

# WIPO



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## ASSEMBLIES OF THE MEMBER STATES OF WIPO

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#### PROGRAM IMPLEMENTATION OVERVIEW JANUARY 1 TO JUNE 30, 2005

*Report by the Secretariat*

#### INTRODUCTION

1. This Program Implementation Overview (hereinafter referred to as the “Overview”) summarizes the main activities implemented by the World Intellectual Property Organization (WIPO) during the first six months of 2005. The Overview offers Member States an insight into the directions of each program of the Program and Budget 2004-2005 (WO/PBC/7/2) during the period under review.
2. This Overview should not be seen as an update of the “Program Performance Report for the year 2004” (A/41/2). The Program Performance Report is prepared within the context of WIPO’s results-based management framework, and assesses progress made towards the achievement of objectives and expected results whereas the Overview is intended to provide Member States with preliminary information on program implementation in a given year prior to the submission of the relevant Program Performance Report. The Overview, therefore, concentrates on the progress of the implementation of activities rather than providing details on program performance.

## **MAIN PROGRAM 01**

### **Constituent Organs of the Member States**

3. WIPO's membership increased to 182 Member States at the end of June 2005, with the accession of the Comoros, on April 3, 2005, to the WIPO Convention.

## **MAIN PROGRAM 02**

### **Direction and Executive Management**

4. In meeting the multidimensional challenges of the changing intellectual property (IP) landscape and the emerging knowledge economy, Main Program 02 ensures that the International Bureau responds with efficient, effective and timely program solutions. The Program also assures the day-to-day functionality and the long-term development of the Organization by providing policy and strategy information to more than 180 WIPO Member States.

5. Under Main Program 02, the Director General has, during the period under review, carried out his executive functions and formal responsibilities with the direct assistance of members of his senior management team.

### **Sub-Program 02.1 – Office of the Director General**

6. The Director General met with and consulted members of WIPO's senior management on a regular basis. These meetings facilitated a transparent and integrated executive decision-making environment, a managed information flow, regularized program scheduling and timely follow-up on decisions taken.

7. The Director General ensured that high-level relations between representatives of Member States and the Secretariat continued on a regular, broad-based, and comprehensive basis. Close contact was maintained with Member States both in Geneva and abroad. During the first six months of 2005, the Director General undertook three missions abroad and received some 65 visits from representatives of Member States, including Ministers, Ambassadors, and Heads of international and national organizations. The Division of Protocol ensured the smooth execution of the logistics of these and other visits.

8. Cooperation with governments facilitated the implementation of WIPO-administered treaties, and enhanced transparency and accountability. The Director General also oversaw the development of collaboration with the United Nations system, the International Union for the Protection of New Varieties of Plants (UPOV), the World Trade Organization (WTO) and other international and regional organizations.

9. Concrete steps were taken towards reviewing and enhancing a number of internal administrative procedures and regulations. Several projects were initiated, including the development of guidelines for the management of major projects, and the establishment of an internal working group to review, evaluate and, where necessary, update internal procedures and practices. This working group is currently examining: a draft proposal for new

provisions on procurement; the preparation of a detailed Organization chart; the establishment of another working group to examine and propose a revision of Staff Regulation 1.6 relative to staff members' activities and interests outside the International Bureau; the preparation of a consolidation of WIPO certification rules; and, other possible revisions to the WIPO Staff Regulations and Rules.

10. Further important support to the Director General was provided in the form of preparation of correspondence with Member States, international and regional organizations, non-governmental organizations (NGOs) and individuals, as well as speeches, briefing material and statements. Substantive support and follow-up was also provided to senior management meetings and to the coordination of the functioning of aspects of protocol, liaison, travel and representation.

### **Sub-Program 02.2 – Policy Advice, Advisory Commissions, Internal Oversight and External Relations**

11. Special policy advice continued to be provided to the Director General and the Senior Management Team, including analysis of the potential of new initiatives and policy directions within the international IP system to be taken into account in the formulation of operational and policy proposals.

12. No meeting of the Policy Advisory Commission (PAC) took place during the period under review. Contacts were maintained with members and informal discussions were held, focussing in particular on the possible future agenda of the Commission.

13. Although the Industry Advisory Commission (IAC) did not meet during the first six months of 2005, relations continued to be strengthened between WIPO and various industry groups.

14. WIPO continued to expand and consolidate its links with the international and Swiss-based press. During the period under review, 36 press communiqués were released and some 1,600 press articles (tracked by one system only) covered issues relating to WIPO and IP.

15. Some 43 groups, including government officials, business people and students, totaling 1,100 persons, were briefed on the history, structure, and activities of the Organization. Eight art exhibitions were organized drawing some 4,000 visitors. Some 12 new or updated entries on WIPO in various international yearbooks and other such publications were provided, along with responses to general inquiries on WIPO and IP.

16. The WIPO Information Center hosted two exhibitions. The first profiled works of art mostly received from Member States, and the second entitled “Striving for Excellence” highlighted the link between IP and sport.

17. WIPO also participated in the annual meeting of the United Nations Communications Group (UNCG), which was hosted by the International Labour Organization (ILO), in May, in Geneva.

18. Regarding internal oversight activities, the main focus continued to be on evaluation and internal audit. In the area of evaluation, a substantial contribution was made towards the

establishment of a new WIPO Strategic Framework contained in the proposed Program and Budget for 2006-2007 (document A/41/4), as well as the elaboration of program results frameworks, i.e., objectives, expected results and performance indicators. Furthermore, the Program Performance Report for the year 2004 (document A/41/2) and the Program Implementation Overview January 1 to June 30, 2005 (document A/41/3), were prepared, based on contributions by WIPO program managers. Preparatory work was also undertaken in connection with the development of a WIPO Evaluation Policy.

19. As for internal audit, a draft WIPO Internal Audit Charter was presented to Member States at the Informal Meeting of the Program and Budget Committee (PBC), in February, and then at the formal meeting of that Committee, in April. The PBC decided that a proposal on the establishment of a WIPO Audit Committee and the Charter should be reviewed by its newly established Working Group. The Working Group met in May and June and undertook a thorough revision and redrafting process of the Internal Audit Charter. At the end of the period under review, this exercise was still under way, but it was expected that the last session of the Working Group, planned on July 14 and 15, 2005, would conclude this process by adopting the Charter, to be submitted to the WIPO Assemblies, in September 2005, for its formal approval and integration in WIPO's Financial Rules and Regulations, as a new annex.

20. Views and information on internal oversight issues, practices and methodologies continued to be exchanged with other UN agencies and multilateral international organizations. In this regard, WIPO significantly contributed to the development of "Norms and Standards for Evaluation in the UN System", which were adopted by the United Nations Evaluation Group (UNEG) at its Annual Meeting in Rome, in April. The Norms and Standards for Evaluation seek to facilitate UN system-wide collaboration on evaluation, and strengthen, professionalize and improve the quality of evaluation in all UN System entities. In addition, the Secretariat was represented at the Conference of Investigators of United Nations System Organizations and Multilateral Financial Institutions, held in Washington, in June.

21. Regarding external relations, WIPO continued its collaboration with organizations of the UN family and other international intergovernmental institutions.

22. WIPO further developed its cooperation with the International Telecommunication Union (ITU), in particular in the preparatory work related to the World Summit on the Information Society (WSIS). As part of its contribution to WSIS, WIPO organized an Online Forum on Intellectual Property in the Information Society, from June 1 to 15, open to all stakeholders.

23. WIPO participated in, and provided input to, the discussions of the Working Group on Internet Governance (WGIG). WGIG is expected to present the result of its work in a report "for consideration and appropriate action for the Second phase of the WSIS in Tunis in 2005". WGIG, which consists of 40 international experts from Governments, the private sector and civil society chosen by the UN Secretary General, held four meetings in Geneva in November 2004, February, April and June 2005 and conducted extensive online discussions.

24. As requested by Member States, WIPO continued its close cooperation with the United Nations Permanent Forum on Indigenous Issues, and in this connection, maintained an active role in the Inter-Agency Support Group on Indigenous Issues (IASG), of which WIPO is a founding member. The IASG aims at facilitating coordination and cooperation among UN agencies regarding indigenous issues and in particular the Permanent Forum. In January,

WIPO participated in an International Workshop on Methodologies Regarding Free, Prior and Informed Consent and Indigenous Peoples, organized by the Permanent Forum and the IASG. During the fourth session of the Permanent Forum in May, WIPO organized an information session, co-chaired by a member of the Forum, on recent developments at WIPO concerning IP and genetic resources, traditional knowledge and traditional cultural expressions/expressions of folklore, as well as steps taken to further enhance the effective participation of indigenous peoples and local communities in the work of WIPO. The Permanent Forum continued to participate in sessions of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC).

25. The development by the United Nations Educational, Scientific and Cultural Organization (UNESCO) of a new convention on the diversity of cultural expressions raised a number of substantive IP issues, as well as questions concerning the relationship between the proposed new convention and other existing instruments. WIPO's involvement was specifically requested by UNESCO's Member States. In the period under review, WIPO participated as an observer in two sessions of the UNESCO Intergovernmental Committee tasked with elaboration of this convention. In June, the Committee finalized a draft of the convention for submission, for formal adoption, to UNESCO's General Conference in September 2005. Cooperation between WIPO and UNESCO regarding intangible cultural heritage was further enhanced when WIPO was invited to participate in an expert meeting aimed at developing guidelines for the implementation of UNESCO's Convention for the Safeguarding of Intangible Cultural Heritage, 2003. Technical work by WIPO and UNESCO continues on exploring practical mechanisms for enhanced complementarity between IP protection and the cultural heritage safeguarding.

26. Regarding human rights questions, WIPO continued to follow and contribute to the work of the United Nations Office of the High Commissioner for Human Rights (OHCHR). WIPO participated actively in the consideration of a draft General Comment on human rights and IP by the Committee on Economic, Social and Cultural Rights. WIPO also cooperates closely with the OHCHR in so far as indigenous issues are concerned. Most relevant in this context is the Working Group on Indigenous Populations as well as ongoing development of the Draft Declaration on the Rights of Indigenous Peoples. At the request of the OHCHR and ILO, WIPO continued to host participants in their respective Indigenous Fellowship Programs.

27. Cooperation with the United Nations Environment Programme (UNEP) continued through WIPO's participation in a UNEP Workshop on Capacity Development for Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising from their Utilization in Africa, held in Nairobi in February. In the processes concerning the Convention on Biological Diversity (CBD), work continued on the procedure adopted by the WIPO General Assembly to respond to an invitation from the CBD concerning certain issues related to genetic resources and disclosure requirements. A draft examination of the issues was prepared and circulated for comments. The received comments were integrated into a revised draft examination which was considered by an Ad Hoc Intergovernmental Meeting on June 3, with a view to preparing a final version for possible transmission to the CBD.

28. WIPO's cooperation with the Food and Agriculture Organization (FAO) continued to build on the proposals developed during the most recent session of the Commission on Genetic Resources for Food and Agriculture, including through an internal seminar at FAO

and by participating in the Contact Group for the Drafting of the Standard Material Transfer Agreement under the International Treaty on Plant Genetic Resources.

29. The second session of the Colloquium for Teachers of Intellectual Property Law was jointly organized by WIPO and WTO from June 27 to July 8. In addition, WIPO continued to participate in World Trade Organization (WTO) meetings and monitored all developments concerning IP in the Doha Development Agenda in preparation of the Hong Kong Ministerial Conference.

30. With UPOV, a joint publication is being finalized in English, French and Spanish, on the two joint WIPO-UPOV symposia: Co-existence of Patents and Plant Breeders' Rights in the Promotion of Biotechnological Developments (2002) and Intellectual Property Rights in Plant Biotechnology (2003).

### **Sub-Program 02.3 – Strategic Planning, Budget Control and Legal Affairs**

31. The monitoring and analysis of emerging IP issues and trends continued to be the main focus of strategic planning in order to adequately respond to new challenges faced by WIPO. The Senior Management Team met on a regular basis during the period under review, and internal coordination was undertaken on various issues.

32. For the preparation of the draft Program and Budget 2006-2007, an internal process was initiated that allowed program managers to coordinate the development of program proposals, resulting in recommendations with regard to strategic directions and policies. Assistance was also provided in February and May for the Informal Sessions of the Program and Budget Committee, and in April, for the Eighth session of the Program and Budget Committee.

33. The strategic direction of certain WIPO Worldwide Academy programs was reinforced with a view to strengthening activities that emerged as crucial to the use of IP as a tool for development.

34. Internal policy coordination initiatives were undertaken to improve communication, consultation and coordination in the Organization, in particular, with respect to specific cross-cutting issues such as program and budget, resource mobilization, cost-cutting measures, manpower planning and appropriate deployment of human resources, buildings, information technology, travel, etc. Matters relating to inter- and intra-sectoral coordination were reviewed in close cooperation with program managers. Subject-oriented discussions were initiated to identify areas of overlap and redundancy, with a view to further rationalize and streamline certain programs and activities.

35. Regarding budget and financial control, during the period under review, the focus continued to be: the identification and implementation of cost-saving measures; the improvement of income forecasts; the preparation of documents for informal and formal sessions of the Program and Budget Committee, including the proposed Program and Budget 2006-2007; certification of commitments to incur obligations in conformity with budget authorization, available funding and the economical use of resources; improvement of budgetary control and monitoring systems for WIPO's compliance with the Financial Rules and Regulations; improvements to workplan and allotment systems; and, further refinements in support of the Administrative Information Management System (AIMS).

36. An informal session of the Program and Budget Committee was convened in February. The meeting considered documents prepared by the Secretariat on “The Short and Long-term Financial Situation of WIPO”<sup>1</sup> and “Options Concerning the New Construction”.<sup>2</sup>

37. The Proposed Program and Budget for 2006-2007<sup>3</sup> was presented to the eighth session of the Program and Budget Committee in April. The Committee recommended the adoption of the Proposed Program and Budget for 2006-2007 to the September 2005 Assemblies of the Member States. Following a decision of the Committee, an Informal Working Group of the Program and Budget Committee met in May and June, to consider and adopt a Proposal on the Establishment of a WIPO Audit Committee and the draft WIPO Internal Audit Charter prepared by the Secretariat,<sup>4</sup> to be submitted to the General Assembly for its consideration. In addition, a number of briefing meetings were organized with regional groups and regional coordinators.

38. Legal advice on constitutional affairs, general legal issues, contracts, as well as administrative and human resources legal issues continued to be provided within the Secretariat as well as to Member States, and other public and private entities. Considerable time was spent, in particular, on activities related to: the adherence of new members to WIPO treaties; the request of NGOs to become WIPO observers; and, the launching of a new tender for the construction of the new building. Legal support was also provided regarding the redrafting of the provisions relating to outside activities of WIPO staff members, the WIPO Closed Pension Fund, the interpretation of provisions of the Staff Regulations and Rules, and relations with the WIPO Staff Council.

39. During the period under review, 22 new instruments of ratification or accession were received and processed, and 26 notifications of treaty actions were issued in respect of WIPO-administered treaties. About 70 per cent of the accessions or ratifications came from developing countries and 30 per cent from countries in transition. The treaties mailing list (*treaties.mail*) reached 7,102 subscribers and the treaties web site (*wipo.int/treaties*), had 925,131 page views.

40. Requests were received from one inter-governmental organization (IGO), 30 international and 18 national NGOs for observer status with WIPO; a 128 per cent increase over the same period in 2004. Of these organizations, one IGO, 22 international and 18 national NGOs fulfilled all the required criteria, and relevant documentation will be presented to the Assemblies of Member States in September 2005.

41. Constitutional legal advice and assistance continued to be provided both internally and externally in respect of: reproduction of WIPO documents in various publications; certified copies of WIPO-administered treaties; model instruments of accession and ratification of several WIPO treaties; and, advantages of accession to certain WIPO treaties.

42. Regarding the new (downsized) building project, documents regarding the bank loan and the tender for the construction phase were prepared, including new rules on procurement

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<sup>1</sup> Document WO/PBC/IM/05/2.

<sup>2</sup> Document WO/PBC/IM/05/3.

<sup>3</sup> Document WO/PBC/8/3.

<sup>4</sup> Document WO/PBC/8/4.

issues. This matter is still subject to the approval of the Assemblies of Member States, following a positive recommendation by the Program and Budget Committee last April.

43. Legal advice and support was also provided internally with respect to more than 80 contracts regarding rentals, procurement, provision of services and Memoranda of Understanding with Member States, IP Offices, universities and IGOs. Other activities included the provision of advice concerning the interpretation of some of WIPO's agreements currently in force, tax issues, the settlement of two contractual disputes and interpretation of the privileges and immunities of the Organization, and of its staff members.

44. WIPO continued to be actively involved in the meetings and discussions of the Legal Advisers of the United Nations System.

### **Sub-Program 02.4 – Liaison Offices and External Coordination**

#### *WIPO Liaison Office Washington, D.C.*

45. The WIPO Liaison Office in Washington, D.C., continued its proactive role in strengthening relationships with Members of Congress, Congressional staff, industry and academia, federal agency IP personnel, and NGOs.

46. The Office worked with Members of Congress of the United States of America to create and successfully pass a Congressional Resolution which recognizes WIPO for its important work and commends the goals of World IP Day. The Resolution was passed unanimously by the United States House of Representatives. An event organized to celebrate World IP Day and the Congressional Resolution of support was attended by more than 150 participants, including Ambassadors of WIPO Member states, Members of US Congress and its staff.

47. The Office continued to monitor relevant Congressional hearings, and participated in conferences hosted by the American Intellectual Property Law Association (AIPLA), the American Bar Association (ABA), Intellectual Property Owners (IPO), Fordham University, Cardozo Law School, the World Bank, the Congressional IP Caucus and the Congressional Entertainment Caucus, among others. The Office also continued to monitor the US press for articles relating to WIPO and international IP.

#### *WIPO Coordination Office New York*

48. Outreach activities to the United Nations diplomatic community and the United States private sector continued. During the period under review, the WIPO Coordination Office in New York organized, or delivered presentations in, several major meetings, including the panel on Intellectual Property and Development which was co-sponsored with the UN Economic and Social Council (ECOSOC). The Office also hosted a lecture at the fourth session of the Permanent Forum on Indigenous Issues to inform participants about the work of the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC). A total of 500 participants attended these events.

49. Major outreach activities aimed at the private sector and civil society included, *inter alia*, a Workshop on Arbitration and Mediation co-sponsored with the American Bar Association. Other major events included lectures to four American universities on international IP policy.



50. The Office monitored about 33 United Nations meetings and participated in many seminars/workshops arranged by professional IP bodies, including: the Special Committee on the Charter of the United Nations and on Strengthening the Role of the Organization; the special high-level meeting of the Economic and Social Council of the United Nations (ECOSOC) with Bretton Woods institutions; the Commission on Social Development; the Permanent Forum on Indigenous Issues; ECOSOC meetings; the resumed session of the Fifth (Administrative and Budgetary) Committee; and, the meeting of the High Level Committee on Programs which amongst several issues discussed the upcoming review of the implementation of the Millennium Declaration. In addition, the Office attended meetings of professional IP bodies, such as: the Fordham University Conference on International Intellectual Property Law and Policy; the meeting of the Transatlantic Consumer Dialogue; and, the International Trademark Association Conference.

51. To mark World IP Day, the Office hosted an event entitled World Music to demonstrate the importance of copyright to creative artists. World IP Day also featured a workshop on IP rights for diplomats and UN Secretariat staff organized jointly with the United Nations Institute for Training and Research (UNITAR), attended by about 35 people.

52. The Office also received visitors from China and Italy who, under the auspices of the United States Department of State, received briefings about WIPO activities. Four academics also visited the Office to explore collaboration with WIPO.

53. The internship program at the Office continued, offering seven students of various nationalities and academic backgrounds the opportunity to study WIPO Coordination Office operations.

#### *The WIPO Coordination Office Brussels*

54. The WIPO Coordination Office in Brussels moved to new offices in April, in line with recommendations made by the Office of the United Nations Security Coordinator (UNSECOORD).

55. The Office continued to represent WIPO at, or participate in, events organized by the European Commission and sessions of the European Parliament, as well as a wide range of other events taking place in Brussels. It also continued to provide information to colleagues at WIPO Headquarters on relevant events and developments at the level of the European Union and its Member States, and of other stakeholders.

56. To mark World IP Day, an event was organized jointly with The Centre, a Brussels-based think tank, and WIPO was also represented on the panel of another event organized by the think tank, Friends of Europe, on "Making Sense of the Debate on Protecting Intellectual Property". The Office also made a presentation at a workshop organized by the International Federation of Reproduction Rights Organisations (IFRRO).

#### *WIPO Office Singapore*

57. The preparatory work for the opening of the WIPO Office in Singapore was completed, following approval by Member States of the offer made by the Government of Singapore. The Office started its activities to reach out to Member States in the Asia and Pacific region.

A Regional Symposium in June, marked the first official event that took place at the facilities of the Office.

## **MAIN PROGRAM 03**

### **Patents and the Patent Cooperation Treaty (PCT) System**

58. Activities continued in respect of the further development of legal principles and convergence of practices in the areas of patents. The main activities during the first six months of 2005 included discussions on the future work on substantive patent law harmonization at the eleventh session of the Standing Committee on the Law of Patents (SCP). The consideration of proposals for reform of the Patent Cooperation Treaty (PCT) system progressed with the convening of the sixth session of the Working Group on Reform of the PCT, held in May.

59. Following the ratification of Romania, bringing the total number of States having acceded to or ratified the Patent Law Treaty (PLT) to the required ten States, the PLT entered into force on April 28, 2005.

60. The estimated total number of applications received during the first half of 2005 amounted to 64,539, which confirmed the extensive use of the PCT.

61. At its 11th session, the Meeting of International Authorities under the PCT continued to address issues common to the International Authorities, including the implementation of forthcoming changes and improving the quality and consistency of international search and preliminary examination. Particular topics included: the consequences of the reformed International Patent Classification, which is to take effect from January 1, 2006; sharing of information on quality management systems; and, the setting up of a task force for a comprehensive review of the concept and scope of the PCT minimum documentation.

62. During the first six months of 2005, legal advice and information was provided to Contracting States with the objective of enhancing the quality and efficiency of the International Bureau's bilateral relationships. Furthermore, seminars/presentations/training sessions were offered to users and potential users of the PCT to foster usage of the system.

63. The Committee of Experts of the International Patent Classification (IPC) approved the last amendments to the IPC to be included in the eighth edition of the IPC. With regard to IPC reform, the Committee, after having approved a number of documents, concluded that all the tasks on the program of IPC reform have been finalized, and agreed that the basic period of IPC reform should be considered completed.

### **Sub-Program 03.1 - Development of International Patent law and Services**

64. One of the main activities consisted of the preparation and holding of the eleventh session of the Standing Committee on the Law of Patents (SCP), which took place in June. This session was preceded by informal consultations on the future work plan of the SCP convened by the Director General in February. The meeting of the SCP was devoted to the consideration of options for the future work plan of the Committee. Talks focussed on

whether discussions in the SCP should address six issues pursued in parallel, accelerated processes (prior art, grace period, novelty, inventive step, sufficiency of disclosure and genetic resources), whereby the first four would be considered in the SCP and the latter two in the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), or whether the draft Substantive Patent Law Treaty (SPLT) should be discussed as a whole, and also include additional issues, such as clauses on public interest flexibilities, transfer of technology and the disclosure, in patent applications, of the source of genetic resources. The SCP did not reach agreement as to the modalities and scope of the future work of the Committee.

65. The Patent Law Treaty (PLT), adopted in 2000 and designed to streamline and harmonize formal requirements set by national or regional patent Offices for the filing of national or regional patent applications, the maintenance of patents and certain additional requirements related to patents or patent applications, entered into force on April 28, 2005.

66. Further activities relating to general patent law included, in particular: the promotion of industrial property treaties; advice on national laws; close cooperation with related sectors and activities within WIPO; and, activities relating to patents and health issues, genetic resources and traditional knowledge, the development agenda and publications relating to patents. Other activities comprised the follow-up on general developments of the patent systems at the international level and on the work of other IGOs, as well as the administration of the Budapest Treaty.

67. Work also continued to be carried out in relation to the improvement of the legal and procedural framework of the PCT, in line with the objectives of PCT reform set out by the PCT Union Assembly, including simplifying and streamlining of procedures, reducing costs for applicants, maintaining balance between workload of PCT Authorities and quality of services provided, aligning PCT provisions with those of the Patent Law Treaty (PLT), and ensuring that the system works to the advantage of all Offices, irrespective of their size.

68. At its Seventh Session held in May, the Working Group on Reform of the PCT considered a number of proposals aimed at further improving the system, as agreed by the PCT Union Assembly in 2004. The Working Group approved a number of proposed amendments to the PCT Regulations, with a view to their submission to the Assembly, concerning missing elements and parts of the international application, rectification of obvious mistakes, restoration of the right of priority, and exceptions to the "all-inclusive" designation system. These proposed amendments would in particular help applicants avoid loss of rights in certain circumstances, in consistence with the PLT. The Working Group also approved other proposed amendments aimed at: taking greater advantage of modern information and communications technology in the publication of international applications and the PCT Gazette in electronic form; strengthening the international search by adding patent documents of the Republic of Korea to the PCT minimum documentation; and, making the PCT system more accessible to a wider range of applicants from developing countries by adding Arabic as a language of publication.

69. The Working Group felt that more consideration was required with regard to a number of other proposed amendments to the Regulations, such as those relating to the publication of international applications in multiple languages and to improving the quality of international searches by allowing supplementary international searches to be conducted on international applications, noting that early identification of as much relevant prior art as possible was useful for applicants, designated and elected Offices and third parties alike. The Working

Group also noted that a postponement had been requested by a Member State of discussions on its proposals regarding the declaration of the source of genetic resources and traditional knowledge in patent applications.

### **Sub-Program 03.2 - The PCT System**

70. During the period under review, 64,539 international applications filed worldwide were received. The number of applications coming from developing countries amounted to 3,531.

71. Of the 64,539 international applications filed, some 18,571, or 28.8 per cent, contained a request form prepared using the PCT-EASY software and 15,478, or 24 per cent, were received in fully electronic form.

72. By the end of June, the International Bureau had received, in its capacity as a Receiving Office, 3,703 international applications. Some 2,252, or 60.8 per cent, of these filings were received electronically.

73. The processing of international applications resulted, *inter alia*, in the publication of 60,340 international applications during that period, as well as 21,375 republications and 26 regular issues of the PCT Gazette. Standard documents requested by National Offices, and whose scanned versions were communicated by the International Bureau in the first six months of 2005 in electronic form (CD or DVD or FTP), were 6,034,625, or 91.6 per cent of all documents concerned, the remaining 549,853 or 8.4 per cent being communicated on paper.

74. The amendments to the PCT Regulations, which were adopted by the PCT Assembly at its 33rd session in September 2004 and implemented on April 1, 2005, required: revision of the PCT Applicant's Guide in English and French; revision of the PCT seminar and training materials in Chinese, English, French, German, Japanese and Spanish; publication of revised versions of the PCT Regulations in various languages; updating of PCT indexes and reference resources; complete revision of the Arabic, Chinese, German and Japanese PCT web sites; and, carrying out internal training within the Office of the PCT.

75. From January 1 to June 30, the International Bureau had contacts, involving legal advice and information, with Contracting States on a total of 1,262 occasions, of which 36.8 per cent were with industrialized countries, 20.3 per cent with certain countries in Europe and Asia, 34.6 per cent with developing countries and 7.5 per cent with least developed countries.

76. During the first six months of 2005, some 62 seminars, presentations and/or training sessions were carried out with a total of 2,788 participants, held in 22 countries (Argentina, Belgium, Canada, Cuba, Denmark, Ecuador, Egypt, Finland, France, Germany, Hungary, Italy, Japan, Jordan, Republic of Korea, Mexico, Spain, Sweden, Switzerland, United Kingdom, United States of America and Viet Nam). Working sessions and meetings were carried out with officials of 11 countries (Austria, Brazil, Dominica, Denmark, Egypt, Germany, Hungary, Jordan, Spain, the former Yugoslav Republic of Macedonia and Venezuela) and with users of three countries (Cuba, Germany and Japan) outside WIPO headquarters. Other working sessions and meetings were held at WIPO premises with officials of eighteen countries (Belgium, Egypt, Honduras, Indonesia, Kenya, the former Yugoslav Republic of Macedonia, Mongolia, Myanmar, Namibia, Nigeria, Norway, Russian Federation, South Africa, Sudan, Trinidad and Tobago, Ukraine, Venezuela and Zambia).

77. The following publications, texts and resources were issued and/or made available on the Internet: updating sheets of the “PCT Applicant’s Guide” and of its Internet version; Section IV of the “PCT Gazette”; the “PCT Newsletter”; “The International Patent System in 2004”; Patent Cooperation Treaty (PCT) and Regulations as in force from April 1, 2005, in English, French, German and Japanese; “History of the PCT Regulations, June 19, 1970 – April 1, 2005”; PCT Legal Text Index; modified PCT forms; editable versions of modified forms; updated PCT seminar materials; revised tables of important PCT reference data; a complete collection of updated Agreements with the International Bureau relating to the functioning of Authorities as International Searching and International Preliminary Examining Authorities; a gallery of PCT notable inventions and inventors; a collection of PCT user strategies; information about the commemoration of the receipt of the millionth PCT application; PDF archives prepared and posted for the PCT Newsletter from 2000-2002; and, general information documents in various languages. Additionally, a PowerPoint presentation on the changes to the PCT Regulations, which came into effect on April 1, 2005, was made available on the Internet.

78. Initiatives, in particular in the area of statistical data management and analysis, to enhance the International Bureau’s capacity to meet the demands of PCT users and industrial property Offices and to enhance the quality of the services entrusted under the PCT, had been launched in 2004. The first three significant value-added services generated under these initiatives became available on a dedicated web page on the WIPO web site: PCT monthly statistics (PCT filing figures broken down according to a wide selection of criteria); PCT national phase statistics (a first preliminary report including data from a few selected countries); and, annual statistics on patents.

79. In addition, a number of internal procedures were put in place aimed at introducing a modern business policy to enhance the quality of services rendered.

### **Sub-Program 03.3 – International Patent Classification (IPC)**

80. The following IPC-related meetings were held during the period under review: the Thirty-Sixth Session of the Committee of Experts of the IPC Union (Geneva, February); the Meeting of IT experts on the implementation of IPC reform (Geneva, May); and, the Thirteenth Session of the IPC Revision Working Group (Geneva, June).

81. The Committee of Experts approved the last portion of amendments to the IPC, which will become part of the eighth edition of the IPC. With regard to IPC reform, the Committee approved a number of documents providing a basis for the application of the reformed IPC. Having concluded that all the tasks on the program of IPC reform have been finalized, the Committee agreed that the basic period of IPC reform should be considered completed.

82. The Meeting of IT experts considered the status of the technical implementation of IPC reform at the International Bureau and at industrial property Offices, discussed outstanding issues related to the implementation of the reform and concluded that the great majority of Offices would be in a position to implement necessary changes in time for entering into force of the eighth edition of the IPC (reformed IPC).

83. The IPC Revision Working Group has started a new IPC revision period. It considered several proposals for revision of the IPC, continued its work under the program of the

implementation of the reform results in the IPC and discussed IPC reform training material intended for use by industrial property Offices. The Working Group also started elaboration of the IPC development program for the years 2005 to 2008.

84. Significant preparatory work was carried out for the publication of the eighth edition of the IPC. The printed publication of the core level of the IPC and the Internet publication of the complete Classification will be made in July 2005, well in advance of the entering into force of the eighth edition on January 1, 2006. IPC-related material, Catchword Indexes to the IPC and the Revision Concordance List, will be published in September 2005.

85. The development of the new IPC management system RIPCIS has been completed and user testing of the system has started. The deployment of the new system will be carried out during the course of 2005. Specifications, document type definitions (DTDs) and samples for RIPCIS output files, such as the IPC file, the validity file, the revision concordance file, the definition file and the catchword file, have been prepared.

86. In the area of PCT minimum documentation, progress was made in respect of the following: the extension of the non-patent literature (NPL) part of the documentation to include traditional knowledge (TK) related periodicals; comprehensive review of the concept, definition and content of the PCT minimum documentation; and, the development of a Search Guidance Intellectual Property Digital Library (SGIPDL).

87. The TK related exercise was concluded resulting in the addition of 13 TK periodicals to the NPL list. The inclusion of these periodicals was approved at the Eleventh Session of the Meeting of International Authorities under the PCT (PCT/MIA) in February. In producing the new version of the list, the opportunity was also taken to review and update the details of all of the currently listed periodicals including the addition of information items to enhance the quality and usability of the list. The new NPL list was published on the WIPO web site and arrangements were made for it to be published in a Special Issue of Section IV of the PCT Gazette.

88. The comprehensive review of PCT minimum documentation is being undertaken by a task force established by the PCT/MIA and is addressing issues relating to both patent documentation, including questions of additional countries and languages, and non-patent literature. In parallel with this main task, the task force has commenced an assessment of the technical issues that need to be addressed to support the proposed addition of the patent documentation of the Republic of Korea into the minimum of patent documentation to be considered by the International Searching Authorities (ISAs) when conducting an international search.

89. The third area in which work has progressed relates to a project aimed at developing a Search Guidance Intellectual Property Digital Library (SGIPDL) to provide assistance to examiners in the choice of documentation to be considered when conducting an international search. An initial prototype product, which has been produced by the International Bureau to help in the specification of the requirements for the SGIPDL, is currently being reviewed by a task force of representatives from the ISAs. The feedback received will be used to further refine the model on which the final system will be based.

90. The PCT minimum documentation web site was further enhanced to support the task force activities in the aforementioned tasks which should eventually result in improvements in the quality of international searches.

## **MAIN PROGRAM 04**

### **Trademarks, Industrial Designs and Geographical Indications**

91. During the period under review, intensive work was carried out within the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) for progressive development of international law in these areas. In particular, the SCT approved, at its fourteenth session in April, the text of a basic proposal for the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, to take place from March 13 to 31, 2006. Important procedural decisions concerning that Diplomatic Conference were made at a Preparatory Meeting, which took place in April.

92. Registration activities under the Madrid, Hague and Lisbon Systems continued to be carried out. At the end of June, the number of international applications of marks received by the International Bureau amounted to 16,831, representing an increase of 19.4 per cent compared to the same period in 2004. Some 589 international applications of industrial designs were received, representing a decrease of 22.9 per cent. Two new international applications were received under the Lisbon System and, on June 30, some 781 international registrations of appellations of origin were in force.

93. The International Bureau continued its advisory and promotional activities aimed at achieving a wider recognition, use and implementation of WIPO treaties, recommendations and standards in the area of trademarks, industrial designs and geographical indications.

#### **Sub-program 04.1 - Development of International Law and Services**

94. The preparatory work on the revision of the Trademark Law Treaty (TLT) reached a final stage at the 14<sup>th</sup> Session of the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) in April. The SCT worked, in particular, on provisions concerning communications, relief measures in respect of time limits, trademark licenses and administrative clauses of the draft revised TLT. It made significant progress and concluded its session approving by consensus a text to go forward as the basic proposal for the Diplomatic Conference.

95. Concerning future work of the SCT, it was decided that Member States would submit to the Secretariat, in writing, proposals identifying the issues to be dealt with and priorities for addressing them. The Secretariat would make these proposals available as SCT working documents.

96. On April 25 and 26, the Preparatory Meeting for the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty took place in Geneva. The Preparatory Meeting adopted the draft Agenda and draft Rules of Procedure for the Diplomatic Conference as well as the letters of invitation. Taking note of an invitation from the Government of Singapore to host the Diplomatic Conference, it decided to request the Director General to include an additional item on the agenda for the meeting of the WIPO General Assembly in September 2005 concerning the venue for the Diplomatic Conference.

97. Regarding Article 6<sup>ter</sup> of the Paris Convention, during the period under review, four new notifications were sent to the States party to the Paris Convention and, in application of the WIPO/WTO Agreement of 1995, to the Members of the WTO that are not party to the

Paris Convention. In the same period, nine new requests for notification were received and processed.

98. The “Article 6ter Express” database, which constitutes a free-of-charge on-line search facility of all signs and emblems currently protected under Article 6ter of the Paris Convention, now contains a total of 1,263 protected signs, which can be accessed at <http://www.wipo.int/article6ter/en/>.

99. In cooperation with the Government of Italy, a Worldwide Symposium on Geographical Indications took place in Parma, Italy, from June 27 to 29. The Symposium was attended by 242 participants, from 39 countries, from five IGOs and six NGOs. The Symposium provided a most welcome and timely opportunity for all stakeholders to exchange their points of view on matters concerning geographical indications and to learn more about positions taken by governments on issues under discussion in the on-going international negotiations, as well as suggestions made for further work in this area.

100. Additional activities during the period under review consisted of: the promotion of industrial property treaties (in particular the TLT) and Joint Recommendations; advice on draft national laws; and, participation in awareness-raising and training activities organized by: the European Communities; the International Organization for Vine and Wine (OIV); the European Institute of Public Administration (EIPA); the Max Planck Institute for Intellectual Property, Competition and Tax Law; the Office for Harmonization in the Internal Market (Trade Marks and Designs)(OHIM); the Pharmaceutical Trademarks Group (PTMG); Managing Intellectual Property (MIP); the International Trademark Association (INTA); the Hungarian Trademark Association; the Forum Institute for Management; the Interamerican Association for Industrial Property (ASIPI); the World Trade Organization (WTO); and, the Universities of Alicante and Riga.

## **Sub-program 04.2 - International Registration Systems**

101. Concerning the operation of the Madrid System, at the end of June, the number of international applications of marks received by the International Bureau was 16,831, representing an increase of 19.4 per cent compared to the same period in 2004, while the number of registrations was 13,190, representing an increase of 13.1 per cent. Some 3,719 renewals of international registrations were received, representing a decrease of 2.8 per cent. The number of requests for modification amounted to 40,121 representing an increase of 32.6 per cent, while the number of recorded modifications reached 37,667, representing an increase of 45.8 per cent. The number of refusals and associated notifications received by the International Bureau amounted to 82,591 representing an increase of 28.5 per cent, while the number of recordings in this area reached 87,290, representing an increase of 30.7 per cent.

102. Efforts focused on the further automation of the international procedures under the Madrid System and further attempts to encourage Offices of Contracting Parties and users to communicate with the International Bureau by electronic means. Three Offices have begun communicating refusals, final decisions and statements of grant of protection electronically. Furthermore, the new facility allowing users to subscribe to the new version of ROMARIN via the Internet has resulted in an increase of the number of subscribers.



103. Two countries deposited their instruments of accession to the 1999 Geneva Act of the Hague Agreement (Latvia and Singapore). As a result, at the end of June, the 1999 Act was effective in 18 States, the 1960 Act in 31, and the 1934 Act in 15. The total number of States participating in the Hague System was 42.

104. Concerning the operation of the Hague System, at the end of June, the number of international applications of industrial designs received by the International Bureau amounted to 589, representing a decrease of 22.9 per cent compared to the same period in 2004. Some 2,212 renewals of international registrations were received, representing an increase of 6.3 per cent. The number of recorded modifications reached 1,638, representing an increase of 35 per cent.

105. Under the Lisbon System, two new international applications were received by the International Bureau during the first half of 2005. At the end of June, some 781 international registrations of appellations of origin were in force. The Lisbon Express on-line database became operational in February.

106. As regards promotional activities, a Roving Seminar on the Madrid, Hague and PCT Systems was organized by WIPO, in Chennai, Mumbai and New Delhi. A Regional Seminar on the Global Protection Systems was also organized by WIPO and the Spanish Patent and Trademark Office (OEPM), in Managua.

107. Seminars and information meetings for the promotion of the Madrid and Hague Systems were organized in Austria, Brazil, Denmark, Greece, Japan, Norway, Poland, and the former Yugoslav Republic of Macedonia, by the national industrial property Offices, and in Spain, by the Office for Harmonization in the Internal Market (Trade Marks and Designs)(OHIM). WIPO also participated in meetings, seminars or workshops at the invitation of: *Centre universitaire d'enseignement et de recherche en propriété intellectuelle (CUERPI)*, European Communities Trade Mark Association (ECTA), European Trademark Owners Association (MARQUES), Federation of Industries of Rio de Janeiro (FERJAN), *Forum Institut für Management*, Institute of Trade Mark Attorneys (ITMA), International Development Law Organization (IDLO), International Trade Center (ITC), International Trademark Association (INTA), Latin Chambers of Commerce and Industry (CAMACOL), Managing Intellectual Property (MIP), University of Alicante and University of Buenos Aires.

108. Training on the procedures under the Madrid and/or Hague Systems was also provided to staff of the following regional and national industrial property Offices: the Office for Harmonization in the Internal Market (Trade Marks and Designs)(OHIM), the Austrian Patent Office, the Directorate of Commercial and Industrial Property Protection (DCIP) of the Syrian Arab Republic, the French National Institute of Industrial Property (INPI) and the German Patent Office.

109. Two Seminars on the International Registration of Marks and of Industrial Designs were organized at WIPO, to explain the Madrid and the Hague System, respectively, to both the private sector and national industrial property Offices. Training on the procedures under the Madrid System was also provided at WIPO headquarters to the staff of the Cuban Industrial Property Office (CIPO).

### **Sub-program 04.3 - International Classifications in the Fields of Trademarks and Industrial Designs**

110. During the first half of 2005, Egypt acceded to the Nice Agreement and Latvia acceded to the Locarno Agreement, bringing the total number of contracting States to these treaties to 75 and 45, respectively.

111. The Preparatory Working Group of the Nice Union held its twenty-fifth session in April, to continue the revision of the eighth edition of the Nice Classification.

112. Activities for the promotion of a wider application of the Nice, Vienna and Locarno Classifications continued, including one expertise and training mission in Kenya.

113. In the framework of the WIPO Classification Service for Marks, some 60 reports giving advice on the correct classification of indications of goods and/or services were provided following requests from national industrial property Offices. A new Recommendation of the International Bureau, concerning the benefit of these classification reports, was forwarded in January to the Members of the Nice Union and Observers in the Committee of Experts and Preparatory Working Group of the Nice Union.

## **MAIN PROGRAM 05**

### **Copyright and Related Rights**

114. Work continued on the strengthening of the international copyright and related rights system through more effective legal protection and management of literary and artistic works and other objects of protection.

#### **Sub-Program 05.1 - Development of International Copyright Law**

115. During the first half of 2005, three countries became party to the WIPO Copyright Treaty (WCT) and three countries to the WIPO Performances and Phonograms Treaty (WPPT), bringing the total number of countries adhering to the treaties to 53 and 51 respectively. WIPO continued to provide legal advice, comments and technical assistance to Member States, and to provide general copyright information in response to inquiries. During the period under review, over 200 written requests were dealt with. Staff missions were undertaken in a total of 16 countries, including seven developing countries and four countries in transition. A total audience of over 2,000 people received information on copyright issues at events organized by governmental authorities, non-governmental bodies and the private sector.

116. In preparation of a possible diplomatic conference on the protection of broadcasting organizations, WIPO organized regional consultation meetings, the result of which will be communicated to the Assemblies of Member States in September 2005. The discussions at the regional consultation meetings were based on a Second Revised Consolidated Text, summarizing the proposals made by governments and the European Community and the discussions at the preceding sessions of the Standing Committee on Copyright and Related Rights, and on a Working Paper on Alternative and Non-Mandatory Solutions on the Protection in Relation to Webcasting.

117. WIPO continued to provide advice to developing countries and countries in transition on the implementation of WIPO administered treaties on copyright and related rights, including the Appendix to the Berne Convention. In addition, the Secretariat focused on building stronger partnerships and enhancing relationships and dialogue with beneficiaries of exceptions and limitations, such as the International Federation of Library Associations (IFLA), the World Blind Union (WBU), and Commonwealth of Learning.

### **Sub-Program 05.2 – Copyright-Based Business and Culture Development**

118. The contribution of copyright to local, regional and international economies was promoted through staff missions to 12 countries. Almost 3,000 people received information on issues related to copyright-based business and cultural development.

119. Awareness-raising concerning emerging legal, technical and business developments for creation, exploitation and use of IP rights in the digital environment continued to be a WIPO priority. A seminar on Copyright and Internet Intermediaries took place in April, and an informal expert consultation on IP and secured transactions was organized in May, both at WIPO headquarters. In June, WIPO hosted an Online Forum on Intellectual Property in the Information Society, in which 374 contributions were posted on ten themes that included: the role of IP in promoting access to content; the sharing of knowledge in digital form; the provision of incentives to creativity and innovation and protecting traditional knowledge; and, the enforcement of rights in a global digital marketplace. The Online Forum was recognized as a Thematic Meeting constituting a major WIPO contribution to Phase II of the World Summit on the Information Society (WSIS).

120. WIPO continued to explore new ways in which rights under copyright are being used and licensed, for example, under the Creative Commons system. WIPO contributed actively to meetings and other fora concerning: IP rights and information communication technologies (ICTs); digital rights management and the needs of digital consumers and users; and, the role of IP rights in Internet governance. Relevant meetings in which WIPO participated included: the International Institute of Communications Forum on Telecommunications, Broadcasting and New Media in Europe (Brussels); the WSIS Working Group on Internet Governance (Geneva); the Oxford Forum on “The Struggle over Internet Governance: Searching for Common Ground” (Oxford, UK); the WSIS Contributory Conference on ICTs and Creativity (Vienna); and, the Regional Preparatory Ministerial Conference for Latin America and the Caribbean for Phase II of WSIS (Rio de Janeiro). WIPO also contributed text and analysis to the report, “Digital Music: Opportunities and Challenges”, released in June by the Organization for Economic Cooperation and Development (OECD).

## **MAIN PROGRAM 06**

### **WIPO Arbitration and Mediation Center**

121. On June 1, 2005, the Arbitration and Mediation Center received its 7,500<sup>th</sup> case under the Uniform Domain Name Dispute Resolution Policy (UDRP) and UDRP-based policies. From January through June, the Center received 735 such cases, a marked increase over the 526 cases filed during the first half of 2004. In addition, the Center continued to receive new

arbitration and mediation cases. In line with its role as a resource center tasked with raising awareness among IP owners of the potential benefits of alternative means of dispute resolution (ADR), the Center organized several meetings that attracted an international audience.

### **Sub-program 06.1 - Arbitration and Mediation Services**

122. Requiring international, neutral and efficient dispute solutions, transactions such as cross-border licenses or technology transfer agreements increasingly provide for the submission of disputes to mediation and arbitration. In the first half of 2005, the Center received six new arbitration and five new mediation cases, relating to information technology as well as domain name issues. In addition, a major international patent dispute was resolved with the release of a WIPO arbitrator's final award.

123. To further enhance the time- and cost-efficient administration of WIPO mediation and arbitration proceedings, the Center developed an Electronic Case Facility (WIPO ECAF) that allows parties and all other actors in a case under the WIPO Mediation, Arbitration, and Expedited Arbitration Rules to submit communications electronically into a secure online docket. In addition to facilitating online communication, storage and search of submissions, this new tool provides a concise overview of case-related information.

124. The Center organized two sessions of the WIPO Workshop for Mediators in Intellectual Property Disputes, as well as, for the first time, a WIPO Advanced Workshop for Mediators in Intellectual Property Disputes. In addition, 27 speakers from 13 countries addressed the WIPO Conference on Dispute Resolution in International Science and Technology Collaboration, which attracted some 150 participants from 39 countries. The Center continued to answer several hundred information requests and made presentations to specific audiences of IP stakeholders, including WIPO-hosted seminars and meetings.

### **Sub-Program 06.2 - Domain Name Policies and Procedures**

125. The Center continued its tasks as the leading Internet domain name dispute resolution provider. The core domain name policy administered by the Center remained the UDRP, which applies principally to .com, .net and .org, as well as to more recently introduced domains. The 7,633 UDRP-based domain name cases received since commencement of this WIPO service in December 1999 have been administered in 12 different languages, involved parties from 124 countries, and covered 14,474 separate domain names. In addition to its work in the generic top-level domains (gTLDs), the Center administered 38 cases involving names registered in country code top-level domains (ccTLDs). Two more ccTLD registration authorities designated the Center as dispute resolution provider, bringing the total number of ccTLD domains to have done so to 45.

126. The Center's web site continued to rank among the most-visited WIPO web pages. To further facilitate decision-making and party filing under the UDRP, the Center posted the "WIPO Overview of WIPO Panel Views on Selected UDRP Questions." This new information tool summarizes decision trends on key procedural and substantive issues that commonly arise in proceedings under the UDRP. The Overview includes decision references supporting each line of opinion, with over 100 decisions from over 80 different UDRP panelists listed. In addition, the Center processed 496 new WIPO panel decisions for its

searchable online legal index that provides categorized references to all WIPO domain name decisions.

127. In the context of its domain name policy work, the Center published a new report on the IP implications of introducing additional gTLDs. The report, “New Generic Top-Level Domains: Intellectual Property Considerations,” is based on WIPO’s experience in the area of IP protection in the domain name system (DNS) and was presented to the Internet Corporation for Assigned Names and Numbers (ICANN). Discussions were held with ICANN and its various constituencies, in particular in follow-up on the recommendations made by the WIPO Member States in the context of the Second WIPO Internet Domain Name Process. The Center also represented WIPO as an observer to the Working Group on Internet Governance, that was established by the Secretary General of the United Nations “to investigate and make proposals for action, as appropriate, on the governance of the Internet.”

## **MAIN PROGRAM 07**

### **Selected Issues of Intellectual Property**

128. In the first Semester of 2005, the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) consolidated its progress towards a clearer and stronger international framework for the protection of traditional knowledge (TK) and folklore/traditional cultural expressions (TCEs) against misuse and misappropriation. The IGC’s role was clarified as a key element of coordinated and mutually supportive international actions to promote and protect the appropriate role of TK and TCEs.

129. The need for the IGC process to be inclusive and accessible to a broader range of voices was a major focus. Further practical steps were taken to enhance the participation of the increasing number of accredited NGOs representing local and indigenous communities. Capacity-building activities were undertaken and policy information made available to TK holders, national authorities and regional bodies. Support was also provided for numerous training programs and seminars conducted by NGOs, partner UN agencies, the WIPO Worldwide Academy, and other educational and training institutions. Greater linguistic diversity of briefing and working materials was also achieved.

130. With regard to life sciences, WIPO increased its support for international policy discussions during the period under review, with a focus on promoting practical and empirical understanding of these issues. This active role included cooperation with the WHO Commission on Intellectual Property, Innovation and Public Health (CIPIH).

131. Regarding enforcement of IP rights, case and guide books based on decisions in common and civil law in countries were under preparation, following discussions in the second session of the Advisory Committee on Enforcement (ACE). WIPO continued to cooperate and coordinate with multilateral and regional organizations, IGOs and NGOs in the sharing of expertise in the field of the enforcement of IP rights and on specific IP enforcement related programs.

## **Sub-program 07.1 - Genetic Resources, Traditional Knowledge and Folklore**

132. The Eighth Session of the IGC was held in June. Its work was marked by increasing cooperation with other international and regional organizations, and with national authorities, as well as other stakeholders. Among several measures taken to enhance participation of accredited observers representing local and indigenous communities, an informal consultative forum and a panel chaired by an indigenous leader were held in conjunction with the session. During the period under review, the number of observers specially accredited to the IGC rose to over 110. The IGC reviewed a formal proposal to establish a Voluntary Fund to facilitate that participation, and expressed broad general support for it. A revised proposal, reflecting further Member State guidance on the proposal, will be submitted to the General Assembly in September 2005.

133. The IGC reviewed the international dimension of the legal protection of TK and expressions of folklore/TCEs against misuse and misappropriation, on the basis of two sets of policy objectives and core principles that were revised through an intersessional commentary process established by the IGC. Those objectives and principles were built on a sound empirical basis of a wide range of practical experience, existing national and regional initiatives, and other areas of international law and policy, as well as the needs and expectations expressed by the traditional holders of TK and TCEs.

134. The IGC agreed that there was broad support for the process and work undertaken within the IGC in this field and noted the diverse views expressed on the issues. Many participants observed that the draft objectives and principles were already providing clarity, direction and insights to domestic and regional processes aimed at strengthening legal and practical norms against misuse and misappropriation of TK and TCEs. The IGC noted the broad support from Committee participants on the future work of the Committee and agreed to recommend to the General Assembly that its mandate be extended to continue its work on TK, TCEs/folklore and genetic resources.

135. To supplement the work of the IGC, WIPO organized presentations, meetings and consultation fora, including specific outreach and briefing activities for NGO observers. Direct support for initiatives to enhance the protection of TK and TCEs/folklore was provided through missions, meetings and workshops in coordination with other program areas within WIPO. Such activities included:

- Assistance and Expertise Program on TK and Genetic Resources, Ulaan Baator, Mongolia, in January;
- National WIPO Seminar on “Traditional Values in a Globalized World”, Muscat, Oman, in February;
- Expert Mission on IP Issues pertaining to TK and Access to Genetic Resources, Karachi, Islamabad and Lahore, Pakistan, in February;
- OAPI expert meeting, Dakar, Senegal, in February;
- National WIPO Seminar on copyright and collective management of IP rights, Khartoum, Sudan, in February/March;
- ASEAN Policy Forum, Djakarta, Indonesia, in March;
- International Seminar on certification and disclosure of origin, organized by the United Nations University/Institute of Advanced Studies (UNU-IAS), Yokohama, Japan, in March;

- ARIPO Expert meeting, Harare, Zimbabwe, in April;
- 5<sup>th</sup> Congress of Indigenous Peoples of the North, Siberia and the Far East, organized by the Russian Association of Indigenous Peoples of the North (RAIPON) Moscow, Russian Federation, in April;
- Colloquium on “Enhancing the Creative Economy: Shaping an International Centre on Creative Industries”, Salvador do Bahia, Brazil, in April;
- Third WIPO International Forum on Creativity and Inventions, Cape Town, South Africa, in May;
- Side-event to the Fourth session of the United Nations Permanent Forum on Indigenous Issues, New York, in May;
- Information sessions on WIPO work in the field of IP and TK, TCE/Folklore and Genetic Resources in the framework of the WIPO Worldwide Academy and other tuition courses.

136. WIPO also took part in meetings organized by international organizations, including:

- UNESCO Intergovernmental Bioethics Committee (IGBC) and International Bioethics Committee (IBC) Paris, France, in January;
- Second and Third Meetings of UNESCO Intergovernmental Committee of Experts on a Convention on the Protection of the Diversity of Cultural Contents and Artistic Expressions, Paris, France, in January/February and May/June respectively;
- Third Meeting of the Working Group on Access to Genetic Resources and Benefit-Sharing of the Convention on Biological Diversity (CBD), Bangkok, Thailand, in February;
- UNESCO Expert Meeting on ‘Inventorying Cultural Heritage’, Paris, France, in March;
- Consultations with the Food and Agriculture Organization (FAO), concerning a proposed Memorandum of Understanding of Cooperation on matters of mutual interest and a joint seminar on “The Patent System and Innovation in Agriculture”.

137. Finally, with a view to supporting the recognition of TK concerns, contributions were made to ongoing work in other WIPO program areas, such as the revision of the International Patent Classification (IPC) and minimum documentation within the Patent Cooperation Treaty (PCT) System. Also, WIPO continued to support and contribute substantively to national and regional processes aimed at developing positions on issues concerning genetic resources, TK and TCEs/folklore.

### **Sub-program 07.2 - Intellectual Property and Life Sciences**

138. During the period under review, WIPO gave presentations on policy issues related to IP management of government-funded innovations in health technologies at the request of Member States, and on biotechnology patenting issues to representatives of technology incubators. WIPO also gave factual explanations of issues surrounding patenting material such as proteins, DNA, and living organisms, and provided input to meetings of the UN Interagency Committee on Bioethics and meetings of UNESCO on a Draft Declaration on Bioethics. Furthermore, WIPO contributed to a series of WTO regional workshops dealing with current IP issues, including public health.

139. The principal focus was work related to the WHO CIPIH. In this connection, an overall policy framework was developed in the form of an initial submission and a program of follow-up studies. Also, a broad range of practical and factual material continued to be

provided in support of the Commission's work in identifying obstacles to innovation for neglected diseases, and appropriate means of overcoming obstacles to address the health needs of the developing world.

### **Sub-program 07.3 - Intellectual Property Enforcement Issues and Special Projects**

140. The third session of the Advisory Committee on Enforcement (ACE), initially scheduled for 2005, is now expected to be held in April 2006. Following the discussions in the second session, case and guide books based upon decisions in common and civil law in countries are under preparation. The Case Book has been circulated in-house for comments. For the purpose of supplementing these books with databases, Member States and Observers are invited to provide the Secretariat with court decisions in the field of IP enforcement with electronic links to databases. As agreed in its second session, the ACE will discuss, in its third session, the issue of education and awareness-building, including training, concerning all factors related to enforcement, with a particular focus on areas of common concern as reflected in requests for assistance by Member States.

141. During the period under review, various in-house meetings and briefings took place to coordinate assistance pertaining to enforcement, including the organization of a number of activities such as: the WIPO National Seminar on Intellectual Property for the Princess Sumaya University of Technology, Amman; the WIPO National Seminar on the Promotion, Protection and Enforcement of Intellectual Property Rights, New Delhi; the WIPO National Seminar on Counterfeiting and Piracy in the Field of Audiovisual Performances, Rabat; the WIPO Workshop on Geographical Indications, Casablanca; the Summit on Proven Strategies for Counterfeiting and Infringement of IP Rights, Cairo; the WIPO Intensive Seminar on Intellectual Property for Law Students, Geneva; the program on the occasion of the visit to WIPO of the Deputy Prime Minister of Mongolia and his delegation; and the WIPO Regional Training Course on Trademarks for officials of Caribbean IP Offices, Jamaica. In addition, a number of meetings were held with representatives of Member States, in particular, senior members of the judiciary and high-level government officials, to analyze and discuss matters related to IP enforcement.

142. The Government of Myanmar was assisted in modernizing the legislative framework related to the enforcement of IP rights, and Romania received support for the development and implementation of enforcement strategies.

143. In line with its objective to cooperate and coordinate with multilateral and regional organizations in the sharing of expertise and experience in the field of the enforcement of IP rights, WIPO continued to work closely with a number of IGOs and NGOs on specific IP enforcement related programs, including, in particular: the IPR Strategic Group of the World Customs Organization (WCO); Interpol and its Intellectual Property Crime Action Group (IIPCAG); the World Trade Organization (WTO); the Special Commission on Jurisdiction, Recognition and Enforcement of Foreign Judgements in Civil and Commercial Matters of the Hague Conference on Private International Law; the International Association for the Protection of Intellectual Property (AIPPI); the International Anti-Counterfeiting Coalition (IACC); the Counterfeiting Intelligence Bureau of the International Chamber of Commerce (ICC-CIB); the International Federation of the Phonographic Industry (IFPI); the Motion Pictures Association (MPA); the International Publishers Association (IPA); Reconnaissance International; the Global Business Leaders Alliance Against Counterfeiting (GBLAAC); the



Business Action to stop Counterfeiting and Piracy (BSCAP); and, the International Hologram Manufacturers Association (IHMA).

144. Other major activities included: the preparations for, and the participation in, the WCO Enforcement Committee, Brussels, February; meeting with the International Bar Association to discuss a project on specialized IP courts, London, February; the British American Tobacco Stakeholder Dialogue on illicit Trade, Brussels, March; the International Chamber of Commerce meeting on IP enforcement, Paris, March ; meetings for the planning of the Anti-Counterfeiting Forum and the second Global Congress on Combating Counterfeiting and the WCO IPR Strategic Group, Brussels, April; participation in a meeting in Lyon for the planning of the second Global Congress on Combating Counterfeiting, to be held in Lyon, November 2005, and the Regional Anti-Counterfeiting Forum, Rio de Janeiro, May; the Global Congress meetings: Latin America Regional Forum on Combating Counterfeiting (organized by WCO and Interpol, with the support of WIPO and NGOs), Rio de Janeiro, June; participation in the Interpol Training and IP Crime Action Group meetings, Rio de Janeiro, June; and, participation in the Diplomatic Conference on the Hague Convention on Exclusive Choice of Court Agreements, Hague Conference on Private International Law, The Hague, June.

145. WIPO continued cooperation with the European Commission in the area of training and education on the enforcement of IP rights under the Commission's Technical Assistance Information Exchange (TAIEX) program for the enlargement in Europe. In this context, WIPO prepared programs for, and participated in, two TAIEX workshops on the enforcement of IP for the judiciary, IP attorneys, customs and police officials and consumer associations, held in Slovenia in March, and Slovakia in June.

146. The WIPO web site on enforcement matters, which integrates the Intellectual Property Enforcement Issues and Strategies (IPEIS) Electronic Forum, was broadened with links to consumer surveys and studies as well as databases of case law. Quarterly newsletters on global enforcement events and WIPO's enforcement activities, published on the web site, increased awareness among all stakeholders of the importance of enforcement of IP rights and exchange of national and regional experiences in this field.

## **MAIN PROGRAM 08**

### **Cooperation with Developing Countries**

147. During the first half of 2005, WIPO's Cooperation with Developing Countries focused on enabling governments and other institutions of beneficiary countries to realize the full potential of their IP assets. In addition to providing traditional legal and technical assistance activities, WIPO also encouraged and assisted Member States to develop and implement nationally-focused strategies aimed at creating, owning and exploiting IP for economic, social and cultural development.

148. This new approach was presented to the Permanent Committee on Cooperation for Development Related to Intellectual Property (PCIPD) at its fourth session, in April,<sup>5</sup> where it

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<sup>5</sup> Document PCIPD/4/2.

received support and appreciation by Delegations. The PCIPD also provided useful input to the Secretariat for further improving and refining assistance.

149. Giving effect to a decision by the WIPO General Assembly at its Thirty-First (15<sup>th</sup> Extraordinary) Session, in September 2004,<sup>6</sup> and continuing the policy of keeping sustainable development as a key element of its assistance to developing countries, WIPO organized a series of activities designed to enable an in-depth exchange of views and to seek Member States' input on further integrating the development dimension into its activities.

150. One such activity was an International Seminar on Intellectual Property and Development, which took place in May, and was jointly organized with the United Nations Conference on Trade and Development (UNCTAD), the World Health Organization (WHO), the United Nations Industrial Development Organization (UNIDO) and the World Trade Organization (WTO). The objective of the seminar was to review and examine important IP and development policy issues facing the international community, in particular, developing countries and least developed countries (LDCs). The Seminar, which was attended by over 180 participants from the legal profession, academia, NGOs, governments and the general public from various countries and regions, also aimed to serve as an international forum for the exchange of ideas and experiences.

151. Another important activity was the convening of the Inter-Sessional Intergovernmental Meeting (IIM). Participation in the IIM process was open to all WIPO Member States and interested IGOs and NGOs. The First Session of the IIM, held in April, discussed: a proposal by Argentina and Brazil (co-sponsored by Bolivia, Cuba, Dominican Republic, Ecuador, Egypt, Iran (Islamic Republic of), Kenya, Peru, Sierra Leone, South Africa, United Republic of Tanzania and Venezuela) relating to the Establishment of a Development Agenda for WIPO; an additional elaboration by the "Group of Friends of Development" relating to a Proposal to Establish a Development Agenda for WIPO: An Elaboration of Issues Raised in a Proposal by the United States of America for the Establishment of a Partnership Program in WIPO; a proposal by Mexico on IP and Development; and, observations by the United Kingdom relating to IP and Development. Given the need for an in-depth examination of the proposals, it was considered that more time would be required by Member States to study them. The IIM decided to continue discussions and consideration of the proposals at its next session.

152. The Second Session of the IIM was held in June. In addition to proposals submitted earlier, two new proposals were presented by Bahrain (co-sponsored by Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Oman, Qatar, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Yemen) relating to the Importance of Intellectual Property in Social and Economic Development and National Development Programs, and by the United Kingdom relating to IP and Development. The IIM decided to organize its discussions on the basis of a list of proposals derived from written submissions from Member States. Following discussions it was decided to continue consideration of those and any other possible new proposals at the next (third) session of the IIM.

153. The work program of the Economic Development Sector was restructured following a shift in focus towards assisting developing countries to strengthen and modernize their national IP infrastructure, build institutional capacity, acquire technology, create IP assets,

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<sup>6</sup> Document A/40/7.

and generate income and employment by integrating and implementing IP strategies into national development goals in a sustainable way. In this context, sustainable development is understood as balancing economic goals with social objectives, thereby contributing to the United Nations (UN) Millennium Development Goals. Special attention continued to be given to the specific needs of LDCs.

154. WIPO's development activities were extended to assist developing countries in strengthening their capabilities to participate in, and benefit from, technology transfer and exchange between countries.

155. Finally, WIPO actively assisted developing countries to integrate IP into public policy in areas such as health, trade, education, research and competition policies. Particular emphasis was placed on advising countries on the flexibilities of international IP treaties, especially the TRIPS Agreement, as elaborated by the Doha Declaration of 2003. WIPO also continued to work closely with other bilateral, multilateral and international organizations involved with IP and/or economic development.

### **Sub-Program 08.1 – Empowerment for Development**

#### *African Region*

156. In line with the vision of African leaders articulated in the New Partnership for African Development (NEPAD), WIPO continued to attach great importance to, and focused a significant part of its work on, the economic benefits of IP. In addition to continuing institution building and enforcement activities. WIPO also cooperated with international economic organizations, regional economic groupings, NGOs and other regional organizations.

157. To this end, WIPO undertook a total of 31 expert missions (15 in the domain of industrial property, seven related to copyright and nine on other aspects of IP) to attend seminars and high level meetings with policy-makers, and to provide training on topics such as licensing, technology transfer and policy advice on the protection of traditional knowledge and folklore. Over 1,000 government officials, national experts and seminar participants directly benefited from these activities.

158. WIPO continued to implement a project designed to assess the benefits of the IP system for African countries, diagnose the economic, social, cultural and technological situation in each country, and thereby assess the impact of IP as a tool for developing economic, social, cultural and technological growth.

159. To ensure good project results, a survey methodology was developed that examines current IP policies, practices and strategies for the development, management and commercialization of IP rights, to generate empirical data that can serve as a strategic tool for informed decision making on optimizing the use of IP within respective national economies. Project deliverables will be a series of national IP profiles that can be used as a basis for planning future activities with the countries concerned. The pilot phase of the project was carried out in five countries (Kenya, Ghana, Nigeria, South Africa and Tanzania). A further 20 assessments were launched in cooperation with the Common Market for Eastern and Southern Africa (COMESA) and the Central African Economic and Monetary Community (CEMAC), which has 15 and five member countries respectively.

160. Other major activities included the organization of four seminars on various aspects of the economic impact of IP, the strategy for acquisition, effective management and dissemination of IP information, licensing and distribution of copyright royalties.

161. In February, WIPO and the African Regional Intellectual Property Organization (ARIPO) organized a joint Sub-regional Workshop to develop Intellectual Property Licensing and Negotiation Skills in Harare, which was attended by 62 participants from academia, law firms, the business sector and research and development institutions. The principal objectives of the workshop were to develop capacity in IP licensing, build negotiation skills in the region, and verify the usefulness of the WIPO publication “Successful Technology Licensing” (STL) as a training tool.

162. In April, in cooperation with the *Agence intergouvernementale de la francophonie*, WIPO organized, in Burkina-Faso, a regional seminar on the dimension of collective management of copyright and neighboring rights in the development of cultural industries. The objective of the seminar was to provide a forum for heads of copyright collective management societies for the formulation of national policies for the development of cultural industries in Africa.

163. WIPO continued the automation of industrial property and copyright offices, and collective management societies as well as development of programs for the promotion of invention and innovation across the African region. A total of eight automation assistance activities were carried out, which included two full automation projects in Ethiopia and Ghana. Progress was also made on four automation projects in Malawi, Mozambique, Tanzania, and Zimbabwe.

164. Through ARIPO and OAPI and their respective member states, WIPO also assisted with the setting-up of legal mechanisms for the regional and national protection of traditional knowledge and traditional cultural expressions and participated in four regional activities. As a continuation of the work initiated under the resolution adopted by the Organization of African Unity (OAU) Assembly of Heads of States and Governments in 2002, WIPO participated in the OAPI Scientific Committee meeting held in February in Dakar, to assist in the development of a draft framework for an African regional instrument on the protection of traditional knowledge.

165. WIPO also provided expert advice to a similar Meeting of Experts from ARIPO member countries in Harare, in March, with a view to: examining current draft instruments for the protection of traditional knowledge and folklore being discussed by the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), and to prepare ARIPO’s comments as an input to the Eighth Session of the IGC in June 2005; and, developing draft regional instruments on the protection of traditional knowledge and folklore for ARIPO member countries. This process is expected to lead to four sub-regional ARIPO and OAPI treaties on traditional knowledge and folklore, which would be closely harmonized.

166. In the framework of the WIPO pilot project in certain African countries on the promotion and protection of geographical indications as a strategy for promoting agricultural products and crafts, a mid-term project evaluation meeting between WIPO, OAPI officials, the National Industrial Property Institute (INPI), France, the National Institute of Appellations

of Origin (INAO), France, and the Ministry of Agriculture and Fishing, France, took place in Paris in April.

167. In March, at the invitation of the Permanent Committee of Lusophone Countries (CPLP), WIPO participated in the Meeting of Ministers of Culture of Portuguese-speaking countries, in Luanda. At that meeting, it was decided to organize, in the near future, a meeting between CPLP and WIPO with a view to defining a cooperation program for the promotion of copyright and related rights, and the development of collective management societies in the Portuguese-speaking African countries (PALOP).

#### *Arab Region*

168. Activities covered all IP domains and aimed at developing and modernizing IP systems and empowering individuals in the countries in the region. Some 1,356 nationals from the region benefited from IP and copyright seminars, workshops, symposia (14), expert missions (16) and study visits (eight), and 62 officials from 10 countries were trained.

169. Following the development of a software for the management of automated systems for Arab industrial property Offices, now fully installed and customized in ten Arab countries, software for collective management societies, customized to meet the needs of societies in the Arab region, was also developed and installed in Morocco and Tunisia.

170. In order to promote IP law teaching in universities in the Arab region, WIPO cooperated with a number of academic institutions. At the beginning of 2005, WIPO sent two visiting French professors to La Sagesse University, Lebanon, and one British professor to the University of Jordan, to make presentations on various IP topics. Publications and documents serving as reference and teaching material were sent to three universities. WIPO also financed the participation of six Palestinian students in the Intensive Seminar on Intellectual Property for Law Students, at WIPO headquarters in May, and organized a WIPO National Seminar on Intellectual Property at Princess Sumaya University for Technology (PSUT), in Jordan.

171. Following Khartoum's nomination by the League of Arab States (LAS) as the Arab Cultural City for 2005, WIPO organized, in cooperation with the Sudanese Ministry of Culture, a National Seminar on Copyright, Related Rights and Collective Management, in Khartoum, in February. The objective of the seminar was to build awareness among participants and senior officials of the latest trends in the field of copyright and related rights, as well as the TRIPS Agreement, its implications for LDCs, and its requirements on national authorities for their accession to the World Trade Organization (WTO). Furthermore, the seminar sought to clarify many of the concerns of the local participants coming from outside Khartoum, on the importance, ways and means of establishing collective management organizations, as well as to show the importance of the protection of copyright and related rights for economic development, especially with reference to the position of SMEs within the national economy.

172. In cooperation with the Syrian Ministries of Economy and Trade, and Health, WIPO organized a National Seminar on Intellectual Property and the Protection of Pharmaceutical Products, in Damascus, in April. The objective of the meeting was to build awareness of the importance of the protection of IP, in particular, the link between industrial property and access to medicines. WIPO underlined the importance and benefits of patents for inventors and the national economy, and private sector participants emphasized the important role of

research and development, and the large investments needed to develop new medicines. The meeting concluded that, rather than being an obstacle to accessing pharmaceutical products, IP protection is a powerful tool that encourages inventors to dedicate resources to developing new and improved products. Moreover, the international patent system has embedded important features and flexibilities, which allow governments to adopt public policy measures that prevent potential abuses and excesses contrary to the interests of society.

173. In cooperation with the Syrian Ministry of Culture, WIPO organized a National Seminar on Copyright and Related Rights for Lawyers and Judges, in Damascus, in April. The seminar aimed at presenting an overview of the latest developments in the field of copyright and related rights, as well as reiterating the importance of the protection of such rights in the promotion of creativity and investment, in literary, musical and artistic fields. Furthermore, practical examples of court cases were presented, and the role of the public and private sectors were elaborated with regard to policy considerations and practical measures required for the effective enforcement of copyright and related rights. The importance of establishing well-functioning collective management organizations and the role of a reproduction rights organization was also discussed.

174. In cooperation with the Government of the Kingdom of Morocco, WIPO organized a National Seminar on Piracy and Counterfeiting of Audiovisual Works, in Rabat, in April. The aim of the Seminar was to provide a forum to discuss the problem of piracy and counterfeiting and its social, cultural and economical impact. It gave an in-depth introduction to various topics related to IP rights enforcement and sought to increase understanding of the importance of effective IP enforcement, as well as the legal framework in which IP enforcement takes place.

175. In cooperation with the Egyptian Association for the Protection of Intellectual Property (AEPPI), WIPO organized an International Symposium on Intellectual Property (IP): A Strategic Tool for Economic Growth, in Cairo, in April, to raise awareness among members of the business community of the benefits of using the IP system to promote economic development.

176. A National Seminar on Intellectual Property for Journalists and Members of the Media was also organized, in cooperation with League of Arab States (LAS), in Cairo, in May, to provide an in-depth introduction to IP and an overview of the latest IP developments.

177. A National Seminar on the Protection of Geographical Indications was held jointly with the Government of Lebanon, in May, to promote greater awareness of this issue and current debates.

178. A Regional Seminar on Copyright and Collective Management was organized in cooperation with the Government of the Kingdom of Morocco, in Rabat, in May, with the aim of increasing awareness of the legal, economical, organizational and practical aspects of collective management, copyright and related rights, as well as recent developments and challenges in this field. The seminar was attended by senior government officials responsible for policy issues relating to copyright and related rights, and the private sector.

179. In cooperation with the Government of Tunisia, a National Seminar on the Importance of Intellectual Property for Small and Medium-Sized Enterprises (SMEs) and the Research Sector was held in Tunis, in June. The seminar presented an overview of the latest developments in the field of industrial property, and reiterated the importance of the

protection of IP for promoting creativity and investment and encouraging inventors to develop new products.

180. At the request of the Ministry of Information of the Kingdom of Bahrain, WIPO organized a National Seminar on Intellectual Property Rights, in Manama, in April, to raise awareness in general and to illustrate the link between infringement and economic impact.

181. Two back-to-back seminars were organized jointly with the Ministry of Commerce and Industry, the Ministry of Education and the National Authority for Traditional Crafts, Sultanate Oman, in Muscat, in February. The objective of the first seminar was to raise awareness of the importance of education in IP rights and to introduce a curriculum for schools. The second seminar aimed at raising awareness of the protection of traditional knowledge, and to look at best practices as a basis for such draft legislation in Oman.

182. A WIPO-CISAC Joint Expert Mission was undertaken to the Moroccan Copyright Office (BMDA), in March, to better understand the structure of the Office, its functioning and needs, and to discuss possible areas of cooperation.

183. Finally, a fact-finding mission was undertaken to Lebanon, in June, in cooperation with the WIPO Intellectual Property and Economic Development Division, in connection with the Study on Leveraging Intellectual Property to Foster Lebanon's Tourist Systems.

#### *Asia and the Pacific Region*

184. WIPO continued to assist Member States strengthen their capacity to build national IP systems consistent with national development objectives. Activities undertaken contributed, *inter alia*, to enhancing the capacity of policy-makers to make informed policy and strategic decisions to address new and emerging issues in the field of IP.

185. During the period under review, some 284 participants benefited from seven regional seminars, while 704 local participants benefited from nine national IP and copyright related workshops and seminars. A total of 25 expert and advisory missions were carried out in the region, training was organized for 17 participants, and four study visits with eight participants took place.

186. Several high-level meetings addressing policy issues were organized, including: the WIPO-ASEAN Forum on Policy Issues in the International Intellectual Property Agenda in Jakarta, in March; the WIPO Asia-Pacific Regional Symposium on Policies and Strategies for Copyright and Promotion of Copyright-Related Industries in Hangzhou, China, in May, (FIT/Japan); the WIPO Asia-Pacific Regional Symposium on Intellectual Property for Development, in Singapore, in June; and, the WIPO Asia-Pacific Regional Seminar on Intellectual Property and New Technologies in Daejeon, in June (FIT/Republic of Korea).

187. Assistance to traditional and new target groups of users on how to exploit the IP system for individual and collective benefits, and for national development, was the main objective of several activities. Emphasis was placed on promoting the use of industrial property information, encouraging protection and valorization of indigenous creations and innovations, establishing and strengthening user organizations and enhancing public knowledge and the national skills base. In this regard, expert advisory missions were undertaken to: Fiji for consultation on a possible collective management system for Pacific Forum Islands countries; Brunei Darussalam for a study on the setting up of a patent information center; and,

Myanmar for the training of government officials, academics, researchers and entrepreneurs on the use of patent information for technological research and development. In addition, an International Patent Licensing Seminar and a WIPO Roundtable on Development of University-Industry Partnerships for the Promotion of Innovation and Transfer of Technology were held in Tokyo, in January and April, respectively (FIT/Japan). Two national seminars were also organized, in January and February (FIT/Japan), with the aim of assisting SMEs in Bhutan and Nepal to make better use of the IP system.

188. Assistance to developing countries in the region to build up or modernize their IP offices remained a key priority. Activities concentrated on: the modernization of the IP management systems and simplification of administrative procedures; strengthening institutional structures and resources; developing qualified staff; and, building strong functional linkages with institutions involved in research and development activities, resulting in sustained national capacities and infrastructure appropriate to each country's level of development. An example of this type of activity is an on-going project in Cambodia, which aims to strengthen the IP system by providing critical inputs to the start-up of the patent, utility model and industrial design operations, and supplying an automation support system to trademark operations.

189. With respect to IP Office modernization, an assessment mission was undertaken to prepare for the full deployment of an automated system in Pakistan. The second stage of an automation project in Nepal was completed, and certain other IP Offices in the region were at different stages of automation planning and preparation.

190. Management study visits to Singapore were organized for IP officials from Cambodia, Iran (Islamic Republic of) and Nepal. Recognizing the need to enhance human resource capacities in IP administration, a training course on industrial property administration was organized in Tokyo, in February (FIT/Japan). National roving seminars were held in Chennai, Mumbai and New Delhi, in February, with a view to enhancing awareness of the international registration systems and their benefits to the national economy, national IP owners and IP Offices.

191. Emphasis was also placed on strengthening synergies between development projects and WIPO activities implemented through bilateral arrangements with international and regional organizations involved with IP and economic development. This approach significantly contributed to optimizing the use of resources and exploiting synergies. In this respect, a WIPO Asia-Pacific Regional Symposium on Strengthening Private-Public Sector Cooperation in the Development and Use of Intellectual Property Systems was organized in Colombo, in March. Furthermore, in an effort to explore the possibility of cooperative partnerships, WIPO participated in the APEC-IPEG Twentieth Meeting and the Seminar on the Dissemination and Utilization of IP Information in the Digital Economy, held in Seoul, in February, as well as the Second ASEAN Senior Economic Officials Meeting for the Thirty-Sixth ASEAN Economic Ministers Meeting, held in Manila, in March.

192. In addition, a comprehensive country project for Pakistan on the modernization of the IP system was launched in cooperation with the European Union (EU) and the International Trade Center (ITC). The project includes a wide range of interrelated activities pertaining to the strengthening of the newly established single IP Office in the country, automation of IP administration procedures, development of human resources and enhancement of the capacity to reach out to user groups. The project would greatly facilitate the country's efforts to manage various aspects of IP in a more integrated and effective manner.



193. WIPO continued its close cooperation with the Japan Patent Office (JPO), Japan Copyright Office (JCO) and Korean Intellectual Property Office (KIPO), on technical assistance projects and programs under the funds-in-trust arrangements established between WIPO and those Offices.

*Latin America and Caribbean (LAC) Region*

194. During the period under review, WIPO engaged in a broad range of activities across all IP domains in the region. A key feature of WIPO's approach was enlisting national governments and local institutions as full partners.

195. Approximately 700 participants took part in seminars and workshops on various aspects of IP, with a particular emphasis on copyright, trademarks and ways in which SMEs can maximize benefits from IP systems. Over 30 staff and expert missions were undertaken, either as a contribution to these activities or to provide expert assistance to governments and other high level officials on specific IP related issues.

196. A Regional Training Course on Trademarks for Officials of Caribbean Intellectual Property Offices was organized for 11 countries in Jamaica, in June, within the framework of the Cooperation Agreement and the related Cooperation Development Project. The course emphasized practical training on administrative proceedings related to opposition hearings, in response to the priorities expressed by several Governments.

197. The Second WIPO Sub-Regional Meeting of Patent Experts of Central American Countries and the Dominican Republic for the Drafting of a Manual on the Processing of Patent Applications, was held in Santo Domingo, in March, in cooperation with the Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA), the European Patent Organization (EPO), the Spanish Patent and Trademark Office (OEPM) and the Government of the Dominican Republic. The main goal of this meeting was the strengthening of the existing exchange and cooperation mechanisms between patent Offices, the creation of new cooperation links, and the establishment of a collective, harmonized management system in the region.

198. Within the framework of the Cooperation Agreement, signed in April 2004 between WIPO and the Economic Committee for Latin America and the Caribbean (ECLAC), a joint Policy Forum on Intellectual Property, Science, Technology and Innovation was organized in Santiago, in June. The forum was attended by high-level government officials involved in formulating economic development policies from 15 countries, and experts from India, Spain and the Inter-American Development Bank (IDB). Participants exchanged views on different international and regional experiences related to the design and implementation of IP-related policies and strategies aimed at increasing the level of competitiveness of national economic activities through mechanisms establishing links between innovation, creation, technology management and IP.

199. The implementation of a Regionally Focused Action Plan on Collective Management Administration of Copyright and Related Rights for Central American Countries continued. The project aims at effectively contributing to the development and strengthening of collective management systems to allow right holders to receive a fair economic compensation for the exploitation of their works, and to promote the development of cultural industries in Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras,

Nicaragua and Panama. Project activities included, *inter alia*, awareness-building, technical training and provision of IT equipment.

200. Within the context of strengthening the infrastructure and capacity of national IP Offices in the region, automation assistance activities were carried out in Barbados, Brazil, Colombia, Costa Rica, the Dominican Republic, Panama, Trinidad and Tobago, and Uruguay.

201. WIPO also organized seminars on IP and economics in various cultural industry sectors. A seminar for the audiovisual sector, which took place in Buenos Aires, covered the legal framework, contracts and licensing schemes, market access and distribution practices, governmental support and other promotional tools for the sector, enforcement and collective management of rights, and economic valuation of IP intangibles.

202. Studies on the current use that SMEs make of the IP system at the national level were initiated in Argentina, Brazil, Chile, Colombia, Costa Rica, El Salvador and Paraguay. The studies aim at gathering information on the legal, institutional and financial framework for SMEs, successful cases of use of the IP system as a competitive tool by SMEs, and SMEs' general awareness and use of the IP system. The studies are also expected to provide an overview of IP strategies, policies and programs targeting SMEs, to help policy makers and other IP advisors to delineate policies and encourage the effective use of the IP system.

203. WIPO continued to provide assistance to SMEs, governments and other stakeholders on the strategic use of IP and the benefits to be derived therefrom. This program, organized in partnership with the Caribbean Export Development Agency, includes 15 countries in the region. Its main goal is to enhance the awareness and understanding of the relevant Chambers of Commerce and Industry of the value of IP and national IP strategies. In addition, interest in nation branding and the potential benefits to national economies is growing.

## **Sub-Program 08.2 – Special Support Areas**

### *Legal Assistance*

204. WIPO's legislative advice was frequently requested by developing countries, in particular Least Developed Countries, as they prepare to comply with the obligations of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) by January 2006, or by those developing countries preparing accession to the World Trade Organization (WTO). The flexibilities contained in the international legal framework have been clarified recently to respond to the needs of developing countries.

205. In addition to advising on the compatibility of national legislation with WIPO administered treaties and the TRIPS Agreement, assistance also aimed at enabling policy-makers and legal officials to make informed decisions on the use of options and flexibilities available in the international legal framework, in their national laws. Developing countries were also advised regarding accession to those international treaties to facilitate their use of IP in business development and trade.

206. WIPO also assisted countries, particularly those at relatively higher levels of development, to review their existing IP protection systems and examine IP tools for national development not previously considered, such as protection of certain technical solutions through utility model legislation. Highlights of this work are summarized below.

207. In Trinidad and Tobago, discussions were held with representatives of the Government, the private sector, and trademark agents on a draft law prepared by WIPO. An informal meeting was also held to clarify aspects concerning protection of well-known trademarks.

208. In the Dominican Republic, discussions took place with representatives of the national Patent Office and the Ministries of Justice and Health, on the legal aspects concerning a request for a compulsory license by a local generic drug manufacturing company.

209. Representatives of the Ministry of Science and Technology and the Office of the Attorney General, Myanmar, visited WIPO headquarters for discussions on the draft patent, trademark, industrial design and copyright laws. Written comments on those draft laws were also provided to the Government of Myanmar for its consideration.

210. In Pakistan, consultations were held on draft laws with representatives of the Ministries of Commerce, Health and Environment, Patent and Trademark Offices, and patent and trademark attorneys on geographical indications and TRIPS flexibilities in the field of patents.

211. In view of the recent negotiations leading to Lebanon's accession to the WTO, WIPO assisted Lebanon in the drafting of industrial property laws and provided written comments on their legislation. WIPO was also involved in discussions with Lebanese authorities on several aspects of bilateral trade agreements.

#### *Least Developed Countries (LDCs)*

212. Concrete and practical technical assistance was provided to LDCs in different areas, such as institution building, human resource development, and development of more effective protection of traditional cultural expressions (TCEs), in the form of, *inter alia*, strategic guidelines, model provisions and technical notes.

213. Work continued on the implementation of recommendations and actions emanating from the results of the Seoul Ministerial Conference on Intellectual Property for the Least Developed Countries. In this connection, a project for the establishment of Intellectual Property Information Centers and Advisory Services for Least Developed Countries was prepared under FIT/Republic of Korea.

214. Significant preparatory work was undertaken for the second phase of the first Training and Advisory Program on Intellectual Property for Least Developed Countries to be held in Ethiopia. Work was also underway for the second such Training and Advisory Program scheduled to be held in Sweden.

215. Preliminary discussions were held for a possible capacity-building project in the field of IP for LDCs, potentially with external financing. In addition, another externally funded project, benefiting LDCs in promoting the use of IP for access to medicine, was finalized.

216. As the mid-term Review of the Implementation of the Program of Action for the Third United Nations Conference for the Least Developed Countries approached, coordination and monitoring of the implementation of WIPO deliverables for the Least Developed Countries continued to be an important component of work undertaken. In this context, the building and modernization of IP offices through the provision of IT infrastructures, services and equipment, human resources development, establishment of collective management societies,

the development of information materials for LDCs and the commissioning of national studies on traditional knowledge, genetic resources and folklore were given priority.

217. The first draft of a national study in the area of TCEs, commissioned in Senegal, in June 2004, was reviewed by various relevant WIPO sectors. The purpose of the study is to enable Senegal to develop and formulate an appropriate national IP strategy in the area of TCEs.

218. A similar study on TCEs was launched in Bangladesh in May. The study would focus on the identification of TCEs, creation of inventories and registers, and documentation and/or recording of TCEs, with the objective of enabling the Government to develop appropriate strategies and mechanisms for the protection, administration and management of national TCEs and to explore their wealth creating potential.

219. In February, WIPO officials participated in a National Seminar on the Role of Invention and Innovation in the National Economic Development of Ethiopia: Challenges and Prospects. As a follow-up, a Nationally Focused Action Plan for Ethiopia, focusing on capacity building in the area of IP in support of the agricultural sector, was prepared and is currently under review by the Ethiopian government.

220. Finally, the customization of the publication “Exchanging Value: Negotiating Technology Licensing Agreements: A Training Manual” was initiated, to meet the specific national conditions of LDCs.

#### *Automation Assistance*

221. To facilitate the attainment of IP rights and to support developing countries and LDCs in their efforts to maximize the benefits from their IP systems, advisory and technical automation assistance to IP Offices and collective management organizations across all regions was provided during the period under review, as detailed above.

222. The key focus of automation assistance activities to IP Offices and collective management organizations continued to be institution building and strengthening of capacities, by harmonizing and tailoring automation solutions to the specific needs of national and regional Offices. This approach resulted in the promotion of a more comprehensive and sustainable solution for IP Offices. Also, cost-effective and timely assistance was achieved by using tested and proven solutions, leveraging inter-regional solutions and alignment with international standards and best practices.

223. The number of requests for automation assistance from Member States continued to grow and were assessed on a case by case basis, in line with available resources. During the period under review, a large number of automation activities were carried out across all regions, ranging from technical advice, needs assessments, training, through to the full deployment of the automation system IPAS (Intellectual Property Automation System).

224. In the area of collective management of copyright and related rights, major enhancements, both functional and technological, were made to WIPO’s copyright management software, AFRICOS, to make it compliant with international databases and standards and to improve the distribution module’s functionality and ease of use.

*Collective management societies*

225. Activities targeting collective management organizations included WIPO's participation in the meetings of the WIPO-International Confederation of Societies of Authors and Composers (CISAC) and WIPO-the International Federation of Reproduction Rights Organizations (IFRRO) Joint Working Committees, both held at WIPO's headquarters. Within the framework of the implementation of the Cooperation Agreements with CISAC and IFRRO, these meetings were organized in order to take stock of the past years activities and review the program for 2005.

226. A Strategic Issues Meeting for the Member Societies of the Caribbean Copyright Link (CCL) was also held in February, in Port-of-Spain, Trinidad and Tobago. The objectives of the meeting were to provide an overview on the respective performance of CCL member societies and offer perspectives on the future direction and strategies of the CCL.

227. WIPO also attended the meeting of the International Council of Authors of the Graphic and Plastic Arts and of Photographers (CIAGP), held in Mexico in February, and participated in a meeting, also held in Mexico, at the *Sociedad Mexicana de Autores de las Artes Plásticas* (SOMAAP) headquarters, with the participation of Latin American societies, the coordinator of the *Consejo Latinoamericano de Artes Visuales* (CLAVIS), CISAC and European cooperating societies (*Société des Auteurs dans les Arts Graphiques et Plastiques* (ADAGP) (France), *Visual, Entidad de Gestión de Artistas Plásticos* (VEGAP) (Spain) and BILD-KUNST (Germany)), in order to exchange technical information and define future strategies in the field of visual arts for the Latin American region.

228. A WIPO-International Confederation of Societies of Authors and Composers (CISAC) expert mission to the Moroccan Copyright Office (BMDA) took place in March, in Rabat. The objective of this mission was to understand the structure and functions of the BMDA better and obtain information on needs and potential cooperation in the context of WIPO's development cooperation program. One month later, a regional seminar on collective management of copyright and related rights, attended by fifteen countries, was organized by WIPO in Rabat prior to the regional consultation meeting for broadcasting organizations.

229. As in 2004, WIPO organized the Third Iberolatinoamerican Training Course on Performers' Intellectual Property Rights, in Madrid, in May, with the cooperation of the Iberolatinoamerican Federation of Performers (FILAIE), and the Spanish performers' society "*Artistas Intérpretes o Ejecutantes, Sociedad de Gestión de España*" (AIE). The course was attended by representatives of performers' societies from the following countries: Argentina, Bolivia, Chile, Costa Rica, Ecuador, Guatemala, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela.

230. WIPO also attended regional meetings organized by NGOs in order to follow relevant developments on collective management of copyright and related rights, as well as related issues.

231. Finally, a joint publication with IFRRO was finalized and officially launched in Brussels, in June. The publication provides comprehensive information on reprography and various national reproduction rights organizations. An article entitled "The setting-up of new copyright societies: Some experiences and reflections" was also published in booklet format.

## **MAIN PROGRAM 09**

### **Cooperation with Certain Countries in Europe and Asia**

232. During the period under review, activities undertaken with certain countries in Europe and Asia focused mainly on human resource development and awareness-building. Regional and international cooperation was further enhanced.

233. Consultations were undertaken with several governments on the modernization of their national IP legislation, the ratification of, or accession to, WIPO-administered treaties as well as general IP issues. Moreover, legal advice continued to be provided with regard to the new version of the Model Copyright Law for CIS countries.

234. WIPO also continued to cooperate with governments in the development and implementation of a Nationally Focused Action Plan, seven bilateral cooperation programs and two memoranda of understanding. Those programs aim at assisting national authorities to enhance the efficiency of the management and use of the IP system bringing long-term economic benefits to the relevant countries. In addition, two countries were provided with IT equipment and selected books and publications, respectively. Assistance was also offered for the translation and customization of various WIPO publications.

235. Furthermore, the implementation of two country projects aimed at strengthening capacities in the area of collective management of copyright and related rights continued. Advice was also provided for the development of a software for the collective management of copyright and related rights in the CIS countries.

236. Some 900 participants attended six meetings organized by WIPO in cooperation with national IP administrations in the region, including: a Workshop on Trademarks; a Seminar on Designs; a Seminar on Collective Management; Regional Consultations on Broadcasting; the WIPO-UN/ECE Sub-regional Seminar on Enforcement; and, a Seminar on IP Education and Training.

237. Moreover, WIPO officials presented papers in several seminars organized by national authorities and other institutions, including the Conference on Intellectual Property in the New European Union (EU) Member States and the Seminar on Copyright organized by USAID.

238. WIPO continued its coordination with the EU in providing technical assistance on IP related matters. Within this framework, WIPO provided specialized inputs to nine national events organized and financed by the Technical Assistance Information Exchange Office (TAIEX), Enlargement Directorate General, Commission of the European Union, in the Central European, Baltic and Mediterranean new member countries of the European Union. Topical issues and subjects dealt with included in particular: enforcement of IP rights; counterfeiting; the central role of IP assets in creating and sustaining business success in domestic and international markets for SMEs; and, IP rights and data protection.

239. WIPO also continued cooperation with the European Patent Organization (EPO) in implementing the Community Assistance for Reconstruction Development and Stability (CARDS) Program under which the EU's technical and financial assistance to the Western Balkan countries is carried out. In this respect, WIPO participated in the

Cooperation Committee Meeting and provided speakers to four events financed by the CARDS Program.

240. WIPO also participated in the meetings of the UN/ECE Advisory Group on the Protection and Implementation of Intellectual Property Rights for Investment in the Countries in Transition and the European Committee of the International Confederation Societies of Authors and Composers.

241. A number of countries from the region received assistance to attend WIPO meetings, including the Third International Forum on Creativity and Inventions - A Better Future for Humanity in the 21<sup>st</sup> Century, held in Cape Town, South Africa.

242. Several awards were bestowed for the promotion of creativity and innovation.

## **MAIN PROGRAM 10**

### **The WIPO Worldwide Academy (WWA)**

#### **Sub-Program 10.1 – Distance Learning**

243. The following distance learning courses were offered during the period under review:

- General Course on Intellectual Property (DL-101), with a total of 3,559 students in Arabic, Chinese, English, French, Portuguese, Russian, and Spanish;
- Advanced Distance Learning Course on Copyright and Related Rights (DL-201), with a total of 255 students in English, French, Spanish;
- Advanced Distance Learning Course on Electronic Commerce and IP (DL-202), with a total of 179 students in English.

244. In addition, the introductory “Primer on Intellectual Property” (DL-001), accessible online with no registration requirements or time limitations, was accessed by 852 participants, in English, French, Spanish.

245. A major development in the online advanced courses was the introduction of a fee-paying system for participation in the DL-201 and DL-202 courses. Tutorial fees, however, were waived in the case of participation of government officials, representing 23 per cent of the total number of participants in the two advanced courses. Reduced fees were applied to nationals from developing countries and to students. Income generated from the distance learning course fees in the first semester of 2005 amounted to approximately 58,000 Swiss francs.

246. Another major policy decision was taken with regard to distance learning tutorial practices. The current system of tutorial support will be abandoned for DL-101 as of the second session in 2005. Tutorial support will be maintained and strengthened, however, for the advanced courses. As a result, the student assessment methodology was modified, and final exams changed from the present open-ended-question/essay format to multiple-choice assessment questions. An automatic score will be assigned to each individual student, entitling him/her, according to the result, to the award of the DL-101 certificate.

247. The development of two additional advanced courses, namely, on Traditional Knowledge (DL-203) and Biotechnology (DL-204), continued in close coordination with the Traditional Knowledge Division, while a specialized course on the “Protection of New Plant Varieties” (DL-205) is being completed in cooperation with UPOV. It is expected that these courses will be tested and launched in the second semester of 2005.

248. A partnership involving the Academy, the Korean Intellectual Property Office (KIPO), and the Korean Invention and Promotion Association (KIPA), resulted in a joint distance learning course comprised of DL-101 and a separate online course developed by KIPO covering the national IP system (KL-101). The course was offered for credit to students from Pusan National University, Seoul and a joint WIPO-KIPO-KIPA certificate was awarded to some 190 students.

249. A special session of DL-101 was organized for WIPO staff members. Twenty-three staff members (12 in English and 11 in French) successfully completed the course.

### **Sub-Program 10.2 – Professional Training**

250. Concerning professional training, the following courses were organized:

- WIPO-Sweden “Advanced Training Course on Copyright and Related Rights in the Global Economy”, February, in Cairo. This training course was a follow-up to a course in Stockholm last year. A total of 24 participants from 12 countries attended the course;
- WIPO-Sweden “Advanced Training Course on Industrial Property in the Global Economy”, April, in Stockholm. A total of 26 participants from 21 countries attended the course;
- WIPO-CIPO “Executive Workshop on the Application of Management Techniques in the Delivery of IP Services, May, in Gatineau (Canada). A total of 12 participants from 12 countries participated in the workshop;
- WIPO “Interregional Intermediate Seminar on Industrial Property”, June 2005, followed by practical training courses in June, in cooperation with the Academy of Scientific Research and Technology (ASRT) (Cairo), the Austrian Patent Office (APO) (Vienna), the *Centre d’Etudes Internationale de la Propriété Industrielle* (CEIPI) (Strasbourg), the Industrial Property Office of the Czech Republic (Prague), the National Institute of Industrial Property (INPI) (Lisbon), the National Institute of Industrial Property (INPI) (Paris), the Spanish Patent and Trademark Office (OEPM) (Madrid), and the Swiss Federal Institute of Intellectual Property (Bern). A total of 60 participants attended the course.

### **Sub-Program 10.3 - Policy Development Section**

251. Regarding policy development, the following Academy Sessions were organized for 65 participants, including government officials, diplomats, university professors and heads of IP training institutions: the Academy on Intellectual Property for Ambassadors from Certain Countries in Europe and Asia (Geneva); the Academy on Intellectual Property for Diplomats from Asian Countries (Geneva); the WIPO/KIPO Academy for Heads of Intellectual Property Training Institutions (Daejeon); and, the WIPO-WTO Colloquium for Teachers of Intellectual Property (Geneva).



252. In addition, two national seminars were held, namely a Colloquium on the Protection of Intellectual Property (Kosti, Sudan), attended by 50 participants and a High-level Seminar on Intellectual Property for the Western part of China (Lanzhou, China), attended by approximately 200 participants.

253. Twenty-one participants from developing countries and countries in transition are currently participating in the Master of Laws (LL.M.) in Intellectual Property program, organized jointly by WIPO and the University of Turin, Italy.

254. In addition, an Intensive Seminar on Intellectual Property was organized for twelve law students from four universities from Israel and the Palestinian National Authority (Geneva). The presidents or deans of the law schools of these universities joined the program for the last two days.

255. Other programs included: two Seminars on Intellectual Property for the Trade Policy Course of the WTO (in all 55 participants, Geneva); a Seminar for the American College Students in Geneva (22 students, Geneva); a Seminar for New York University Wagner Graduate School Students (21 students, Geneva); a EPO-WIPO seminar “International IP Agreements: Chances and Risks of Implementation, June (23 participants from as many countries); and, a study visit for winners of a national contest in Ukraine.

256. In addition, assistance was provided for the design and implementation of diploma/degree programs in IP at the Indira Gandhi National Open University (IGNOU), India, and the National Technical University Kyiv, Ukraine. Furthermore, publications and reading materials were provided to a number of institutions.

## **MAIN PROGRAM 11**

### **Intellectual Property for Development and Prosperity; Creation of IP Culture**

257. In order to improve the awareness and understanding of policy-makers in Member States of the development and management of policies and practices for using IP assets as a tool for economic development, activities continued to focus on demonstrating economic benefits rather than making broad generalizations. In particular, the country and sector-specific approach continued to demonstrate the benefits of IP protection to innovators, business, public research institutions and academia, ensuring that the circumstances of each country and the development dimension are taken into consideration and remain the clear objectives of the program.

258. With respect to creating an IP culture, WIPO continued to work extensively on building WIPO’s corporate image and strengthening the IP message both inside and outside the IP community.

#### **Sub-Program 11.1 – Intellectual Property Policy and Development**

259. In March 2005, WIPO commissioned a study on the strategic use of the IP system by the Chilean Wine Producers Association, which will detail IP protection strategies adopted by

Chilean wine producers to protect their wines in domestic, regional, and foreign markets. The study will also draw on Chilean wine producers' experience to provide practical guidance to policy-makers and business associations on using the IP system to protect the interests of a key national industry in international trade negotiations.

260. Within the framework of the economic development program for the Caribbean Region, a study was commissioned in March 2005 on the potential benefits of IP protection in the energy sector of Trinidad and Tobago. The study examines current policies, practices and strategies for the development, management and commercialization of IP rights in the energy sector and makes recommendations on how these assets can be used more effectively for economic growth. The analysis, supported by data collected from the field, will serve as the basis for specific policy recommendations about the relevance of IP laws and policies in the country and their application and use by the country's energy sector.

261. A National Workshop on Intellectual Property as a Tool for Developing National Branding Strategies was organized in Dar es Salaam in May, in cooperation with the Business Registrations and Licensing Agency (BRELA) of Tanzania. The workshop was attended by 40 participants from government departments, academia, law firms, research and development institutions and the business sector. The principal objective of the workshop was to sensitize participants to the importance of nation branding in export strategies, and identify aspects of IP that could be used in Tanzania's branding strategy.

262. In April, WIPO assisted the Royal Scientific Society (RSS), Jordan, to formulate an IP policy and establish an Intellectual Property Management Office. WIPO is currently working with the RSS to organize an awareness creation program to assist RSS staff understand and recognize the importance of protecting their IP. This cooperation could become a blue print for a comprehensive capability-building program for protecting and managing IP assets in publicly-funded research institutions in the Arab region.

263. WIPO and the Egyptian Association for the Protection of Intellectual Property (AEPPI) organized a symposium on "Intellectual Property: A Strategic Tool for Economic Growth", in Cairo, in April, attended by approximately 125 participants, including government officials, local and foreign IP agents, attorneys and representatives of the pharmaceutical and other industries in Egypt and the region.

264. At the request of the Government of Bhutan, WIPO assisted in the development of a national branding strategy to underpin economic development. Discussions are underway to finance a feasibility study for nation branding.

265. As a follow-up to the Association of Southeast Asian Nations (ASEAN) Secretariat's request for assistance from WIPO in compiling, for each Member State, customized manuals, guidelines and directories in the areas of IP asset management, a review meeting was held in February, in Jakarta, where the modalities of the study were finalized. The study will be conducted by consultants from the region and will include consultations with all stakeholders.

266. Jointly with the Directorate for Science, Technology and Industry Co-operation of the OECD, WIPO is working on a Study on "Intellectual Assets and Value Creation" to explore the economic potential of IP and other intangible assets at the firm level. The study will also provide an overview of current industry practices with regard to IP management and valuation across several countries, as well as policy guidelines. It is anticipated that another study with

the OECD on “Measuring the Economic Impact of Counterfeiting” will develop a methodology to quantify the losses and possible gains of counterfeiting.

267. WIPO participated in a meeting on “IP as an Economic Asset” organized jointly by the European Patent Office and the OECD in Berlin, and another meeting organized by the European Industrial Research Management Association, to assess IP valuation and crossborder IP management in Budapest.

268. WIPO also initiated a study in cooperation with the Jordanian Pharmaceutical Association to assess the current status of research and development in the health sector and develop, jointly with stakeholders, a systematic approach of aligning IP management to health research and development.

269. A study to assess Lebanon’s potential to leverage collective trademarks and certification marks as a means to promote tourist cultural districts in the country was initiated with the support of the Ministries of Economy and Tourism.

270. A study on IP Management in Health Research and Development in Indonesia was completed, and is expected to assist the country aligning health research and development processes with IP and to foster the phytopharmaceutical market. Furthermore, a study on the Economic Opportunities of the Madrid System was completed, which aims to explain, in practical terms, the benefits of the Madrid System for trademark owners.

271. Assistance continued to be provided to countries to carry out surveys of the economic potential of their creative sectors and, in particular, copyright-based industries, in cooperation with the academic community and non-governmental organizations. During the first half of 2005, surveys were completed in Hungary, Latvia and Singapore, jointly with the national IP Offices and the Governments of Finland and the Netherlands. Similar studies were launched in Benin, Brazil, the Philippines, and the Russian Federation.

272. The use of IP for economic development was also discussed in seminars and workshops organized on: the business of publishing, in Hanoi and Ho Chi Min City, Viet Nam; the Asia-Pacific Creative communities in Jodhpur, India, organized by UNESCO; and, multilateral trade negotiations, organized jointly with the *Agence intergouvernementale de la Francophonie* (AIF) in Bucharest, Romania.

273. The establishment of an International Center for Creative Industries (ICCI) was discussed in a high-level meeting between WIPO and the Government of Brazil, in Geneva, in January. WIPO also cooperated with UNESCO, UNCTAD, UNDP, AIF and the Government of Brazil in the framework of the International Forum on the ICCI, held in Salvador de Bahia, in April.

274. Contacts with academic institutions were further strengthened and regular contacts maintained with representatives of the creative community. Public outreach activities comprised the publishing of articles on the economic, social and cultural benefits of IP protection in national and international journals.

275. Activities regarding IP and new technologies continued in line with analytical and research work previously undertaken to support effective IP policies and strategies in developing countries.

276. The implementation of the project on Research and Development (R&D) Networks and IP Hubs in the sub-region of Central Africa (Cameroon, Chad, Central African Republic, Equatorial Guinea, Gabon and Republic of Congo) and in Colombia, involving over 20 research and development centers, started during the period under review. In that context, training on “Health Research and Marketing” was organized in Yaoundé, Cameroon, for researchers from seven Central African countries, co-sponsored by the Geneva International Academic Network (GIAN), and co-organized with the *Organisation africaine de la propriété intellectuelle* (OAPI), and *Secrétariat exécutif de la Communauté économique et monétaire de l’Afrique centrale* (CEMAC).

277. A comprehensive technology transfer and licensing training program entitled “Successful Technology Licensing (STL)” was developed, which included practical tools for its implementation in different regions and countries. A STL guide on licensing negotiation was published in English and French, with the Spanish and Portuguese edition to follow shortly. The STL Training Kit, containing a model STL program, procedure, hypothetical stories for simulation of negotiation and a set of basic presentations, was designed and developed, in English, French and Spanish, and distributed to interested Member States. The STL program has already been implemented in: India, in cooperation with the Ministry of Human Resource Development, the Indian Institute of Technology – Bombay, and the Indian Institute of Science; Zimbabwe, in cooperation with the African Regional Intellectual Property Organization (ARIPO) for its Member States; and, Cameroon, for the sub-region of Central Africa. The possibility of organizing the STL training program in other regions were also discussed and initially negotiated.

278. In collaboration with the Economic Development Bureau for Asia and the Pacific, the pilot project on creative networks and the promotion of the strategic use of IP in the region of ASEAN countries, through possible establishment of the regional IP Business Development Service Centers, was further developed. Based on the analysis of the findings of the six expert working groups concerning the feasibility of the project, the guidelines for further action were defined in the Consultation Meeting, organized by WIPO in Kuala Lumpur, Malaysia. The project is a follow-up to the recommendations contained in the study “The Use of Intellectual Property as a tool for Economic Growth in the Association of South East Asian Nations (ASEAN) Region”.

279. Activities aimed at enhancing the understanding of the importance and role of institutional IP policies and strategies included the WIPO National Seminar on IP Strategy in Maputo, Mozambique. The seminar resulted in support by three Ministers attending the meeting in initiating an IP strategy development process for Mozambique, which is expected to be completed by mid 2006, with WIPO’s collaboration. An IP Audit Tool in Portuguese was launched, and a working group was formed to coordinate work related to the tool.

280. Initial discussions took place with the Government of Madagascar on the possible preparation of a program aimed at sensitizing research and development institutions and researchers at universities on the need to create networks among themselves, and to draw up an IP policy to protect and market research results through an innovation promotion strategy. The Indian Ocean Commission, which includes the Comoros, Madagascar, Mauritius, and the Seychelles, also expressed interest in creating more institutionalized sub-regional cooperation and networks that would cover research and development institutions and universities in the region. The R&D Networks Project for Central Africa could be a model.

281. In collaboration with the Chalmers University of Gothenburg, Sweden, participants from five developing countries (Colombia, India, Mozambique, Serbia and Montenegro, and Uganda) took part in the 2005 Center for Intellectual Property Forum on IP Valuation, Financing and IP Asset Development.

282. The publication “IP Assets Development and Management: A Key Strategy for Economic Growth” was updated and will be published as a second edition in the “IP Asset Management Series” of booklets. In addition, the IP Audit Tool booklet was finalized, and its publication in English and Portuguese is in the final phase. Both versions are available in electronic format.

283. The IP Audit Tool and methodology are being used as a basis for the ongoing public sector IP audit in Barbados, the results of which are expected in the second half of the 2005.

284. To promote collaboration and partnership with other UN Specialized Agencies, presentations on the role of IP for economic, social and cultural development were made at the UNCTAD Expert Meeting on Globalization of R&D by Transnational Corporations and Implications for Developing Countries, in Geneva, and in the UNESCO-NEPAD First African Regional Workshop on Building Capacities in Technological Entrepreneurship in Higher Educational Institutions, Lagos, Nigeria.

### **Sub-Program 11.2 – Innovators and SMEs**

285. Activities concerning Small and Medium-sized Enterprises (SMEs) included two major events in Geneva, aimed at broadening the scope of understanding and level of use of the IP system by SMEs: a Training Program on Intellectual Property and Management of Innovation in SMEs, in cooperation with the International Network of Small and Medium Sized Enterprises (INSME); and, the Third Annual WIPO Forum on Intellectual Property and SMEs for IP Offices and other Relevant Institutions in OECD and South Mediterranean Basin Countries. The primary objective of the Training Program was to enhance the knowledge of the use of the tools of the IP system for promoting innovation in SMEs. More than 80 officials from the public sector, private intermediary organizations interested in IP and innovation issues, chambers of commerce, trade institutions and other SME support institutions attended the event. The Forum provided an interactive platform for more than 40 participants to share policies, practices and experiences on their respective outreach and support activities concerning IP for universities, entrepreneurs, industry and business.

286. Regarding activities at the country level, WIPO participated in more than 20 conferences, workshops and seminars organized with other WIPO sectors and/or with selected national partner institutions.

287. The WIPO web site for SMEs was restructured during the first semester of 2005, in order to present IP for SMEs in an even more comprehensible way. WIPO’s SMEs monthly newsletter provided updates and other relevant information on IP for SMEs to some 19,000 subscribers worldwide in six languages (Arabic, Chinese, English, French, Russian and Spanish).

288. With regard to information and documentation, WIPO published the third guide within the “IP for Business Series”, entitled “Inventing the Future: An Introduction to Patents for Small and Medium-sized Enterprises”. The Guide provides practical guidance on patents

from the small business viewpoint. Cooperation with the International Trade Centre (ITC) continued with the publication of “Exchanging Value: Negotiating Technology License Agreements: A Training Manual”, which deals with some of the most common IP issues encountered by exporters.

289. The translation and/or customization of information products developed by the SMEs Division focussed on: translation into French and Spanish of another joint WIPO-ITC publication “Secrets of Intellectual Property: A Guide for Small and Medium-sized Exporters”; and, translation into Mongolian, Romanian and Turkish of two guides on trademarks and Industrial Designs, as well as their adaptation, which is being finalized by Morocco, Kenya, the United Republic of Tanzania, Tunisia and the OAPI.

290. In addition to these publications, the SMEs Division completed the beta version of the first of the ten modules of “IP Panorama”: Multi-Media Interactive CD-ROM Product, which is a project implemented in partnership with the Korean Intellectual Property Office (KIPO) and the Korean Inventors Promotion Agency (KIPA). Finally, six presentations on the activities carried out by the SMEs Division were made at WIPO Headquarters to diplomats, foreign government officials and university students, in consultation/collaboration with other WIPO sectors.

291. Regarding patent information services, eight expert missions were undertaken. In addition, some 562 search requests, including search and examination reports of applications for patents under the ICSEI Program, were received from 16 developing countries; some 282 requests for online searches were received from 13 developing countries; and, 12 requests for a total of 44 copies of patent documents were received from eight developing countries.

### **Sub-Program 11.3 – Cooperation with the Private Sector**

292. During the period under review, WIPO was represented at the annual meeting of the NGO/Civil Society Organization (CSO) focal points of the UN, the UN specialized agencies and IGOs, held in Paris. WIPO continued to expand its links with NGOs through their participation in various WIPO Committees and their growing requests for observer status.

293. Work on establishing an effective and transparent program for extra-budgetary resources continued during the first half of 2005, with the refinement and redrafting of the structural guidelines, to ensure that the private sector partnership program will be a model of good stewardship.

294. Concrete ways to attract extra budgetary resources started to be explored, to assist with the expansion of WIPO projects and activities. In this connection, discussions were initiated with the UN Foundation to explore the most efficient ways of receiving third party financial resources.

295. The private sector has, to date, shown great enthusiasm for supporting a WIPO Partnership Program. In preliminary missions undertaken to Brussels and New York, IP stakeholders stated a willingness to work with WIPO on creating partnerships that will help foster a climate where all Member States can maximize their potential through IP.

296. Other institutions, such as universities, have begun to actively pursue the possibilities of establishing outside-source funded partnerships with WIPO. A Memorandum of

Understanding was signed with the Vanderbilt University for the exploration of partnership opportunities focusing on education and technology transfer projects in the developing world.

### **Sub-Program 11.4 – Public Outreach**

297. Some 80 new information products were developed during the first six months of 2005, and another 17 updated. In addition to the materials for World IP Day, publications included three issues of the WIPO Magazine in English, French and Spanish. A new series of workbooks explaining IP concepts to children and encouraging them to innovate, was launched with the English version of the first workbook: “Learn from the Past, Create the Future: Inventions and Patents”. Some 95 specialized products (conference materials, banners, reports, covers, etc.) were produced, including publicity materials for the WIPO Arbitration and Mediation Center, and the SMEs Division.

298. Some 9,274 public information products were sold during the first half of 2005 and 102,315 products were distributed free-of-charge. The total income from products sold, reached 1.1 million Swiss francs. The revenue generated via the electronic bookshop came to just over 60,000 Swiss francs from 640 orders.

299. Seven requests from Member States for translation of WIPO general information products were received for a total of 13 different products, which will result in 24 new language versions once complete.

300. The updating of the Internet and Intranet publication “The WIPO Guide to Intellectual Property Worldwide” continued, and the number of hits up until June 10, 2005, reached 66,359. Some 247 copies of the “WIPO Intellectual Property Handbook” were distributed on request, and the number of hits for this publication totaled 37,134.

301. A range of television and multimedia productions on the importance of creativity and the need to encourage creators were produced and released for young audiences. A 30-second television spot, also aimed at young people, was produced and placed with CNN/CNNI and BBC WORLD, starting on April 26, for multiple international broadcast over the rest of the year. Video tapes were supplied on demand to 46 Member States for television broadcast on the occasion of IP Day. In addition, 200 copies of the spot in CDROM/DVD format were also delivered at the request of 51 IP Offices worldwide. An interactive CDROM entitled “Your Own World of IP” was also created. Some 2,500 copies of the CDROM were included in the widely-distributed IP Day 2005 kit.

302. In addition, custom-made videos and multimedia products contributing towards the enhancement of the Organization’s corporate image among Member States, the private sector and the civil society, were produced for use by various WIPO sectors.

303. A total of 1,300 World IP Day kits were disseminated to Member States, IGOs and NGOs, UN Information Centers, inventors’ associations and universities. Many kits were sent, on request only, to IP professionals working in law offices and corporations. This year, over 100 States and organizations planned activities to mark the event. From February until mid-June, some 110 summaries of their activities were posted on the WIPO Internet site in six official languages.

304. An agreement was concluded with an online search engine, in an effort to better diffuse information about WIPO publications over the Internet. Users of the search engine searching for IP terms will, in future, be directed not only to web sites containing those terms but also to electronic versions of WIPO publications in which those terms appear. Users will see a limited number of pages in those publications and be encouraged to buy the complete paper version from the WIPO electronic bookshop.

## **MAIN PROGRAM 12**

### **Resources Management**

305. Improving efficiency and enhancing cost-effectiveness of WIPO's financial operations, human resources and knowledge management, and conference, languages, printing, procurement, travel and building services, continued to be the main focus of this Program during the period under review.

#### **Sub-program 12.1 – Financial Operations**

306. Financial operations were effectively managed and accounts maintained in accordance with the Financial Regulations and Rules of the Organization. Distribution of the Madrid Union supplementary and complementary fees and the Hague Union State fees for 2004 (totaling 22.5 million Swiss francs) were processed on time, as were the monthly payments of the individual fees related to the Madrid Protocol (totaling 30.6 million Swiss francs for the first six months of 2005). Monthly payments of fees related to the Geneva Act of the Hague Agreement were processed for the first time (totaling 0.75 million Swiss francs for the first six months of 2005).

307. Following the successful completion of the Administrative Information Management System (AIMS) project in 2004, efforts concentrated on the improvement of the various interfaces. Training of Finance Department staff was intensified and specific training continued for some staff members within the Department to consolidate the IT support team.

308. As far as investment services and management of funds were concerned, all available funds continued to be fully invested. The Investment Advisory Committee met in January and May to review WIPO's investments and, considering the present situation of interest return rates with safeguard of capital, confirmed that the best alternative was to place the investment funds with the Swiss Central Bank (which yielded 2.4375 per cent per year during the first semester of 2005, funds risk-free and immediately available).

#### **Sub-program 12.2 - Human Resources and Knowledge Management**

309. During the period under review, 16 competitions were announced, 11 staff members were recruited, transferred, promoted or regularized, and six temporary employees were recruited. Some 900 job applications of various kinds were received and processed, and 565 contracts were renewed. The contracts of 289 short-term employees, 59 consultants, 30 Special Service Agreement (SSA) and eight Special Labour Contract holders were administered during this period.



310. With regard to entitlements and classification, the computerized online information system that provides information on staff was further enhanced. Despite enhancements, however, an increase in the FlexiTime Group workload was registered.

311. The process of revising and updating all post descriptions in accordance with the standards established by the International Civil Service Commission (ICSC) for organizations in the UN system, advanced significantly.

312. The administration of regular staff included the processing of 146 education grant-related claims, the issuance of 192 Swiss identity cards and United Nations "Laissez-passer" and 566 attestations and work-related certificates. Furthermore, 330 periodical performance reports were scrutinized, in-grade annual step increases authorized, 155 claims for dependency allowances handled, and 174 rental subsidy claims calculated and confirmed for payment.

313. The strengthening of staff administration procedures continued, in particular, regarding certain types of leave, including the time accorded for medical appointments. A number of Office Instructions related to staff administrative issues or to the internal organization of the International Bureau were also published.

314. With regard to social security coverage, in the first half of 2005, the workload increased considerably following a change in the accident insurance company. Work involved finalizing accident insurance contracts, recalculating the premiums and providing staff members with relevant information. Negotiated improvements in the Vanbreda medical insurance coverage came into force at the beginning of the year. Some 3,060 members of Vanbreda medical insurance, as well as the loss-of-earning insurance of short-term employees was managed.

315. Mechanisms allowing pension contribution deductions to be made from the salaries of temporary translators to the Conference Interpreters and Translators Pension Fund were implemented on May 1. The ongoing administration of 1,262 WIPO members in the United Nations Joint Staff Pension Fund continued. With reference to the WIPO (Closed) Pension Fund, the sale of the Carouge building, as well as studies regarding cost containment measures in connection with payment of pension supplements to retired staff, took place during this period.

316. Staff welfare activities included the Children's Club, assistance to staff facing personal problems, housing, administrative matters, domestic employees' issues and contact with retirees. Work continued on the updating of information provided to staff on paper, in electronic format and, in particular, on the Intranet web site. The formulation of projects designed to actively support staff with respect to dependencies, financial problems and staff well-being advanced during this period.

317. Regarding staff development, in addition to language classes, three principal areas of training were prioritized, namely management, communication, and technical training in response to specific needs. A total of 309 participants benefited from language courses offered in the six official UN languages, as well as oral expression courses and proficiency preparation classes in French, English or Spanish. Some 56 WIPO staff members took the UN Proficiency Examinations in one of the six official languages. During the period under review, five IT specialists received technical training and four WIPO staff members attended a PowerPoint training class at UNOG. The WIPO Worldwide Academy online IP training

course was completed by 23 staff members, in English or French. In addition, seven specific management training programs were provided on an *ad hoc* basis, and 25 staff members attended courses related to their professional needs.

318. Throughout the first six months of 2005, the WIPO Medical Service (WMS) administered health care to approximately 2,579 staff members and visiting delegates. Services comprised vaccine administration, treatment of daily ailments and mission-related consultations. As part of the WMS policy on ergonomics in the workplace, ergonomic equipment continued to be distributed as required.

319. In late May, a Coxsackie B virus outbreak was identified. Appropriate measures to combat and contain the virus were implemented, which included disinfecting WIPO premises. In this regard, WMS launched a blood analysis screening campaign with related medical follow-up, quarantine measures and the publication of a weekly summary report.

320. The WIPO Knowledge Management Center and e-Library (KMCeL) dealt with about 150 internal and external research requests using online databases acquired through the UN Electronic Information Acquisition Consortium (UNSEIAC) and specialized search tools freely available through the public web. In addition, the circulation of about 300 periodicals in-house continued as did traditional library services.

321. In April, the KMCeL moved to the CAM premises. Following the move, an inventory of the complete book and journal collection was carried out. Due to technical difficulties with the final installation of the library and its facilities, the official re-opening of the library has been postponed to July 2005.

322. The online interactive newsletter of WIPO knowledge workers “Synergia” continued to be published in 2005. About 120 staff members were subscribed to the newsletter.

323. The scanning of the Historical Library Collection continued. The number of the titles available online through the WIPO ftp server reached about 50, focusing initially on the records of various Diplomatic Conferences.

### **Sub-program 12.3 – Conference, Languages and Printing Services**

324. Support was provided for 52 meetings in Geneva, for a total of 3,180 participants, and for 78 meetings elsewhere. A total of 380 contracts were issued for interpreters for 945 workdays. Over 300 mailings were carried out, totaling nearly 90,000 mail packages. During the period, over 1,800 documents were printed and distributed externally as well as during meetings, totaling more than five million printed pages.

325. Particularly competitive prices for mail and telecommunications services were obtained. The overall volume of outgoing mail in the first half of 2005 was some 590,000 items costing 1,427,000 Swiss francs, compared to 530,000 items and 1,487,000 Swiss francs over the same period in 2004. A substantial reduction in the average weight of mail items resulted mainly from greater use of IT communications and electronic support mediums (including DVDs and CDs). Some 60 per cent of the mailings were for the PCT sector.

326. Total telecommunications costs decreased in the first half of 2005 by some 14 per cent compared to the same period in 2004. In respect of infrastructure costs, this was due to the

fewer number of buildings occupied, while for communication call costs competitive market conditions enabled prices for, in particular, long-distance calls, to be reduced sharply. Further reductions in fixed-line call costs are expected as a result of a Request for Proposals. To improve communications, greater use was made of mobile telephones. Significant reductions in mobile telephone operating costs were achieved following a joint venture agreement with other Geneva-based UN Organizations.

327. Some 130,000 incoming letters and parcels were handled and incoming mail was subject to security checks. Over 25,000 items of incoming and outgoing correspondence, including faxes and emails, were registered centrally and prepared for internal distribution.

328. In coordination with the IT sector, the updating of the computerized meetings, documents and mailings database advanced, with a view to discontinuing certain paper mailings of documents and information papers, which would be replaced by e-mailings, hopefully by the first quarter of 2006. Most documents are available already via the WIPO web site. Most internal information circulars and other communications were made available to staff electronically, with distribution of paper copies largely discontinued. An electronic system for the modernization and processing of the records of the Organization is under consideration and review. Meanwhile, initiatives continued to be concentrated on developing image scanning of current documents.

329. As far as language services is concerned, 17 items of legislation were translated into one or more languages, including texts relating to international treaties as well as national laws and other enactments for 12 countries. Working documents, proposals and reports for 22 meetings, as well as lectures and presentations for seminars and training courses, were translated, revised or edited. The Isiview documentary search software continued to be used to speed up and streamline work, and the new Isiref reference software was adopted on a trial basis. New files were regularly incorporated in the Isiview database.

#### **Sub-program 12.4 – Procurement, Travel and Building Services**

330. Main procurement activities during the period under review included administrative support related to the negotiation, establishment, extension or amendment of 91 on-going contracts, 26 of which were concluded in 2005, such as for the provision of multifunctional photocopy/network printer machines and travel agency services, for which WIPO is expected to realize savings in the order of 400,000 Swiss francs per year.

331. A total of 665 purchase orders were issued for an overall amount of approximately 21,650,000 Swiss francs, and 122 confirmation orders were established. The suppliers' database was updated with 94 new suppliers, bringing the total number of companies in the roster to 2,437.

332. WIPO participated actively in the United Nations Joint Purchase Service (UNJPS) in order to identify areas where collective negotiations could result in long-term discount agreements for consolidated procurement, and in the annual meeting of the Inter-Agency Procurement Working Group (IAPWG). Nine cases were discussed in the Contracts Review Committee.

333. Other activities included: implementation of a stricter control of purchase of office supplies and equipment; elaboration of an internal, on-line system for ordering office supplies

expected to be in place during the second semester of 2005; and, finalization of the 2004 annual report on inventories, which indicated some 42,000 items physically identified for a total value of SFr 50,500,000.

334. Concerning travel, a total of 1,098 Travel Authorizations were issued and processed, compared to 798 for the first six months of 2004, covering an estimated number of 3,832 mission days compared to 1,297 for the same period in 2004. Estimated savings amounted to 1,539,465 Swiss francs due mainly to the systematic application of reduced airfares offered by airlines and the use of low cost airline companies for travel in Europe. A total of 709 visas and 1,934 documents and files for diplomatic privileges were processed.

335. During the first half of 2005, the level of security services was increased to meet the growing requirements for a higher level of surveillance in accordance with recommendations of the United Nations. Due to an increase in the number of meetings at WIPO, and to increased use of WIPO premises in general, security measures designed to improve the monitoring of underground car parks and the surroundings of the AB building were reinforced. As in previous years, staff members were informed about security rules, and building evacuation exercises of the various WIPO buildings took place.

336. With respect to the management of WIPO premises, some 95 staff members were relocated to the AB, GBI and II, CAM and P&G buildings, following the vacation of various rented offices. In this connection, the Union Carbide (7<sup>th</sup> floor) was refurbished for hand-over, as were associated parking and storage spaces, by March 31 and April 30, respectively. Concerning the relocation of staff members from the *Chambésy* building, negotiations were undertaken with the owner of *Chambésy* to determine the modalities for vacating the building before the end of the lease.

337. Notice was also given for the termination of the lease of office and storage space in two buildings during the first six months of 2005, namely for offices in the IOM building, as of July 31, 2005, and for storage space in *les Colombettes*, as of September 30, 2005.

338. General maintenance was carried out with regard to technical installations, offices and exterior installations. Some electrical boards and air-conditioning equipment for the AB and GBI buildings were replaced. Some outstanding reparations on the ex-WMO building were also carried out, under the guarantee of the contractor.

339. Former rented accommodation was refurbished and security access and surveillance systems removed. The card swipe machines were also removed from Casai and installed in the AB and ex-WMO buildings.

340. Offices were adapted and reorganized following the move and regroupment of various services. To meet PCT needs, additional archive shelving and a video conference area were constructed in the ex-WMO building.

### **Sub-program 12.5 – New Construction**

341. Documents were prepared for the Program and Budget Committee on the new construction project, following studies on further cost reductions that were carried out by the architecture and engineering firms at the request of WIPO. At the same time, various options

for the financing of the new building were presented to Member States, who favored the external loan option.

342. Offers received from contractors, following the tender for the administrative building at the end of 2004, were examined. A study was launched to examine a supplementary underground floor, which would complete the specification of the new revised project.

343. Agreement was reached on the honoraria to be paid to the architects, engineers and contractors for the original construction project.

344. Assistance was also provided for the preparation of documents for a tender to banking establishments with a view to obtaining financing for the revised building project.

## **MAIN PROGRAM 13**

### **Information Technology**

345. Measures implemented in 2004 to contain IT expenditure showed satisfactory results during the first six months of 2005. System consolidation to reduce operating costs also continued and a number of IT training programs were introduced to reduce dependency on external suppliers.

346. Substantial economies made by the International Computing Centre (ICC) in 2004 meant that the IT Division could proceed with the much needed migration of the Organization's desktop computers to Windows XP on a budget neutral basis.

#### **Sub-Program 13.1 - IT Policy and Systems Development**

347. During the period under review, the work of nine Task Forces of the SCIT Standards and Documentation Working Group (SDWG) was monitored and coordinated, and guidance provided to Task Force leaders. IP Offices were invited to nominate representatives to participate in four new SDWG Task Forces, and corresponding e-forums were set up to discuss and prepare proposals concerning: issues relating to priority patent documents in electronic form; the revision of WIPO Standard ST.60; the implementation of WIPO Standard ST.50; and, the citation of specific parts of a patent document.

348. New WIPO Standard ST.36 concerning the processing of patent information using XML (Extensible Markup Language) and two revised versions of the List of Periodicals of the PCT Minimum Documentation, as well as the Appendices to WIPO Standard ST.14, were published on WIPO's web site. For the first time, files showing revisions of WIPO Standards adopted by the SDWG since December 2002, were published.

349. The online Annual Technical Reports (ATRs) Management System and the guidelines for preparing the ATRs using the said system were updated and improved. IP Offices were encouraged to send information on their patent, trademark and industrial design information activities to be made available online.

350. The WIPO IT Policy Board met twice during the reporting period and endorsed a new policy on the use of Removable Storage Media and the budget neutral migration from Windows NT to Windows XP on the Organization's desktop workstations. The Board continued to act as an important forum for dialog with the business areas within WIPO concerning IT initiatives and priorities.

351. Financial expenditure on IT equipment and software continued to be closely monitored to ensure optimal usage of the current IT systems and resources. A verification of desktop software licenses currently in use within the Organization was initiated.

352. Subsequent to the delivery of the income component of the Administrative Information Management System (AIMS) in late 2004, considerable progress was made during the first six months of 2005 to stabilize AIMS by resolving most of the high priority problems logged by users. The 2004 accounts were successfully closed within the time frame planned and reports were provided to finance, budget and program management as required.

353. Several improvements in the functionality of AIMS were delivered, including: improved navigation through screens in high volume sectors such as trademarks and customer deposits; automation of bank reconciliation; and improvements in functionality and interfaces related to financial operations for the Arbitration and Mediation Center.

354. The internal WIPO IT team made significant progress in taking over most parts of the AIMS system support from the external implementation and support partner. Since cost containment and improved self-sufficiency remained key focus areas, external support resources were planned for and used judiciously, remote support used where possible, and support procedures were also established. Overall user satisfaction with the new system improved.

### **Sub-Program 13.2 - IT Networks, Operations and Services**

355. Some savings in operating costs were achieved by concluding agreements with the United Nations International Computing Center (UNICC) for its leasing of part of a computer room at WIPO, used previously for WIPOnet, as a disaster recovery facility for ICC, and for consolidating WIPO's prior redundant Internet Service Provider links using the ICC ISP provision.

356. The majority of WIPO's networked desktop workstations were upgraded to a new version of the centralized workstation management software (ZEN) in preparation for the Windows XP migration.

357. The disparate PrintShop network segments were consolidated and securely linked to the WIPO Intranet, in order to facilitate the transfer of large amounts of data to and from the PrintShop facilities.

358. Most of the Organization's photocopiers were replaced by multifunction devices (each comprising a photocopier, a network printer and a scanner) as part of a new contract leading to substantive cost savings and a significant expansion of network printing and scanning facilities. These devices will effectively replace WIPO's aging network printer park without the need to invest in new network printers.

359. As part of the Backup and Storage Consolidation initiative, WIPO's E-mail servers have now been migrated to the centralized storage and backup facility based on the Storage Area Network (SAN) technology. An average of 1.8 TBytes of data, comprising some nine million files, are backed up daily using the centralized data backup facility.

360. During the reporting period, the average Mainframe System availability was 99.95 per cent during working hours and 99.92 per cent during extended working hours.

361. The migration of the E-Work electronic forms management system to a thin-client based platform with a web interface was successfully completed. This new and more robust system now allows the use of electronic forms to be extended to more complex administrative processes. To increase IT skills relating to E-Work, four people attended a training course on internal administration and development resources.

362. At the request of the Office of the PCT, eight new servers enabling an internal OCR capability were installed, tested and put into production.

363. The Helpdesk processed a total of over 8,500 requests, including 329 office moves and 1,091 PC hardware repairs.

364. The WIPO Members & Observers Database was launched. In an effort to consolidate information relating to countries that was previously distributed in various databases on the WIPO public web site, this newly launched service provides a single point of entry to information about countries and regions available to the general public. The database contains contact information of national and regional IP Offices (IP Office directory), links to IP Office web sites, a listing of all WIPO Member States, and NGOs and IGOs which are officially admitted as Observers to WIPO.

365. In addition, direct access to existing WIPO databases is available by country and region. These include the treaties database, CLEA, and country profiles published as part of the "WIPO Guide to Intellectual Property Word-wide".

366. The Lisbon Express Database (Appellations of Origin) was launched. The database contains information on all the appellations of origin entered, in accordance with the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, in the international register kept by the International Bureau.

367. All information published in the WIPO news index is now also available in a standard XML format (RSS version 1.0). This service enables external news aggregators to access WIPO news announcements via a standard machine-readable data exchange format. At present, WIPO press releases, the WIPO calendar of events, vacancy announcements, treaty notifications, domain name case decisions and other database and web site updates are available via this service.

368. The web sites of the WIPO Worldwide Academy (English), the Economic Development Sector (English), the Hague System for the International Registration of Industrial Designs (English, French, Spanish), Industrial Property Statistics (English, French, Spanish) and Intellectual Property and Genetic Resources, Traditional Knowledge, and Folklore (English) were redesigned to improve site navigation and information retrieval. The Madrid guide was also converted to HTML format to facilitate information access.

369. A public newsletter was launched to provide periodical information on the events organized by WIPO in Geneva and in other locations.

370. The Online Forum on Intellectual Property in the Information Society was opened to all interested persons and designed to enable and encourage an open debate on issues related to IP in the information society.

371. The WIPO Electronic Case Facility (ECAF) was launched to facilitate dispute resolution under WIPO Rules.

372. The user interfaces of the Collection of Laws for Electronic Access (CLEA) system were made available in French and Spanish.

373. Following cost containment measures and the simplification of the security infrastructure introduced in 2004, the level of WIPOnet service availability to Member States continued to be maintained.

### **Sub-Program 13.3 - PCT Information Systems**

374. Overall, the stability and availability of PCT Information Systems was satisfactory during the first half of 2005, mainly due to the stability and availability of the WIPO network infrastructure. Application and system support included: continuing work started in 2003 on system modifications to handle the introduction of PCT rule changes as of January 1, 2004; continuing preparations to handle IPC reform; and, various critical fixes to production systems and day-to-day system operations activities. An average of 40 operation support calls per week were processed.

375. During the first half of 2005, the full text of more than 1.5 million pages of PCT pamphlets was captured using Optical Character Recognition (OCR), and delivered on time.

376. One hundred percent of publication deadlines were met.

377. Several additional services for PCT applicants and IP Offices were introduced, notably a new build of the PCT-SAFE (Secure Applications Filed Electronically) client, containing new functionality for approximately 8,000 PCT applicants and nine PCT receiving Offices. Moreover, the PCT-ROAD (Receiving Office Administration) system, which enables electronic filing under the PCT on physical media, was deployed via an on-site training and installation process to two PCT Receiving Offices (Egypt and Israel). PCT-ROAD, which is a WIPO/Korean Intellectual Property Office (KIPO) cooperation project, was also made available to five pilot offices (Egypt, India, Israel, the Philippines and Viet Nam) for their feedback.

378. Work progressed on expanding the on-line accessible PCT data collection to add current bibliographic data for all published documents since 1978, as well as images for all published PCT applications and images for application related documents. A new system providing access to this data is expected to be launched in the third quarter of 2005 within the framework of the new PatentScope PCT portal. PatentScope will centralize all patent and PCT-related services and activities in order to make patent and PCT products and services more visible and broaden the audience. It includes information on PCT filing, electronic filing and other patent-related resources as well as new resources on patent data and statistics.



379. The automated system of document scanning and reproduction, the Communication On Request (PCT COR) system, enables the International Bureau to communicate documents to Offices on paper, CD and DVD. During the first six months of 2005, the COR system was used to communicate more than three million documents to Offices, of which 91 per cent were in electronic format. The COR system was also fully available to support publication and communication to all users.

380. Also, during the period under review, the Online-COR functionality allowed Offices to order 180 thousand documents via a web-based interface. The Online-COR system is now used by 39 Offices and deployment to other Offices is ongoing.

381. Deployment of the new WIPO PCT Electronic Data Interchange Service (PCT EDI), which provides a flexible, secure and completely automated mechanism for the exchange of IP information between Offices and the International Bureau continued. To date, eleven Offices have implemented a working EDI network connection.

382. PCT EDI offers Offices the possibility to order documents using a bulk order in XML (eXtensible Markup Language) and subsequently have documents delivered using the PCT EDI network transfer. This function is currently used by IP Australia, the Eurasian Patent Office, the Korean Intellectual Property Office (KIPO) and the National Office of Intellectual Property (NOIP) of Viet Nam.

383. Documents are also submitted electronically to the International Bureau. During the first six months of 2005, some 28 thousand priority documents arrived and were processed electronically.

384. Functionality within the electronic dossier system to process priority documents electronically was implemented and is now being used by the Office of the PCT on a daily basis. In addition, significant progress was made with the development of a full electronic dossier function that will enable the International Bureau to process International Applications and associated documents in a paperless fashion.

385. The development of an in-house system to perform Optical Character Recognition (OCR) was started. This new function will be used to provide search quality text of published International Applications. In addition, the OCR system will be used to facilitate certain data entry processes when handling International Applications. Beta testing of the OCR system started in the first half of 2005.

*386. The WIPO General Assembly is invited to note the contents of this document.*

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