and letters. The Intellectual Property Code of the Philippines had been passed on June 1997 establishing an integrated legal framework for a new IP system. The Philippines recognized that these efforts created a vital development tool, for promoting economic growth by facilitating technology transfer, for improving national capacity to attract foreign investment, and for ensuring market access for Philippine products, by promoting within stipulated time periods, the exclusive rights of scientists, inventors, artists and others, to their intellectual property. Finally, all that had helped the Philippines conform with its commitments and obligations under the TRIPS Agreement. The Delegation noted that implementation presented difficulties for developing countries. The Delegation requested the Assemblies to highlight three clusters of identified issues for developing countries, which were: effective enforcement of intellectual property law; technological and social capacity-building; and the protection of indigenous, cultural and traditional knowledge under relevant forms of intellectual property. In combination, these three pillars would unite to promote creativity and combat piracy, having a great influence on future cultural and economic advancement. In an initiative jointly undertaken with the WTO, WIPO had already responded to the call for assistance from developing countries in review of their TRIPS Agreement implementation, as well as in the drafting of national legislation for the establishment of intellectual property protection systems. The Delegation noted there was clear need to define the regulatory framework for the protection of intellectual property on the Internet and in relation to e-commerce, as well as the impact of such technological and legal developments on copyright and trademark laws. The experiences of developed countries in this regard could aid to establish models of best practices for developing countries, as well as focused programs benefiting developing countries. With regard to protection of indigenous cultural and intellectual property, the Delegation offered examples of the linkage between these, as well as folklore (folk tales, folk songs, folk dances, or folk designs and patterns). The new applications in audio and audiovisual technology and their mass reproduction, broadcasting and cable distribution, led to the commercialization of those traditional knowledge items which may not fit into the conventional notion of copyrightable literary and artistic works, mainly in terms of identifying authorship and the technical difficulty of establishing protection over a limited time frame. The Philippines' great interest held in this issue drew from the fact that, in developing countries like itself, traditional knowledge and folklore constitute an on-going, living process within selected sectors of present-day society; another important component of traditional knowledge was the centuries-old usage of biological resources for medicinal purposes and healing, knowledge exploited by biotechnology research and development. Inextricably linked to this was the concern of developing countries with the preservation of national and global diversity within the context of sustainable development. The Delegation offered that those topics may also have struck chords among the leaders of other developing countries, and increased efforts would be forthcoming.

102. The Delegation of Poland congratulated the Secretariat on the considerable work it had accomplished during the 1998-1999 biennium, and expressed its satisfaction with the scope, quality and variety of the activities undertaken by WIPO during the period under review, in particular those serving the purposes of strengthening the legal and administrative intellectual property infrastructure, computerization of intellectual property, promotion of inventions and

innovations, as well as in the area of enforcement of intellectual property rights. It welcomed the very clear and precise WIPO Program Performance report for the 1998-1999 biennium, and appreciated both the structure and substance of the report. The Delegation welcomed the reorientation and focusing of WIPO's activities on new areas emerging from recent developments in the technology field. It mentioned work undertaken on the Internet domain names issue, on establishing a global information network, on the use of information technology, as well as on the issues involving different aspects of intellectual property and electronic commerce. It congratulated the Director General and the Organization for the success of the diplomatic conference for the adoption of the new Patent Law Treaty, and noted the progress in the work on the reform of the constitutional structure of the Organization. Regarding registration activities, the Delegation noted with satisfaction the continued growth in PCT applications, and felt that the proposed reduction of the number of designation fees payable would benefit the users of the PCT system and further increase the popularity of the system in Poland. As regards recent developments in Poland in the field of intellectual property, the most important was the adoption by the Parliament on June 30, 2000, of the new Industrial Property Law, which introduced a number of new regulations in the field of industrial property protection in Poland and which brought the system of protection into line with the provisions of international conventions as well as the requirements of applicable European Union legislation. The main priority of the Polish Patent Office (PPO) was the process of preparation to join the European Patent Convention, as from July 1, 2002, and the Community Trademark system. In the case of the latter, a Memorandum of Understanding had been signed in May, 2000 between the Office for Harmonization in the Internal Market (OHIM) in Alicante, and the PPO, with a view to facilitating the preparation of Poland's accession to that system. Under the OHIM's Technical Cooperation Program, an information network between the PPO and OHIM had been set up, which included a data exchange on trademark policy development. The Delegation underscored that both future accessions required not only intensive harmonization of national legislation, but also reorganization of the PPO and the launching of public awareness programs addressed to inventors, patent and trademark agents, industries, academic circles and the business community. The Delegation informed that working conditions at the PPO had significantly improved due to the recent opening of a new building, doubling the usable working area, where staff from the Receiving Department, Patent Literature Collections Department and from the new Registers Department would be located, where a new reading room for 50 people and a conference room for 90 people would be made available, as well as space of some 1000 square meters for file collection and storage. The Delegation noted that registration activity at the Polish Patent Office continued to trend upwards, both within the PCT and the Madrid systems. With the entry into force of the new Industrial Property Law, new registration systems for industrial designs and geographical indications would soon become operational. As regards the copyright field, the Delegation pointed out that the Polish Act on Copyright and Neighboring Rights of 1994 had been amended on June 9, 2000, whereby all the obligations from the TRIPS Agreement and a vast majority of EC requirements were satisfied, and enforcement of intellectual property rights had been significantly enhanced. Poland had recently initiated procedures for accession to the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty. In concluding, the Delegation mentioned that WIPO would be organizing, in cooperation with the Ministry of Culture, an international conference on "Intellectual Property Rights in the Area of Electronic Commerce," to be held in Kraków on October 25 and 26, 2000.

103. The Delegation of the Russian Federation congratulated WIPO on the occasion of its 30th anniversary, and emphasized that the two years under review constituted one of the most successful periods in the modern history of the Organization. The Delegation observed that

by applying new organizational approaches, upgrading human resources development, and improving the planning and accountability processes, the Organization was able to achieve impressive results, particularly in administrative, investment and human resources development areas. It further praised the Organization's achievements in connection with WIPONET, the introduction of modern information technology, and the strengthening of control mechanisms. The Delegation stated that the results derived from the implementation of the main WIPO programs were of key importance to multilateral international cooperation. The Delegation, emphasizing the importance of the relationship between Russia and WIPO, underscored that Russia had received substantial assistance from WIPO in modernizing its national Patent Law and other legal enactments in the field of industrial property, and copyright and related rights. It commended WIPO's assistance for the preparation of the accession by Russia to international instruments, including the WCT and the WPPT, for providing training for Russian specialists in electronic commerce and related fields, and for facilitating the settlement of a number of major issues of key importance to Russia, including: the institutional status of the Russian Patent Office; the extension of its mandate to include copyright and related rights; the modernization of the Russian Patent Office and its transition to paperless technology; the streamlining of the process of upgrading the Russian Civil Code and special legislation of the Russian Federation in the field of intellectual property; and the preparatory work for a cooperation agreement between the Russian Federation and WIPO. The Delegation expressed its deepest gratitude to WIPO for its important role in facilitating the solution of the above matters: these successful results were facilitated by the Director General's official visit to Russia in February 1999. It also mentioned the forthcoming International Forum on Intellectual Property, which would be organized by WIPO in Moscow in October 2000. Finally, the Delegation fully endorsed the WIPO 2000-2001 program.

104. The Delegation of Senegal expressed its appreciation of the quality of the documentation prepared by the Secretariat. It addressed its thanks to the Director General, to the whole of WIPO staff and more particularly to the Bureau for Africa, for the excellent work that had been done to rationalize resources and to reform institutions. The Delegation also expressed its gratitude for all that WIPO had undertaken or was to undertake in order to promote intellectual property in Senegal, to enable all Senegalese to obtain a maximum of benefit for their economic, social and cultural development.

105. The Delegation of Spain said that in 2000 the Spanish authorities responsible for intellectual property had continued to pursue the objectives that they had set themselves in the field of the protection of intellectual property rights, constantly taking on new challenges. In that connection it mentioned the active role played by the Spanish Patent and Trademark Office (SPTO) on a number of fronts, for instance that of the PCT, since the Spanish Office had acquired the status of International Searching Authority. The Delegation announced the entry into force of the internal enactment giving effect at the national level to the order of April 2000 which introduced a 75 per cent reduction in the PCT international search fee for applicants from certain countries on terms comparable to those set by the European Patent Office; those terms were the ones requested to implement the reductions in fees payable to the International Bureau of WIPO by virtue of a 1995 decision of the PCT Assembly. According to Spain, that development should be an incentive for the countries of Latin America to accede to the PCT. It added that important steps had already been taken to enable the SPTO to opt for recognition as a PCT International Preliminary Examining Authority, so that it could eventually offer the entire Spanish-speaking community a complete search and preliminary examination service in Spanish. In that connection a mention was made of the application, decreed in May 2000, of the grant procedure with voluntary preliminary

examination for patent applications in the food sector, which was a sector of the utmost importance in Spanish industry, and it was said that the aim was to extend that system gradually to all areas of technology. In connection with the same process of integration and harmonization at the international level, the Delegation pointed to Spain's signature of the Patent Law Treaty on June 2, 2000, and to its intention to ratify the Treaty as soon as possible. In the field of plant varieties, the new Plant Variety Protection Law of January 2000 approved a new national legal framework for the protection of plant breeders' rights to bring it into line with the legal context, taking as its points of reference both the UPOV Convention and the Community plant variety protection legislation. That recent national enactment was a response to the need to find to new protection formulas in keeping with the recent progress made in biotechnology and genetic engineering. In addition, the law had anticipated an amendment of the Patent Law in the provisions that referred to the earlier legislation, providing expressly that plant varieties were not patentable. The Delegation informed the Assembly that its country was also working on a new trademark law which was about to go into the parliamentary stage. That preliminary draft legislation had among its priority objectives the modernization of the Spanish trademark system in keeping with new national, Community and international circumstances. With regard to adaptation to harmonization efforts within the international community, provisions were being written into the law that allowed the application in Spain of the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks and the Regulations. The Delegation also mentioned the start of preparatory work on the preliminary draft of a Designs Law intended to adapt national legislation to Community and international requirements and to modernize the grant procedure for industrial designs, and also the drafting of an amendment to the Patent Law to incorporate in national legislation Directive 98/44/EC of the European Parliament and Council on the legal protection of biotechnological inventions. On the subject of the website of the Spanish Patent and Trademark Office, the Delegation mentioned that visits to it had tripled in June of the current year as compared with the same month of the previous year, and that since March the SPTO server had been offering new services, notably the possibility of remote access to its databases. Also in March 2000, Internet access to the status of files had become available to the public, making it possible to retrieve information on the progress of a file by accessing its number. The new service had been highly successful, and had substantially increased the number of visits. New utility model databases had also been set up, and the complete files of patents published by the SPTO could be consulted on the new CIBEPATNET service. Finally, a service had been introduced for the generation of payment order forms on the Internet using digital signature technology in collaboration with the National Coin and Stamp Factory. The Delegation informed the Assembly that a new Ministry of Science and Technology had been created with authority over the Spanish Patent and Trademark Office, its principal mission being to raise research and development in the country to the level of the needs of the world economy. It stated that, in the same way as Spain's collaboration with WIPO had become even more active at all levels, there had also been an intensification of efforts to consolidate the SPTO's presence in the European context, both within the European Patent Office and in the Office for the Harmonization in the Internal Market, headquartered in Alicante. The Delegation added that the Spanish Office was also participating actively in the shaping of the future Community Design, the Community Patent and the harmonization of utility models within the European Union. In the field of international cooperation in 2000, the SPTO had kept up and increased its intense technical collaboration activity with the industrial property offices of Latin American countries, and had broadened the geographical scope of its cooperation to encompass other regions. The Delegation pointed to an important new development in the starting up of the CIBIT program, which was the abbreviation of Latin American Cooperation in International Patent Search. With regard to technical cooperation activities in other geographical areas, in other words

outside the American continent, the Delegation mentioned the SPTO's collaboration with the Institute of Industrial Property of Morocco. It informed the Assembly on the continuing growth of the SPTO, with the recruitment of 25 new expert officials in the last two years, a trend that would be continuing in the future. With reference to the field of repression of violations of industrial property rights, the Delegation said that the work of the SPTO was an essential pillar in the action being carried on against piracy, a practice that had grown substantially in recent months. It added that the official creation of an Interdepartmental Commission to take action against activities of that kind had been published in the Official Gazette of the State in the course of the current year. In the field of copyright the Delegation gave assurances that, at the forthcoming Diplomatic Conference on the Protection of Audiovisual Performances, Spain would be actively promoting and supporting the negotiations to bring about an international instrument that would guarantee the rights of performers in the audiovisual sector at the world level and at the same time would make them equal to the challenges of technology.

106. The Delegation of Sweden expressed its full support to the Director General in his efforts to modernize WIPO in an increasingly transparent way, and congratulated him on his record of achievements. The Delegation observed that on the surface, it may not seem too difficult to restructure an organization into a more modern body; the Director General had obviously managed to mobilize his entire, dedicated staff in his efforts to transform WIPO into a modern and transparent Organization, and it encouraged the Director General to continue on this route. The Delegation noted with great satisfaction the scope and quality of the activities which were presented in the Program Performance report, and appreciated, in particular, WIPO's work on a global scale to create intellectual property awareness. That work was of great importance for technological and social development, as well as economic growth in the world. The Delegation noted that WIPO had continued increasing its already widespread use of Information Technology for public information delivery. The Delegation was convinced that this followed the right path, and with the Program Performance report as proof, that there had obviously been exponential growth in WIPO website visits. In that context, the Delegation mentioned that it was Swedish Patent and Registration Office's policy to transfer its information activities from paper-based information to publication on its website, which had been recently awarded the Golden Link, an award to the best Swedish public service website. The Delegation suggested that creating awareness and strengthening the knowledge of Intellectual Property among Small and Medium-sized Enterprises (SMEs) was particularly important. SMEs needed to understand how to use the intellectual property system to develop and protect their new potential products and create growth. This issue had been discussed during the Director General's visit to Stockholm earlier in 2000, and there it was agreed that a proposal regarding the expansion of WIPO's program of activities to assist SMEs worldwide should be put forward to the current WIPO Assembly session, to enhance their competitiveness. To that end, the Delegation observed that one important part of creating that SME awareness would be by the efforts of the Human Resource Development (Main Program 08), and it noted the efforts, among WIPO's other traditional venues, to establish a Distance Learning program. The Delegation mentioned that shortly after the present WIPO Assemblies meeting, the annual training program on Industrial Property in Stockholm (for ten participants from developing countries) would be concluded. In August 2000, a similar training course on Copyright had taken place (20 trainees from developing countries). The Delegation appreciated WIPO's commitment to ensure continued training and development of skills in WIPO's staff, and noted that similar development efforts were a core process in the Swedish Patent and Registration Office, for its staff. As the Swedish Government attached great importance on gender equality, the Delegation further noted with particular appreciation the increased number of female professionals and directors in WIPO:

six women had been promoted to Director level during the 1998-1999 biennium, where there had been previously only one female Director. The Delegation was very satisfied for the successful conclusion of the Diplomatic Conference on the Patent Law Treaty in May 2000, which was a great step towards more substantive patent law harmonization. The Swedish Government was then in the process of considering when it could ratify the PLT. The Delegation noted that many achievements in the Report deserved its Government's appreciation and, in conclusion, reaffirmed Sweden's commitments to the goals and activities of WIPO, to continued cooperation with WIPO to promote the development of a user-friendly Intellectual Property system throughout the world.

107. The Delegation of Switzerland praised the efforts of the Director General to demystify intellectual property and considered WIPO to be one of the gems in the United Nations crown. It declared its support for WIPO's activities in cooperation and expressed the wish that they should be pursued with respect to the least advanced countries, without of course forgetting the developing countries and the countries in transition. It mentioned the World Intellectual Property Declaration adopted by the Policy Advisory Commission, reaffirming the value of intellectual property rights to attract direct investment and technology transfer. With respect to recent activities in Switzerland, it referred to a cooperation agreement with Viet Nam and announced that it was preparing the forthcoming accession to the new international instruments. To that end, the Patent Law was currently under revision and a new draft law on industrial designs was soon to be put before the Parliament. The Copyright Law was also under revision to enable the WCT and WPPT, known as the WIPO Internet Treaties, to be ratified. It welcomed the forthcoming holding of a Diplomatic Conference on the Protection of Audiovisual Performances. It acknowledged the success of WIPO's activities, particularly the Internet-related dispute settlement procedures of the Arbitration Center, the Worldwide Academy or again the adoption of the Patent Law Treaty last June. The Delegation greeted the proposal for the establishment of an intergovernmental committee on intellectual property related to genetic resources and traditional knowledge. It concluded by observing that it had submitted, within the framework of the Biodiversity Convention, "draft guidelines for access and sharing of the benefits of using genetic resources" and hoped to have the possibility of debating those topics in a single forum at WIPO.

108. The Delegation of Togo thanked the Director General for the quality of the documents submitted to the Member States. It said that a substantial change had taken place in the form of the reorganization of the present National Industrial Property Structure (SNPIT) and the Togolese Copyright Office (BUTODRA) with a view to the better deployment of human, technical and financial resources. It expressed gratitude for the assistance provided by WIPO, mentioning the provision of equipment, staff training and technical support. It insisted on the need to continue to work on the promotion of intellectual property, notably in fields of electronic commerce and Distance Learning. It supported the proposal for the creation of an Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore, referring in that connection to the statements made by Uganda in the name of the African States.

109. The Delegation of Turkey stated that it was in the process of internal procedures for accession to certain WIPO-administered treaties, namely, the Hague Agreement Concerning the International Registration of Industrial Designs (Geneva Act), and the Trademark Law Treaty. The Delegation noted that Turkey had participated in the Diplomatic Conference on the Patent Law Treaty, in May 2000, and had signed that Treaty. It informed the session that the European Patent Convention would enter into force in Turkey on November 1, 2000; this was a big development in its country, much to the benefit of Turkish researchers,

industrialists, foreigners and the Turkish Patent Institute (TPI). The Delegation stated that Turkey had been accepted as a candidate for membership in the European Union, which event would, in its opinion, make a contribution towards the development of the industrial property system in Turkey. A Memorandum of Understanding was imminent between the TPI and the Office for the Harmonization of the Internal Market (OHIM). The Delegation thanked WIPO for its valuable technical assistance, pointing to the recent work on the draft law on the protection of topographies of integrated circuits, which would come into force in the year 2001. The Delegation confirmed that progress would continue in the development of all fields of Intellectual Property protection in Turkey, and that it would be willing to transfer its experience to the developing countries.

110. The Delegation of the United Kingdom congratulated WIPO on its work over the 1998-1999 biennium, and particularly acknowledged the role which the Director General had played in his first full biennium as Director General. The Delegation was pleased to see the successful conclusion of both the Patent Law Treaty and the Geneva Act of the Hague Agreement, and hoped that these would be widely and speedily ratified, and become important parts of the world patent and design systems. The Delegation was of the opinion that the results-based programming and budgeting, reflected in the Program Performance report, was a significant advance in providing services in an efficient and transparent manner, and was pleased to see positive targets against which the Organization's performance could be measured. The broader and more forward-looking environment for policy consultation and discussion, reflected in the creation of the various Standing Committees and Advisory Commissions, was also welcomed. The Delegation looked forward to working with the Organization and the Program and Budget Committee in reviewing the performance indicators selected, so as to ensure that the best measures possible were provided to assess the achievement of objectives. The Delegation pointed out that recognition of setbacks, in addition to the many successes, would have made the performance report a more valuable tool; in that context, the Delegation noted that no mention had been made, for example, of the difficulties encountered in the budgets for the renovation of the World Meteorological Organization (WMO) building, or various IT projects. The Delegation recognized the many IT-related achievements of WIPO in the biennium, and noted in particular that WIPO's Websites contained a wealth of quickly accessible, useful information. It looked forward to improvements in efficiency of the PCT system when each phase of the IMPACT Project was delivered. The Delegation was pleased with the fact-finding missions and roundtables on traditional knowledge, and with the Director General's efforts in this regard, which had resulted in the proposal in these Assemblies for the establishment of an Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, a committee which should provide a suitable forum for consideration of the wide-ranging issues. The Delegation looked forward to further successful work with WIPO. It noted that the United Kingdom would be participating with its European Union partners in the forthcoming Diplomatic Conference on the protection of audiovisual performances, and hoped that a successful outcome could be reached in that initiative which would be satisfactory to all parties concerned. The Delegation expressed its hope that further progress could be made next year on the work which had been already underway on developing new international standards for the protection of broadcasters' rights and on non-original databases, as well as beginning new work building on the Patent Law Treaty and the outstanding success of the Patent Cooperation Treaty.

111. The Delegation of the United Republic of Tanzania offered its support for the clear vision of the Director General as a determining factor for the future of the Organization. The Delegation associated itself with the statement made on behalf of the African Group. It stated

that Tanzania had carried out intellectual property awareness programs for stakeholders and customers, including the publication of various programs in both print and electronic media. It noted that two sub-regional meetings, organized by WIPO and Tanzania, had been held in July 2000, in Dar es Salaam: the first concerned the economic importance of intellectual property; the second was a promotional seminar concerning the Patent Cooperation Treaty. Those meetings had an immense impact on the targeted groups. Also in July, the Intellectual Property Office participated in the International Trade Fair, among the various activities of which was the distribution of various WIPO publications, and which was held to have had a very positive impact. The Intellectual Property Office had entertained requests from various groups, including universities, to carry out intellectual property sensitization programs for academic staff. The Delegation stated that in the field of copyright, Tanzania had a new TRIPS-compliant Copyright Act. The Copyright Society Board had been established and the premises were ready; WIPO had provided computers and other equipment for that Society, for which the Delegation offered its gratitude. The Delegation informed that Tanzania had requested WIPO to facilitate the Convention of the East African initiative under the framework of the East African Community, for which a meeting was held in Dar es Salaam very late in 1999. Great progress was achieved there, and the group was planning yet another meeting, and the Delegation hoped that WIPO could again offer its assistance. The Delegation referred to the September 13th observation of the Intellectual Property and Technology Day, as had been proclaimed between OAU and WIPO. The day was observed in Tanzania with newspaper messages from the Minister of Industry and Trade, its Permanent Secretary, the Director General of the Commission of Science and Technology and from the Chief Executive Officer of the Business Registrations and Licensing Agency (BRELA) – the responsible Government Executive Agency for Intellectual Property in Tanzania. The Delegation offered its thanks for all the assistance that WIPO had extended to the United Republic of Tanzania, and looked forward to further cooperative collaborations.

112. The Delegation of the United States of America thanked the International Bureau for the comprehensive report on Program Performance for the 1998-1999 biennium, which it referred to as another significant step in WIPO's on-going efforts to improve transparency and accountability. It welcomed the International Bureau's invitation for Member States' comments, and made the suggestion that a greater focus and clarification of the performance indicators would be helpful, as well as the inclusion of budget figures as part of the matrix. The Delegation indicated that the 1998-1999 biennium was an important period in WIPO's history. It was pleased to have partnered with the WIPO Worldwide Academy and with WIPO's Cooperation for Development Bureaux, in sponsoring numerous programs in Washington DC, Geneva and elsewhere, which, all together, had provided expert enforcement training for officials from more than 50 countries and benefits for all parties involved, including to developing countries towards the implementation of the TRIPS Agreement. The Delegation enthusiastically supported WIPO's activities in the areas of PCT reform and automation, the WIPO Domain Name Process, and the promotion of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, all of which it believed had been critical to the modernization of the Intellectual Property laws, and had already resulted in better understanding of patents, trademarks and copyright in the global marketplace. The Delegation stated that the foregoing, as well as all other programs must be undertaken with an eye to fiscal responsibility and within the mandate of Member States. It cited as an example that fees for registration services must reflect actual costs; resulting surpluses must largely be rolled into setting lowered fees for future applicants. It thanked the International Bureau for its continued consultations towards finding a fair and reasonable solution to the problem of surplus reduction. The Delegation commended the Director General for the efforts undertaken to report to the Member States, the principle constituency of WIPO, and looked

forward to continued efforts on the part of the International Bureau to provide Member States with information regarding WIPO's transparent, results-oriented approach to implementing the 2000-2001 program.

113. The Delegation of Uruguay said that Uruguay had undertaken the work of adapting its trademark and patent legislation to bring it into line with the provisions of the TRIPS Agreement, and that the security, efficiency and transparency of the new industrial property system had been borne out by an increase in applications for industrial property rights. The Delegation was pleased to announce that the National Directorate of Industrial Property of Uruguay (DNPI) would continue to work on the basis of a Strategic Quality Plan focused on client satisfaction and addressed to a broader audience. The most significant result of the plan had been that the Office had the previous year received the ISO 9002 Certificate awarded by the Austrian Association for the Certification of Quality Systems. In the course of the current year the first internal audit of management systems had taken place, and it established that the quality standards recorded in 1999 had been maintained. As part of the same strategic plan, the staff of the Office had received training in the use of new information technology and had been provided with the latest generation of computer equipment, while a modern management software package operating in a multifunctional environment had been introduced. In addition, the Ministry of Industry, Energy and Mining, on which the DNPI was hierarchically dependent, was also working on a quality policy in the framework of the "Uruguay Quality Program," which included an industrial property component as a means of encouraging innovation in companies and the adoption of distinctive signs to identify Uruguayan goods conforming to specific quality requirements. The Delegation also mentioned the implementation of policies for the dissemination and promotion of industrial property that concentrated on strengthening relations with interest groups (the scientific community, the corporate sector and industrial property agents) and also on the heightening of awareness of the importance of industrial property protection. The fundamental instruments of that policy had included the signing of institutional agreements with which to advise and assist researchers on a broad range of technical and legal questions, the creation of working groups (Technical Committees) which had enhanced interaction between the public and private sectors, the publication of material to publicize national and international enactments, procedures and general information (pamphlets, books, CD-ROMs), and courses at public and private universities entrusted to professionals and technical staff from the DNPI. With regard to the DNPI's technical infrastructure, the Delegation pointed to the creation of a new database of industrial property case law and to the development of new capabilities of the DNPI computer system, including the digitization of trademark and patent search files. Finally, the Delegation announced that in June of the current year Uruguay had signed an important cooperation agreement with WIPO, financed with national funds. That agreement was focused on the diversification of the technical infrastructure and Uruguayan institutional development in new areas of management fundamentally linked to the promotion and dissemination of industrial property. Also on the subject of cooperation, the Delegation added that cooperation with the Office for Harmonization in the Internal Market (Trade Marks and Designs) had resulted in the signing of a Memorandum of Understanding for cooperation in trademark practice and in the dissemination and promotion of the trademark system.

114. The Delegation of Viet Nam extended, on behalf of its government, warm greetings to the Director General of WIPO. The Delegation opened its remarks in broadly addressing the context of the "knowledge-based economy." As such, IPR had become more important for social and economic development, technology transfer, international trade and investment, as well as an indispensable issue of bilateral or multilateral trade negotiations. Intellectual property had enjoyed new and continuously improving public awareness. The Delegation

thus offered insights from the State of Viet Nam, which had, in recent years, made enormous efforts in development of the national intellectual property system to conform with the TRIPS Agreement and others. Such could be highlighted as follows: a 1999 Government Decree on the handling of administrative violations in the field of industrial property, stipulated types of sanctions, measures taken against acts of infringing industrial property rights with respect to all industrial property objects. Drafts of two legal instruments were highlighted. First was the industrial property Governmental Decree, which had been drafted to protect trade secrets; geographical indications; trade names; and the rights for preventing unfair competition pertaining industrial property. The draft Decree had been submitted to the Government and was expected to be enacted later in the year 2000. Secondly, a Governmental Decree on the revision of the existing Decree on detailed provisions pertaining industrial property, was also expected to be enacted later in 2000. Other legal items in the drafting stage included a joint circular between Ministry of Science, Technology and Environment (MOSTE) and the People Supreme Court on settlement procedures of industrial property cases, and a joint circular between the MOSTE and the General Department of Customs on border-controlling measures in respect of industrial property. International cooperation in the intellectual property field included the established cooperative relationship between the National Office of Industrial Property of Viet Nam and the World Intellectual Property Organization (WIPO), the EPO, the OHIM, the JPO, the INPI, the DIP, the IP Australia and of Thailand and ROSPATENT, as well as initial cooperative ties with the United States. Along with those bilateral cooperative ties, Viet Nam also participated in ASEAN and APEC cooperative programs in the IP field. Two important events were the signing of the Agreement in the field of Intellectual Property between the Vietnamese Government and the Swiss Government (July 1999) and the signing of the Record of Discussion for the implementation of the project assisted by the Japan International Cooperation Agency (JICA) for the modernization of the industrial property administration (December 1999). Regarding IPR enforcement, the Delegation pointed to results achieved as to the enforcement process. Better coordination by the competent authorities responsible for enforcement had made the whole system more effective and the role of courts was mentioned as having become more important concerning intellectual property rights in litigation. The Delegation expressed again its deep gratitude for the effective cooperation and invaluable assistance that WIPO provided to Viet Nam and extended its sincere thanks, to those countries that have provided their cooperation and assistance. As a result of that assistance, together with its own endeavors, Viet Nam was taking steps to upgrade its Intellectual Property System and contribute to the cause of the country's development and its integration into the world community.

115. The Representative of the Organization of African Unity (OAU) concurred with the statement made by Uganda on behalf of the Group of African countries. The Representative emphasized the enormous progress made by WIPO during the last three years and expressed satisfaction at the fundamental reforms that had been carried out, particularly in the constitutional, administrative and budgetary fields, and which had led to excellent results. The representative also pointed out that almost a third of the Member States of WIPO were African States and paid tribute to the Director General, a true visionary and charismatic leader, whose outstanding qualities were recognized by all. The representative praised the remarkable work undertaken in the field of the development of human resources, of Distance Learning, of the strengthening of national legislation, the protection of traditional knowledge, of folklore and of genetic resources. He likewise stressed that the work had been undertaken with fullest transparency and with a high sense of responsibility, as had been promised by the Director General when the 1998-1999 program had been adopted. To conclude, the representative expressed his wish that such a spirit of transparency should continue, in the interests of WIPO, of its partners and of all players in intellectual property.

116. The Representative of the African Intellectual Property Organization (OAPI) expressed its agreement with the declarations made by the Delegation of Uganda, on behalf of the Group of African countries, and the Delegation of the Organization of African Unity (OAU). OAPI congratulated the Director General and the WIPO Secretariat on the brilliant work accomplished during the last 12 months and on the clarity of the documents submitted for consideration to the Member States. The representative referred to a pilot training program in the field of intellectual property carried out in various universities, engineering schools and regional schools for judges. OAPI also made reference to the creation of an assistance fund for the promotion of inventions and innovations that was to be instituted at the close of the year 2000. That ambitious program aimed to provide support to the private sector and to promote inventions protected by OAPI with a view to encouraging the start-up of innovative small and medium-sized enterprises. The representative further mentioned the modernization of OAPI legislation in order to comply with international norms, and explained that its Organization was connected up to the worldwide network through the WIPONET system instituted in 1999 and that updating of the databases should be operational at the beginning of 2001. The representative of OAPI also explained that all the procedures for examining and granting titles had been reviewed in order to make the OAPI system effective and secure for users. OAPI made reference to a certain number of activities carried out jointly by OAPI and WIPO, and thanked WIPO for its technical and financial assistance. The representative emphasized the excellent cooperation enjoyed with the French National Institute of Industrial Property, the European Patent Office and the Swedish Patent Office as part of a broad project for distance learning. The representative spoke of the good relations which its Organization maintained with the United States Patent and Trademark Office, with the International Union for the Protection of New Varieties of Plants (UPOV) and the African Regional Industrial Property Organization (ARIPO).

117. The Representative of the African Regional Industrial Property Organization (ARIPO) expressed its appreciation to WIPO and the Director General for inviting ARIPO to participate in these Assemblies and welcomed the close working relationship that had developed between WIPO and ARIPO over the years and especially since the Director General had assumed his office. The representative supported the statement made on behalf of the African Group, and the statement by the OAU. The representative indicated that they wished to address three items: indigenous knowledge; information technology, particularly WIPONET; and the Patent Cooperation Treaty. Regarding the protection of indigenous knowledge, the Delegation informed the Assemblies of the decision of the Council of Ministers of ARIPO, taken at the Seventh Session, that ARIPO should be actively involved in the initiatives undertaken by WIPO in this field. The representative therefore welcomed the inclusion of the subject of the protection of indigenous knowledge as a separate agenda item and the establishment of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, and further confirmed that ARIPO would be ready to participate in such a committee. Regarding information technology, the representative commended the work being done by WIPO in the area of information technology, in particular the WIPONET project, for which ARIPO had been a fortunate beneficiary, and because of which, the representative noted, ARIPO was presently linked and on-line. The representative also pointed with satisfaction to the cooperation agreement signed with the WIPO Worldwide Academy (WWA) in May 2000. Pursuant to this agreement, ARIPO members would be able to participate in and benefit from the Distance Learning program conducted by the WWA. Lastly, the representative referred to the need to increase awareness of the benefits of the PCT system, in particular through the ARIPO PCT route. The representative was pleased to note that the filings of patent applications had shown a

steady increase in recent years, and remarked that further usage increases could result from continued exposure from seminars, such as were the Roving Seminars organized by WIPO and the EPO, in cooperation with the industrial property offices of Germany, France and the United Kingdom.

118. The Representative of the World Trade Organization (WTO) expressed the Organization's satisfaction with the state of cooperation with WIPO, and noted that this cooperation existed at all levels between the two organizations. The representative stated that in a recent meeting of the Council for TRIPS, WIPO had provided a very detailed document concerning WIPO's legal, technical and development cooperation activities, relevant to the TRIPS Agreement, for which they expressed appreciation on behalf of WTO's Members. The representative took the opportunity to inform the Assemblies of certain work that had been undertaken by WTO in the area of Intellectual Property, with respect to implementation of the TRIPS Agreement, namely the notification and review of legislation of countries whose transition period had expired at the end of 1999 and the reviewing of the implementation of Articles 67 and 66(2) relative to technical cooperation and transfer of technology. He stated that there had been three cases under the dispute settlement mechanism concerning Intellectual Property, two relating to patents and one for on copyrights. Concerning implementation matters, in the context of the WTO General Council, the representative noted that there was work underway looking at the implementation concerns that had been raised by developing countries, not only in connection with the TRIPS Agreement but also covering the range of results from several of the other basic agreements, and as a result, work was underway in the context of special sessions of the General Council of the WTO. He also mentioned other issues of importance at the WTO, such as: Geographical Indications; reviewing Section 27(3)(b), which relates to the patentability of biotechnological inventions; the overall review of the TRIPS Agreement as provided in Article 71(1); electronic commerce; and non-violation complaints. The representative concluded by emphasizing the importance which WTO accorded to WIPO and the work in which WIPO was involved, and also underscored the importance which Intellectual Property played in the world economy, and in development and international cooperation.

119. The Representative of the European Commission reported on the major changes that had occurred this year in intellectual property. The main event had been the adoption by the Commission on 5 July of the proposed Council Regulation on the Community patent. The aim of that proposed regulation was to create, at Community level, a new unitary title of intellectual property: the Community patent. That new system would co-habit with the national and European patent systems and inventors would remain free to choose the mode of protection best suited to them. The driving idea was the creation of "symbiosis" between two systems: that of the future Community Patent Regulation and that under the Munich Convention on European Patents. Additionally, work had continued on the amended proposal for a Council Regulation on Community design, aiming to create a unitary title of protection valid throughout the Community territory, and on the amended proposal for a Directive approximating the legal arrangements for the protection of inventions by utility model, which aimed to harmonize the laws of the Member States. As regards the fight against counterfeiting and piracy, the Commission was to submit, before the end of the year 2000, a communication that would constitute a stocktaking and would present practical initiatives in that field. The representative further stated that protection for trademarks was of particular importance within the framework of the information society. That was why the Commission was continuing to give its support to WIPO's initiatives to resolve conflicts between trademarks and Internet domain names. As far as copyright and related rights were concerned, the Council had approved the two WIPO Internet Treaties, WCT and WPPT, and

the Community had stated its willingness to accede to those two treaties as soon as possible. The Council had also reached political agreement on the amended proposal for a Directive on copyright and related rights in the information society. It was possible that the Directive would be adopted at the beginning of 2001 and that its implementation would enable the Community to ratify those two treaties. The representative concluded by announcing that the Council had reached a common position on the proposal for a Directive on the resale right for the benefit of the author of an original work of art. The Commission regretted that, for the time being, the periods of application were excessively long (15 years), but it would be possible to shorten them if the international negotiations could be successfully completed before term.

120. The Representative of the European Patent Office (EPO) acknowledged the strong and fruitful cooperation between WIPO and the EPO. The representative noted that EPO estimated 140 000 applications in 2000, a phenomenal 77 per cent increase since 1995; that the Euro-PCT applications in the EPO overall total represented around 61 per cent; and that the number of requests for international preliminary examination filed with the EPO had increased drastically in the last years. As such, the EPO was a PCT Searching and Examining Authority for all but 11 of the current 107 PCT members. The representative observed that the rapid growth of the EPO workload was largely driven by PCT activities. EPO welcomed the ambitious automation projects proposed by WIPO, and in particular, the EPO was ready to help WIPO to carry out the promising IMPACT project. The Representative mentioned that WIPO and the EPO worked in close cooperation in many technical fields, such as technical cooperation activities with developing countries, or documentation and automation related questions. As to technical cooperation, the EPO continued to share its competence and its experience where it could be useful to other countries. On behalf of the European Commission, EPO had carried out projects aimed at building up and modernizing many industrial property systems around the world. EPO activities had been focussed on training patent office personnel, patent judges and patent attorneys; setting up management structures for personnel and finance departments; and rationalizing national grant procedures by means of automation programs and streamlined procedures. In addition to the program of cooperation carried out jointly with WIPO, the EPO was running a vast bilateral cooperation program, in which it had signed working agreements with ARIPO as well as with seventeen national offices in Asian, Latin American and Arabic countries. Since 1992, EPO had been implementing economic cooperation programs on behalf of the European Commission. In July 2000, two new projects were initiated: the first was a two year program with India; and the second was a five year program with Southeast Asian countries. The Representative pointed out that the major elements regarding the contents of EPO's program were: training, expert assistance, patent information and automation. EPO's international academy had organized 38 training seminars last year, some of which in cooperation with its Member States and with WIPO, which had enabled more than 500 trainees. As to automation, the Representative stated that the Common Software, a software for the administration of patents and trademarks, developed jointly by the EPO and the European Commission, was now being used by nine countries. As to technical projects, the Representative emphasized that EPO had been glad to associate WIPO to several developments planned with the JPO and the USPTO in the framework of the Trilateral cooperation. Such coordination facilitated the definition of standards and procedures to be proposed at a later stage as possible world standards. The Trilateral partners were especially satisfied that the draft standards on electronic filing they had been preparing during the last two years were now broadly endorsed by the International Bureau and the Member States, as concluded at the last SCIT plenary meeting in July 2000. In that respect, the Representative underscored that EPO was glad to participate in the SCIT work in its capacity as an observer. Moreover, EPO was willing to continue and to expand

the existing cooperation schemes, which had proved very successful over many years. The Representative observed that ambitions should go beyond the mere continuation of such past activities; new challenges would arise, most of them of global significance, which called for global collaborative efforts. If the wish were to be expressed, the EPO would be glad to share with WIPO and its Member States not only its experience, but its most recent tools as well. In this regard, the Representative stated that EPO would be able to provide for advice and assistance in the following areas: (i) data capture and digitization; (ii) patent information dissemination through the Internet; (iii) extension of CD-ROM developments to countries requiring such products, in addition or as an alternative to the on-line services; (iv) and lastly, technical solutions suited to the needs of each National IP office in the area of administrative procedures. The Representative stated that EPO was ready to engage discussions on cooperation modalities with all the partners involved, national patent offices and international organizations, and that its primary aim remained as the maximization of synergies and the avoidance of duplication of efforts. The Representative of the EPO referred to the ambitious notion which had been suggested in recent times, namely the creation of a global patent. The EPO stated its position was well known: broader protection was a worthwhile pursuit only if basic requirements could be met, that is, a sound patent system operating in a context of legal security and maintaining high quality standards. As long as the world was not ready for a truly global patent system, which would require substantive patent law harmonization and partial transfer of sovereignty, it seemed reasonable to encourage more modest but also more promising ventures. The Representative noted that one concrete example was the recent conclusion of the Patent Law Treaty on the harmonization of formal elements of the application procedure. Current efforts to improve the PCT were another. The EPO drew attention to the current revision exercise of the European Patent Convention. The Administrative Council of the EPO had just agreed on the Basic Proposal, which comprised amendments to some 100 EPC articles, including formal and linguistic aspects, compliance to the TRIPs Agreement and the preparation of the grounds for a litigation system of European patents. The way had therefore been paved for the Diplomatic Conference called for the end of November 2000. The Representative recalled that the geographical enlargement of the European Patent Organization was on its way, with eight European States invited to accede to the EPC as of 1 July 2002, and before that, the EPO would welcome its 20th Member State, Turkey, on 1 November 2000. The Representative lastly referred to the Draft Regulation on a Community patent, issued in June 2000 by the European Commission.

121. The Director General stated that he had listened with great interest and attention to the interventions made by all Delegations and representatives regarding Agenda Item 4, and that he had also read all the statements which were not delivered but which had been circulated. He thanked all the Delegations for their support, guidance and encouragement. The Director General observed that this feedback and dialogue was crucial to the Organization. Without it, the Organization would not know whether its transformation process, and all of the efforts and the energy and the resources which had been poured into improving management and program implementation, were heading in the right direction. He stated that, as the Organization's principal stakeholders, the Member States' direct commitment to, close identification with, and active partnership in the work of the Organization were indispensable to its effectiveness and its continued efforts to design programs and policies, and affirmed that the Organization would undertake to continue refining the performance indicators and their measurements for future evaluation work. The Director General further observed that many Delegations and speakers had spoken in favor of building on the work done so far in respect of the study of the relationship between Intellectual Property, on the one hand, and genetic resources, traditional knowledge and the protection of folklore, on the other. He noted that support had been given to his proposal to establish an inter-governmental committee, that

would consider these issues and give guidance, so as to create a clear focus on the agenda of the work of the Organization in this respect. Thereon he stated that it was clear that this was a matter of interest to all nations, and communities and suggested that this process should not be politicized, if a clear consensus was to be achieved on what direction the Organization could take. He urged that Delegations that wished to make their contribution, should do so when Agenda Item 15 dealing with this subject was to be discussed. The Director General expressed his hope that the Assemblies would be able to move efficiently toward a consensus decision on the future work with respect to this item. Regarding a special program to promote the use of the Intellectual Property system by small and medium-sized enterprises (SMEs), the Director General noted the endorsement that had already been given by certain Delegations in their general statements. As this was an area close to the heart of all economies, developed or developing, he looked forward to having a very guided, educated discussion on this subject, so that the Organization would be empowered by the Member States to go full steam ahead in studying this critical subject. The Director General expressed his gratitude for the recognition given to the key role of information and digital technology in all that the Organization was undertaking. He affirmed that this was an indispensable tool in all of the common initiatives. He welcomed the importance accorded by those Delegations to the WIPO Digital Agenda projects, such as WIPONET, the Domain Name Process, electronic filing of international applications, the digital libraries and the distance-education process. Regarding the concerns expressed by certain Delegations, he assured that Internet connectivity, through the WIPONET project, for the 65 countries whose offices currently had no access to the Internet, would be completed by the end of next year. The Director General noted that the WIPO Worldwide Academy had received many words of appreciation and stated that the scope and contents of its resources were being widened and the number of its partner institutions increased. He observed that the Distance Learning program - which is the crux of the Academy in addition to the traditional, conventional training approaches for professionals and policy advisors - would be enhanced so that next month its student intake would be doubled compared to last year. Referring to the number of good proposals made by Delegations in their general statements, such as the establishment of professorial chairs of Intellectual Property in universities, the suggestion regarding the creation of a unit for the comparative study of laws and jurisprudence, and the suggestion that more studies be done on the economic impact of the Intellectual Property system in countries, the Director General stated that the Organization would examine how such work could be accomplished within the existing program of work. As to public outreach activities, the Director General said that the main arm of WIPO's program to demystify and to de-politicize Intellectual Property was now receiving growing and active support from Member States, and that the Secretariat would work closely with the Member States in building up synergies and complementarities. He observed that this process had in fact commenced with the institutions of a number of Member States, where information products were being developed jointly with WIPO. He stated that he would like to encourage this tendency because all could learn from the national experiences, from the national efforts, so that the domestic and global agendas could be aligned to a greater extent. The Director General expressed his appreciation for the support which Member States had given to the Organization's work in the Domain Name Process and to the reform of the Organization's budget process and results-based management system. He stated that it was always gratifying to hear of the intentions and decisions from Member States where treaty accessions were concerned, and with regard to the entry into force of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), he noted that 11 more adherences for the WCT and 14 for the WPPT were needed. The Director General urged Member States to make a common effort to bring the "Internet Treaties" into force.

122. The Assemblies of the Member States of WIPO approved the contents of document A/35/2 and noted information contained in document A/35/13.

ITEM 5 OF THE CONSOLIDATED AGENDA:

CONSTITUTIONAL REFORM

123. Discussions were based on document A/35/3.

124. The Chair recalled that he had been elected as Chair of the Working Group on Constitutional Reform (the Working Group), in his capacity as Chair of the General Assembly. In his view, the decision of the Assemblies of Member States in 1999 to establish the Working Group was a historical decision which evidenced the need for an effective and dynamic Organization to face the challenges of the new millennium. The Chair further explained that the Members of the Working Group had agreed that the legal as well as the practical implications of any structural changes should be carefully reviewed before adoption. As a result, the decisions of the Working Group were provisional. This would enable the Working Group to revisit those decisions once the Group had finished discussion of all the items on its agenda.

125. The Delegation of the Dominican Republic, speaking on behalf of the Group of Latin American and Caribbean countries (GRULAC), noted that the Working Group had made significant advances in its work. The Group agreed wholeheartedly with all the recommendations of the Working Group, including the prompt abolition of the conferences of representatives. The Delegation of the Dominican Republic also expressed the hope of GRULAC that the Working Group would meet on at least two more occasions, in order to resolve the outstanding issues and provide a comprehensive set of proposals for consideration by the Assemblies of Member States at their meeting in September 2001.

126. The Delegation of Egypt recalled that the deliberations of the Working Group had taken place within the framework of attempts to simplify the governance structure of WIPO and facilitate the work of the Assemblies and the Secretariat in order to achieve greater efficiency and effectiveness in the work of the Organization. The Delegation of Egypt expressed its hope that all the recommendations of the Working Group would be accepted by the Assemblies of Member States, but called for caution in examining the status of the Coordination Committee. Pending agreement on the creation of a Unitary Assembly for the Organization, it was essential that the Coordination Committee continue to perform the tasks entrusted to it. The Delegation of Egypt expressed its wish that the Working Group would continue its deliberations and submit its recommendations to the thirty-sixth series of meetings of the Assemblies of Member States.

127. The Delegation of Chile associated itself with the statement made by the Delegation of the Dominican Republic, speaking on behalf of GRULAC, and stated that it attributed considerable importance to the work of the Working Group. In view of the fact that some important issues needed further consideration, the Delegation expressed its wish for the Working Group to continue its deliberations.

128. The Delegation of Brazil observed that the Organization needed to establish a more streamlined and efficient structure of governance. It recalled that the Assemblies of Member States took a significant decision on the issue of constitutional reform by agreeing, in September 1999, to an amendment of Article 9(3) of the WIPO Convention in order to limit the tenure of Directors General of WIPO to a maximum of two terms of six years each. The Delegation expressed its support for the formalization of the Unitary Contribution System and changes in contribution classes, and the discontinuation of the conferences of representatives and the amendments of the relevant treaties to provide for annual ordinary sessions of the Assemblies of Member States. The Delegation of Brazil also expressed its preference for a Unitary Assembly and its wish that the WIPO Conference would be abolished after agreement is reached on such outstanding issues as voting rights for non-members of the General Assembly. Concluding that WIPO should not enter the twenty-first century with the remains of a nineteenth century structure, the Delegation of Brazil stressed the need for the Working Group to continue its deliberations with a view to settling the outstanding issues on constitutional reform.

129. The Delegation of the Democratic People's Republic of Korea expressed its support for a Unitary Assembly of WIPO, the discontinuation of the WIPO Conference and other conferences of representatives, and amendment of the relevant treaties to provide for annual ordinary sessions of the Assemblies of Member States. The Delegation observed that the issues relating to the status of the Coordination Committee and the Executive Committees of the Paris, Berne and PCT Unions needed further consideration before a decision could be taken on how best they could be abolished.

130. The Delegation of Bulgaria, speaking on behalf of the Group of Central European and Baltic States, observed that the Working Group had made limited progress. The Group was of the view that greater political will and more intensive discussions were needed in order to bring about the desired modifications. The Group expressed its support for the discontinuation of the conferences of representatives and the formalization of the practice of annual ordinary sessions of the Assemblies while retaining a two-year budget period. While looking forward to further discussions on the abolition of the Executive Committees of the Paris, Berne and PCT Unions as well as the WIPO Conference, the Group of Central European and Baltic States indicated its preference for a Unitary Assembly under which those States party to the WIPO Convention but not members of any of the Unions would have limited voting rights.

131. The Delegation of Indonesia expressed its appreciation for the work of the Working Group, and stressed the need for the Group to meet again as soon as possible. Referring to agenda item 6 on the discontinuation of the conferences of representatives, the Delegation of Indonesia stated that it had no objection to the discontinuation of the Hague Union Conference of Representatives, of which it was a member. The Delegation also expressed support for the Working Group recommendation on the Unitary Contribution System and changes in contribution classes, but called on the Working Group to study carefully the legal and political implications of any decision to abolish the WIPO Conference and the Executive Committees of the Paris, Berne and PCT Unions. The Delegation of Indonesia stated its preference for a Unitary Assembly, which, in the Delegation's view, should accommodate the interests and participation rights of all WIPO Member States, so as to enable them to fully participate in all the programs and activities of the Organization.

132. The Delegation of India observed that the governance structure of WIPO has become complex with the growth of the Organization, and it was therefore essential that WIPO adapt

to the changing environment and rationalize its governance structure. In this regard, it was welcome news that agreement had already been reached on some issues, even if other issues needed further consideration. The Delegation of India recalled the observation of the Chair of the General Assembly that an Organization with a history of more than a hundred years, cannot be reformed within a year. The reform proposals should therefore be considered carefully. The Delegation informed the Assemblies that the Government of India had deposited its notification of acceptance of the amendment to Article 9(3) of the WIPO Convention on September 22, 2000.

133. The Assemblies of Member States noted the progress report of the Working Group on Constitutional Reform and the proposed continuation of the work of the Working Group on constitutional reform.

ITEM 6 OF THE CONSOLIDATED AGENDA:

DISCONTINUATION OF THE CONFERENCES OF REPRESENTATIVES OF THE PARIS, BERNE, HAGUE AND NICE UNIONS AND THE LISBON UNION COUNCIL

134. Discussions were based on document A/35/5.

135. The Paris Union Conference of Representatives and the Lisbon Union Council each decided not to meet in future, and each requested the Director General not to convene it.

136. The Berne Union Conference of Representatives, the Hague Union Conference of Representatives and the Nice Union Conference of Representatives each resolved to dissolve itself.

ITEM 7 OF THE CONSOLIDATED AGENDA:

PROPOSALS ON RESERVE FUNDS AND BUDGET SURPLUS

137. Discussions were based on documents A/35/6, A/35/9 and A/35/11.

138. The Chairman of the General Assembly introduced Agenda Item 7 and invited the Chairman of the Program and Budget Committee to report on the results of the discussions that had taken place at the second session of that Committee, held from September 20 to 22. The Chairman of the Program and Budget Committee summarized the documents for consideration under Agenda Item 7, namely: (i) document A/35/6 on the adjustments to the budget process, a new policy on the levels of reserve and working capital funds (RWC) of the Organization and policy on budget surplus; (ii) document A/35/9 on the reallocation of approved funds under the WIPONET budget for information technology projects; and (iii) document A/35/11 on the revised plan and budget for the renovation of the ex-WMO building. He noted that all matters dealt with in the documents had been reviewed very

carefully during the second session of the Program and Budget Committee and in numerous informal consultations with Member States.

139. He also reviewed certain proposals that had been made with regard to the decision paragraphs in document A/35/6. In particular, in paragraph 4(a), some Delegations had suggested the deletion of item (v) and in paragraph 3(b), had argued for the adoption of a PBE factor for contribution-financed Unions of 50 per cent. The Assemblies were also asked to take a decision on a PBE factor of 15 per cent for the PCT Union, of 25 per cent for the Madrid Union and of 15 per cent for the Hague Union, subject to checking the relevance of these percentages. The Chairman of the Program and Budget Committee then referred to a proposal that no decision be made at this session of the Assemblies of the Member States concerning the establishment of a provision to cover arrears in contributions accumulated up to 1994. This matter and the subsequent adjustment of the PBE factor for the contribution-financed Unions would be subject to further discussions by the Program and Budget Committee. He expressed his satisfaction towards the series of intensive consultations with regional coordinators and Member States over the last few months which had proven to be very constructive enabling consensus to be built around a series of measures, leading to greater transparency during the preparation and implementation of the WIPO budget process. He stressed the importance of establishing appropriate reserves to ensure stability in the financial operations of the Organization and to address income-related or other financial risks. He also indicated that the issue of budget surpluses had been widely discussed during preliminary consultations which had led to a consensus on the subject. Finally, he expressed his belief that decisions would be adopted by consensus at the General Assembly and that they would contribute to the modernization of the Organization and to the enhancement of its human, technical and financial capacities.

140. The Director General thanked the Program and Budget Committee, appreciating the support received on the proposals by the Secretariat. Concerning the issues of premises, he said that this had a historical context which had been inherited and followed up by WIPO's management. The Organization had been trying to balance the value of the ex-WMO building against its projected renovation cost. In the past, in his view, experts had not provided the most precise estimates for the renovation work, when taking into account the changing dynamics of the real estate market in the host country. To ensure that lessons from the ex-WMO building were learnt, the Director General expressed his intention to set up an effective project management structure, possibly along the lines of that already in place for the area of Information Technology, to oversee the renovation of the ex-WMO building and the new construction work. He stated that a revised project plan for the new building, which would take into account all relevant factors, in particular the impact of automation of current work practices and the fact that the budget for the new construction had been approved before the initiation of the international architectural competition, will be submitted to Member States in due course. Taken together, these measures were intended to give Member States the necessary assurances that WIPO's management of its buildings projects would be tightened.

141. The Delegation of the Dominican Republic, speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC), congratulated the members of the Program and Budget Committee and its Chairman for the agreement reached on matters contained in documents A/35/6, A/35/9 and A/35/11. The Group expressed its support for these documents and the proposals outlined by the Chairman of the Program and Budget Committee, to be endorsed by the General Assembly of WIPO. It noted that the proposals would ensure a more prudent and transparent budget procedure and better management of the

issue of reserve funds and budget surpluses, while maintaining the flexibility required by the Secretariat towards the management of the Organization's work programs.

142. The Delegation of Japan, speaking on behalf of Group B, stated that the proposal contained in paragraph 49(v) of the attachment to document A/35/6 for establishing a provision for contribution-financed Unions to cover arrears accumulated prior to 1994, could be better reviewed after the report from the External Auditors for the 1998-1999 biennium had been presented to Member States for consideration. It also noted that the effects of such a proposal should be reviewed in the context of the overall reform process currently underway in the Organization.

143. The Delegation of Malaysia, speaking on behalf of the Asia and Pacific Group, thanked the International Bureau for its proposals pertaining to RWC funds and budget surpluses and expressed its appreciation for the Secretariat's efforts in organizing numerous consultations with regional coordinators. It expressed the Group's support for the proposal on the adjustment of the budget process which would shorten the existing two-stage review process and would ensure better involvement of Member States in the budget preparation exercise. It also expressed the Group's satisfaction that the new policy on budget surplus would not limit the prerogative of the Director General to propose projects to be funded from available surplus, as the case may be, for development cooperation and training activities.

144. The Delegation of Bulgaria, speaking on behalf of Central European and Baltic States, expressed its satisfaction with the results of the deliberations of the Program and Budget Committee and gave the support of those States for the proposals of the International Bureau.

145. The Delegation of India expressed its appreciation and support for the efforts of the Secretariat to improve and rationalize the budgetary system by aligning the RWC funds with the financial risks of each Union and by linking unforeseen budget surpluses into the biennial budget. It also expressed its support for the proposal to reform and streamline the budget approval mechanism. It recognized the compulsions behind the initial cost estimates for the renovation of the ex-WMO building, although it appreciated the transparency of the Secretariat in handling the issue and, having taken into account the statement of the Director General on the issue, expressed its support for the approval of the budget increase for the renovation of the ex-WMO building.

146. The Delegation of Egypt expressed its support for the proposals contained in the documents under discussion, including the additional funding for the renovation of the ex-WMO building.

147. The Delegation of Indonesia congratulated the Chairman of the Program and Budget Committee for the work it had accomplished and gave its support to the discussion, associating itself with the position of the Delegation of India. In particular, it supported the additional funding for the renovation of the ex-WMO building.

148. The Delegation of Uganda, speaking on behalf of the African Group, thanked the Chairman of the Program and Budget Committee and gave its support to the proposals agreed upon at that Committee, in particular those concerning the policies on RWC funds and the revised budget for the renovation of the ex-WMO building.

149. The Delegation of China expressed its appreciation for the result of the deliberations of the Program and Budget Committee and gave its support for the proposals aimed at the

improvement of the budgeting system. It also endorsed the additional funding for the ex-WMO building, while noting the lessons learned for this and future projects.

150. The Delegation of Cuba gave its support to the proposals contained in the documents under discussion, as developments on intellectual property had to be matched with adequate financial, material and human resources. It also expressed its confidence that transparency in budgetary and financial management would continue at its current high standard.

151. The Chairman thanked the Delegations for their comments. In light of the support expressed for the proposals set out in the documents, the Chairman summarized the decisions taken by the General Assembly and the Assemblies of the Unions concerned as follows:

- (a) the Assemblies approved the adjustment to the budget process, including the holding of a reconvened meeting of the Program and Budget Committee, if requested by the Committee, as proposed in paragraph 9 of the attachment to document A/35/6;
- (b) as regards the policy on reserve and working capital funds (RWC) proposed in paragraph 49 of the attachment to document A/35/6, the Assemblies:
 - (i) established the total level of RWC funds as a percentage of estimated biennial expenditure (PBE factor) for the contribution-financed Unions, the PCT Union, the Madrid Union and the Hague Union;
 - (ii) adjusted the level of RWC funds according to the approved PBE factor by amending the level of reserve funds only, while preserving the level and ownership arrangement of the working capital funds for this and subsequent biennia;
 - (iii) approved a PBE factor for the contribution-financed Unions of 50 per cent, the PCT Union of 15 per cent, the Madrid Union of 25 per cent and the Hague Union of 15 per cent;
 - (iv) approved the level of reserve of the respective Union in the context of the proposed program and budget for the financial period, presented as part of the RWC funds;
 - (v) decided to refer consideration of the establishment of a provision for contribution-financed Unions to cover arrears accumulated prior to 1994 in the amount of 10,390,000 Swiss francs to the next session of the Program and Budget Committee;
 - (vi) approved for the contribution-financed Unions the consolidation of the presentation of the working capital funds in the Financial Management Report;
 - (vii) decided to maintain a clear separation between reserve funds and working capital funds;
- (c) as proposed in paragraph 71 of the attachment to document A/35/6, the Assemblies:

- (i) approved to discontinue the transfer of surpluses of the PCT, Madrid and Hague Unions to the Special Reserve Fund for Additional Premises and Computerization and thereby revert to having such surpluses paid to the reserve fund of the respective Union in accordance with WIPO Financial Regulation 8.1;
 - (ii) approved that excess or shortfall in resources as compared to the established level of RWC funds are accounted for in the biennial process of each Union, subject, as concerns the Madrid Union, to Article 8(4) of the Madrid Agreement and Protocol;
 - (iii) noted that the policy on budget surplus does not restrict the prerogative of the Director General to propose for approval by the WIPO General Assembly or the Assembly of the Union concerned, as the case may be, project activities funded from available surplus;
- (d) the WIPO General Assembly or the Assembly of the Union concerned, as the case may be, approved the implementation approach, as proposed in paragraph 79 of the attachment to document A/35/6;
- (e) the Assembly of the Madrid Union approved that 100 per cent of any surplus accumulated during the biennium 2000-2001 is to be distributed to Member States under Article 8(4) of the Madrid Agreement and Protocol, as proposed in paragraph 80 of the attachment to document A/35/6;
- (f) the Assemblies of the Member States of WIPO and the Unions administered by WIPO, each as far as it is concerned, approved the reappropriation of the elapsed budget authority for Program 12 activities financed by the Special Reserve Fund for Additional Premises and Computerization, as proposed in paragraph 2 of document A/35/9;
- (g) the WIPO General Assembly or the Assembly of the Union concerned, as the case may be, approved the revised plan and budget for the renovation, modernization, connection and extension of the ex-WMO building, including an increase of 28,600,000 Swiss francs in the budget, from 30,400,000 Swiss francs to 59,000,000 Swiss francs, and approved the funding of the budget increase of 28,600,000 Swiss francs from the Special Reserve Fund for Additional Premises and Computerization, as proposed in paragraph 29 of the attachment to document A/35/11.

ITEM 8 OF THE CONSOLIDATED AGENDA:

REPORT ON THE POLICY ADVISORY COMMISSION (PAC) AND
THE INDUSTRY ADVISORY COMMISSION (IAC)

152. See the report of the session of the WIPO General Assembly (document WO/GA/26/10).

ITEM 9 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

153. See the report of the session of the PCT Union Assembly (document PCT/A/29/4).

ITEM 10 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE MADRID UNION

154. See the report of the session of the Madrid Union Assembly (document MM/A/32/2).

ITEM 11 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE TREATY ON THE INTERNATIONAL
REGISTRATION OF AUDIOVISUAL WORKS

155. Discussions were based on document A/35/14.

156. The Delegation of Austria thanked the Secretariat for providing an excellent overview of the state of play of the Film Register Treaty (FRT) in document A/35/14. It recalled that the lack of activity in connection with the international register under the FRT resulted mainly from the insufficient number of ratifications and accessions. Revival of the FRT seemed impossible in the near future. The Delegation of Austria was of the view that, under the circumstances, an acceptable solution should be found to any outstanding questions, in particular the financial aspects. It stated its belief that an acceptable solution would be found soon to the outstanding financial issues relating to the FRT.

157. The Delegation of Mexico agreed with all the proposals in document A/35/14.

158. The Assembly of the FRT Union decided that it should not be convened unless and until the Director General considered that it was appropriate to convene the Assembly, or a Member State of the FRT Union requested the Director General to convene the Assembly.

159. The WIPO General Assembly agreed to the termination of the Treaty between the World Intellectual Property Organization and the Republic of Austria on locating in Klosterneuburg (Republic of Austria) the International Registry of Audiovisual Works.

160. The Assemblies of the Member States of WIPO and the Unions administered by WIPO each decided to authorize the Director General to negotiate a settlement of the request by the Government of the Republic of Austria for the reimbursement of the advances made by that Government under the WIPO-Austria Treaty and to authorize any payment that any such settlement might entail.

ITEM 12 OF THE CONSOLIDATED AGENDA:

REPORT ON THE OUTCOME OF THE DIPLOMATIC CONFERENCE ON THE
PATENT LAW TREATY

161. Discussions were based upon document A/35/12.

162. The International Bureau stated that, after almost five years of expert negotiations, the Patent Law Treaty (PLT) had been unanimously adopted on June 1, 2000, at a Diplomatic Conference held in Geneva from May 11 to June 2, 2000, and chaired by H.E. Ambassador Benjelloun from Morocco. On June 2, 2000, 43 countries signed the PLT, and since that date, three additional countries had signed the PLT. As to the objectives of the PLT, the International Bureau referred to paragraph 5 of document A/35/12, with particular reference to the balanced solution, which had been found in respect of the relationship between paper filing and electronic filing. In this context, the International Bureau recalled Agreed Statement No. 4 adopted by the Diplomatic Conference, as reproduced in paragraph 6 of document A/35/12.

163. The Delegation of the Dominican Republic, speaking on behalf of GRULAC, welcomed the conclusion of the PLT and agreed with the conclusions of document A/35/12. The Delegation stated that, in view of the option of Contracting Parties to exclude paper filing after June 2, 2005, it accorded a great importance to Agreed Statement No. 4, and stated that developing countries would need additional assistance on the issue of electronic filing. The Delegation therefore urged the WIPO General Assembly to supervise and assess, at each ordinary session, the progress of that assistance, and to ensure that the necessary resources be included into the WIPO budget for the 2002-2003 biennium.

164. The Delegation of the Republic of Korea welcomed the conclusion of the PLT and informed that the Republic of Korea was in the process of reviewing its legislation in order to promptly join the PLT. The Delegation also stated that its country will, as soon as possible, accommodate the electronic filing provisions under the PLT, and that it was prepared to share its experience and know-how in that area. The Delegation further welcomed the fact that the Standing Committee on the Law of Patents (SCP) would soon commence work on substantive harmonization of patent law.

165. The Delegation of Egypt congratulated WIPO on the adoption of the PLT, and in particular congratulated the Director General on the important role he played during the negotiations, without which a consensus would not have been possible. The Delegation highlighted the importance of Agreed Statement No. 4 and of the need for developing countries to receive assistance in order to respect their commitments, in particular, under Rule 8(1) of the PLT, in accordance with the provisions and declarations adopted at the Diplomatic Conference in this regard.

166. The Delegation of Mexico associated itself with other Delegations in congratulating WIPO and the Director General for the adoption of the PLT. The Delegation expressed the opinion that assistance to developing countries should focus on enhancing the possibility of

electronic filing by national inventors of Member States, while still leaving it to the discretion of Member States to accept applications on paper.

167. The Delegation of Cuba expressed support for the intervention made by the Delegation of the Dominican Republic on behalf of GRULAC. In particular, the Delegation considered that the transition from paper filing to electronic filing, although it had to be considered as an important step, constituted a major challenge for developing countries. These countries would therefore need assistance, and a strategic program should be set up, including, in particular, training and technology that will guarantee the necessary infrastructures.

168. The Delegation of Algeria recalled that the compromise in respect of electronic filing, which consists in the option of Contracting Parties to exclude paper filing after June 2, 2005, had been accepted in conjunction with Agreed Statement No. 4. Therefore, the Delegation urged the WIPO General Assembly to grant assistance to developing countries in respect of electronic filing.

169. The General Assembly of WIPO and the Assembly of the Paris Union took note of the information contained in document A/35/12.

ITEM 13 OF THE CONSOLIDATED AGENDA:

INTERNET DOMAIN NAMES

170. See the report of the session of the WIPO General Assembly (document WO/GA/26/10).

ITEM 14 OF THE CONSOLIDATED AGENDA:

PROPOSED JOINT RECOMMENDATION CONCERNING TRADEMARK LICENSES

171. Discussions were based on document A/35/10.

172. The Delegation of Hungary stated that it could agree with the adoption of the Joint Recommendation Concerning Trademark Licenses and congratulated the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) for its work on this issue. The Delegation hoped that the implementation of the provisions would lead to harmonization and simplification of procedures for the recordal of Trademark licenses. The Delegation added that it considered the adoption of the Joint Recommendation only as a first step and, with reference to the gradual approach mentioned in paragraph 7 of document A/35/10, called for the insertion of these provisions in the Trademark Law Treaty, when a comprehensive revision of this treaty will be undertaken.

173. The Delegation of the United States of America said that it strongly supported the adoption of the provisions on trademark licenses, as adopted by the SCT, as a Joint

Recommendation which set clear and completely TRIPs compliant standards, and represented an international consensus position on the treatment of trademark licenses. The Delegation stressed that, in a global marketplace, internationally accepted guidance on handling the recordation of trademark licenses was a requirement, and noted that without the insurance of predictable standards, businesses and economies worldwide would suffer the consequences of the lack of investment confidence.

174. The Delegation of Cuba stated that it endorsed the Joint Recommendation, desired that it be reviewed in the context of a treaty, and stressed that Joint Recommendations should be used if possible each time in this context. The Joint Recommendations could be approved as international standards, which were not mandatory and may be used as models for legislators or competent authorities seeking orientations on specific problems.

175. The Delegation of France said that it supported the adoption of the Joint Recommendation, which was an excellent example of the good cooperation between the International Bureau and the Member States. It added that the adoption of the provisions would significantly contribute to simplify the life of applicants.

176. The Delegation of Egypt asked for a clarification on the abbreviated expression relating to “sole licensee” under Article 1(x) of the provisions, in the context of item 5 of the Forms.

177. The Secretariat replied that Article 1(x) dealt only with the definition of one of a number of different types of licenses which could be the subject of the recordal request, as shown in paragraph 10 of the Model International Form in the Annex to the provisions, and that, as there may be more than one licensee for a given license, the Forms provided the possibility of all licensees to be named.

178. The Delegation of Argentina said that it agreed with the clarification provided by the Delegation of Cuba.

179. The Delegation of Kyrgyzstan said that it supported the proposed Joint Recommendation. However, it suggested that great attention should be paid to Article 4(2)(b), stressing that the recordal of a license is necessary in its country for the transfer of rights, for the licensee to consider possible changes, and because the recordal constitutes a guaranty that there is no infringement.

180. The General Assembly and the Assembly of the Paris Union adopted the Joint Recommendation concerning Trademark Licences as contained in the Annex to document A/35/10.

ITEM 15 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING INTELLECTUAL PROPERTY AND GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND FOLKLORE

181. See the report of the session of the WIPO General Assembly (document WO/GA/26/10).

ITEM 16 OF THE CONSOLIDATED AGENDA:

PROPOSALS ON INTELLECTUAL PROPERTY PROTECTION CONCERNING SMALL
AND MEDIUM-SIZED ENTERPRISES (SMES)

182. See the report of the session of the WIPO General Assembly
(document WO/GA/26/10).

ITEM 17 OF THE CONSOLIDATED AGENDA:

NEW WIPO LOGO

183. See the report of the session of the WIPO General Assembly
(document WO/GA/26/10).

ITEM 18 OF THE CONSOLIDATED AGENDA:

WORLD INTELLECTUAL PROPERTY DAY

184. See the report of the session of the WIPO General Assembly
(document WO/GA/26/10).

ITEM 19 OF THE CONSOLIDATED AGENDA:

USE OF PORTUGUESE AS A WORKING LANGUAGE OF WIPO

185. See the report of the session of the WIPO General Assembly
(document WO/GA/26/10).

ITEM 20 OF THE CONSOLIDATED AGENDA:

PREMISES

186. See the report of the session of the WIPO General Assembly
(document WO/GA/26/10).

ITEM 21 OF THE CONSOLIDATED AGENDA:

REQUEST TO INCLUDE THE TWO DAYS OF THE ISLAMIC FEASTS
(*ID AL-FITR* AND *ID AL-ADHA*) IN THE OFFICIAL HOLIDAYS OF WIPO

187. Discussions were based on document A/35/8.

188. The Secretariat explained that a number of Delegations had asked for clarification about WIPO practice on holidays. The United Nations in Geneva had a total of ten official holidays, whereas WIPO had nine such days. The Director General had decided that, should the Assemblies of Member States accede to the request before them, his intention would be to include one of the two Islamic feast days as a tenth WIPO holiday, and to make available to staff the choice as to whether they would avail themselves of the second Islamic feast holiday. In that case, the staff member in question would get one less of the other holidays than were otherwise available. In other words, each staff member would have a total of ten official holidays.

189. The Delegation of the Russian Federation, speaking on behalf of the Central Asian, Caucasus and Eastern European States, expressed its support for the proposal to include in the list of official holidays of WIPO the two days of the Islamic feasts of *Id al-Fitr* and *Id al-Adha*. The Group also requested that the Organization follow the practice of the United Nations in not convening any official meetings on the Orthodox Good Fridays. That was indeed the thrust of United Nations General Assembly Resolutions 52/214 and 54/248. The Delegation of the Russian Federation stressed that the Group was not proposing the inclusion of Orthodox Good Fridays as official WIPO holidays; it was simply proposing that there be no official meetings on Orthodox Good Fridays, as requested in the relevant resolutions of the United Nations General Assembly. The proposal had no financial implications whatsoever. The Group concluded that it made its proposal against the background of consultations carried out with the representatives of States in which the Orthodox religion plays an important role.

190. The Delegation of the Islamic Republic of Iran reaffirmed the importance of the two Islamic feast days to the Islamic population worldwide and supported the idea of having the two days as official holidays of WIPO, in line with the practice in the United Nations. The Delegation was of the view that including the Islamic feast days in the list of official WIPO holidays would show great respect for the large Muslim population in the world.

191. The Delegation of Bulgaria, speaking on behalf of the Group of Central European and Baltic States, recalled that different religions were practiced in the countries of that Group. In light of that, the Group expressed its support for the proposals to observe the two days of Islamic feasts as official holidays of WIPO and not to convene official meetings on Orthodox Good Fridays. The Delegation of Bulgaria stated the Group's belief that by acceding to the requests before them, the Member States would be upholding the principle of equal treatment of all religions without incurring any additional financial obligations on behalf of the Organization, while at the same time meeting the expectations of the Muslim and the Christian Orthodox communities.

192. The Delegation of Malaysia, speaking on behalf of the Asian Group, wished to reaffirm the importance of UN General Assembly Resolution 52/214, in particular its paragraphs five and six.

193. The Delegation of Egypt expressed its support for the proposal to include in the list of official holidays of WIPO the two days of Islamic feasts. The Delegation emphasized that, as a Specialized Agency of the United Nations, WIPO should adopt and implement the relevant United Nations resolutions.

194. The Delegation of Morocco stated its support for the proposal not to convene any official meetings on either of the two Islamic feast holidays.

195. The Delegation of Uganda, speaking on behalf of the African Group, joined other Delegations in expressing its support for the proposal to implement UN General Assembly Resolution 52/214 by observing the two Islamic feast holidays as official WIPO holidays.

196. The WIPO General Assembly and the WIPO Coordination Committee declared the two days of Islamic feasts as official holidays within WIPO, on the understanding that staff members would be able to avail themselves of a total of ten official holidays in WIPO, and resolved that no official meetings should be convened in WIPO on the two days of Islamic Feasts and on Orthodox Good Fridays.

ITEM 22 OF THE CONSOLIDATED AGENDA:

ADMISSION OF OBSERVERS

197. Discussions were based on document A/35/4.

Admission of Intergovernmental Organizations as Observers

198. The Assemblies of the Member States, each as far as it is concerned, decided to grant observer status to the Asian-African Legal Consultative Committee (AALCC), the European Audiovisual Observatory and the *Secretaría de Cooperación Iberoamericana* (SECIB).

Admission of International Non-Governmental Organizations as Observers

199. The Assemblies of the Member States, each as far as it is concerned, decided to grant observer status to the following six international non-governmental organizations: AmSong; Coalition for Intellectual Property Rights (CIPR); European Visual Artists (EVA); *Ingénieurs du Monde*; International Poetry for Peace Association (IPPA); *Médecins Sans Frontières* (MSF).

Elimination of Distinct Categories of International Non-Governmental Organizations

200. The Assemblies of the Member States decided to eliminate the distinct categories of International Non-Governmental Organizations, as proposed in paragraph 18 of document A/35/4.

ITEM 23 OF THE CONSOLIDATED AGENDA:

DRAFT AGENDAS OF THE 2001 ORDINARY SESSIONS OF THE
WIPO GENERAL ASSEMBLY, THE WIPO CONFERENCE,
THE PARIS UNION ASSEMBLY AND THE BERNE UNION ASSEMBLY

201. Discussions were based on document A/35/7.

202. The WIPO Coordination Committee adopted Annexes I and II, the Paris Union Executive Committee adopted Annex III, and the Berne Union Executive Committee adopted Annex IV of document A/35/7.

ITEM 24 OF THE CONSOLIDATED AGENDA:

ADHERENCE TO THE 1986 VIENNA CONVENTION ON THE LAW OF TREATIES
BETWEEN STATES AND INTERNATIONAL ORGANIZATIONS
OR BETWEEN INTERNATIONAL ORGANIZATIONS

203. See the report of the session of the WIPO Coordination Committee (document WO/CC/45/5).

ITEM 25 OF THE CONSOLIDATED AGENDA:

APPROVAL OF AGREEMENTS WITH
INTERGOVERNMENTAL ORGANIZATIONS

204. See the report of the session of the WIPO Coordination Committee (document WO/CC/45/5).

ITEM 26 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

205. See the report of the session of the WIPO Coordination Committee (document WO/CC/45/5).

ITEM 27 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE REPORTS

206. This General Report was unanimously adopted by the Assemblies and other Bodies of the Member States of WIPO concerned, on October 3, 2000.

207. Each of the 22 Assemblies and other Bodies of the Member States of WIPO unanimously adopted the separate report concerning its session, at a separate meeting of the Assemblies and other Bodies of the Member States of WIPO concerned, on October 3, 2000.

ITEM 28 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

208. The Delegation of Bulgaria, on behalf of the Group of Central European and Baltic States, thanked the Chair on behalf of the members of its Group, for the excellent guidance he had provided during the days of intensive work of these Assemblies. He stated that this series of Assemblies would be remembered for their efficiency. Thanks to the Chair, no time had been wasted in waiting and plenary sessions had been fully utilized. The overall spirit had been one of cooperation and desire to find a compromise and be as efficient as possible, and the Group of the Central European and Baltic States had tried to contribute as much as it could to this spirit of work and the overall performance. He noted that a full agenda had been set for the coming year and urged everyone to work for its successful implementation.

209. The Delegation of Uganda speaking on behalf of the African Group, said it was an honor and privilege for her to add her voice to that of the Coordinator of the Group of Central European and Baltic States, and also wished to pay a well-deserved tribute to the Chair for the manner in which he had guided the deliberations, ensuring that the Assemblies would be very successful. His diplomatic skills, particularly in the informal consultations of the Coordinators meetings, were very useful in bringing everyone to consensus, even when the Groups had divergent views. That skill had made the work of the Coordinators very easy. The African Group wished the Chair all the very best and thanked him for seeing them through the Assemblies.

210. The Delegation of Malaysia, on behalf of the Asian Group, thanked Dr. Kamil Idris, his able team on the podium, the staff of WIPO, the interpreters and the Chair, Mr. Porzio, for a very fruitful and successful meeting. The first Assemblies of the Member States of WIPO of the millennium had proved to be a success and had been conducted in a conducive and friendly atmosphere. Except for one or two so-called difficult items, amicable decisions had been reached on important matters, such as the establishment of an Intergovernmental

Committee on Traditional Knowledge, Genetic Resources and Folklore and the creation of World Intellectual Property Day. He thanked Dr. Kamil Idris, for his instrumental and valuable role in attaining consensus on the more difficult items, and added that they had been impressed by the quality of debate. Participation by the Asian Group had been active and constructive, valuable contributions had been made in the deliberations. They expressed the hope that WIPO would take serious note of the views, suggestions and comments articulated by the Asian Group during these Assemblies.

211. The Dominican Republic, speaking on behalf of the Latin American and Caribbean Group (GRULAC), endorsed the words of the other Regional Coordinators. He wished to highlight what had been said about the efficiency with which the Chair had guided their work over the last week or so. Progress had been made towards specific results and important decisions taken on a wide range of issues due to that efficiency. It was excellent that so much had been achieved in so short a time. He observed that a whole series of major challenges had been met, with the assistance of the Director General and the staff of WIPO, and was sure that this spirit would continue in the future. He also expressed his particular thanks to the Director General, Dr. Kamil Idris, for having done all the preparatory work necessary to achieving that success. Among the very important decisions made were the setting-up of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. He also thanked all the WIPO staff, the other delegations, Regional Coordinators, translators and interpreters for their contribution and concluded by expressing particular thanks to the other GRULAC members for their understanding, tolerance and support to their Coordinator's work.

212. The Delegation of France, on behalf of Group B, associated themselves with the praise that had been addressed to the Chair by the other Group Coordinators and thanked the Chair for his expertise, negotiating skills and general ability to enable the delegations to reach agreement on all the agenda items, including the most difficult, in an excellent working atmosphere. It also thanked the Director General and the staff of WIPO, and the interpreters, who had contributed to the success of the meeting and its good working atmosphere. He expressed the hope that this would continue as a result of the general transparency which had now become a hallmark of WIPO.

213. The Russian Federation, on behalf of the Group of Central Asian, Caucasus and Eastern European States, while sharing what had been stated by the other Coordinators, stated that his Group was fully satisfied with the results of the meeting. It was understood that to a great extent the success was the result of the skilled leadership qualities shown by the Director General and the Chair of the Assemblies, as well as the WIPO staff. He believed that the representatives of the other international organizations present at these Assemblies had a unique opportunity, not only to profit from WIPO's experience and at the same time learn about WIPO's activities, they had also had the benefit of learning how to organize a conference of this kind.

214. The Delegation of the People's Republic of China thanked the Chair and shared the opinion, as expressed by the previous speaker, with regard to the satisfactory results reached at this meeting. As had been pointed out by previous speakers, the meeting had been very successful. Firstly, this had to be attributed to the leadership of the Director General and secondly to the outstanding manner in which the Chair had presided over the Assemblies. His guidance had made it possible for the Delegations to overcome difficulties and reach consensus on a number of questions. The success of this series of meetings was reflected in

the satisfaction expressed by all Member States, in particular China, concerning the work of WIPO, and their confidence in the future development of WIPO as an organization.

215. The Delegation of Bangladesh wished to add to what had been said by the Asian Coordinator. It stated that the work of the Assemblies had been another milestone in the endeavors towards evolving a balanced, just and pro-development intellectual property regime and thanked the Chair for the leadership he had provided in bringing the discussions to fruition. The Delegation expressed special congratulations to the Director General, Dr. Kamil Idris, for his leadership, sincerity and wisdom which had been the force behind shaping the consensus decision to set up the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, which was an historic achievement. The Director General's efforts to refocus and re-tool WIPO in line with the emerging development paradigms, and his dexterity had also been evident during deliberations with regard to the use of Portuguese as a working language, which had led to a conclusion in cognizance with the aspirations of the Portuguese-speaking, African LDCs. The Delegation further added that tributes were also due to the members of the Policy Advisory Commission (PAC), which had adopted a visionary Declaration reassuring us of the importance of intellectual property as a means of wealth creation. Presenting the Declaration to the Member States, His Highness Prince El-Hassan Bin Talal had emphasized the need for equity within the emerging regime and His Excellency's wise guidance had put the Member States in his deep debt. The Delegation also thanked the Director General for his relentless efforts to assist Least Developed Countries to achieve socio-economic development through the creation and distribution of wealth, and pointed out that distributive justice should be the principle that ought to be the basis of new economics, even without the experience of Seattle, or Prague, this has become intellectually self-evident. Postponing confronting difficult tasks is no panacea to their solution; if there is a hill to climb, waiting will not make it any smaller.

216. The Chair of the Assembly made the following statement:

“Ladies and Gentlemen, I would just like to pick up on one very positive point, among the statements made; it would seem that all delegations are very satisfied with the work we have done and I am glad that this is the case. The work being done by the Secretariat and by Dr. Kamil Idris and his team have led to precisely our satisfaction and this degree of enthusiasm and it is a fact that I have been coming to WIPO meetings for a very many years but it is a long time since I have seen an Assembly with such an active and high level of participation, where all members one way or another have made their view points known. This very factor I think indicates that the subjects being discussed are of an interest to them. The issues proposed for discussion and approval by the Director General, and which constitute the mandate of the organization are of interest to governments obviously and that means they respond to governments various specific needs. If they did not, people presumably would not just come here to discuss empty theory, which does not have any impact on the day to day existence. I think a Chairman's responsibility is to try and organize the discussions so that they can conclude within the time available to ensure that statements and contributions made by delegations are noted and reflected as clearly as possible, etc. and there I have in mind, not only statements made here, but those which were not made and the latter has certainly helped us to conclude the Assembly in time. My task was greatly facilitated by the very high level of delegations participating here and the high quality of their participation and the information they provided by their realism, by their efficiency and, as I said at the beginning, by the fact that we were discussing issues of interest to all of us and this is something we should pay tribute to our Director General for. I am very

content that we have finished the Assemblies successfully and that we can leave with trust in an excellent team led by Dr. Kamil Idris which has given us good results this year and I am sure will continue to do so between now and the new sessions. If you are leaving for home today or tomorrow I wish you a safe trip home. To those of you who are staying, a successful continuation to your work. Thank you to the interpreters and thank you to every else who has made this Assembly so positive, fruitful and successful. The meeting stands adjourned. Thank you.”

[Annex follows]

INDEX OF INTERVENTIONS BY DELEGATIONS OF STATES, REGIONAL GROUPS
AND REPRESENTATIVES OF INTERGOVERNMENTAL ORGANIZATIONS AND
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[End of Annex and of document]

¹ On behalf of the Group of Central European and Baltic States

² On behalf of the Latin American and Caribbean Group (GRULAC)

³ On behalf of Group 'B'

⁴ On behalf of the Asian Group

⁵ On behalf of the Group of Central Asian, Caucasus and Eastern European States

⁶ On behalf of the African Group