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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

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ASSEMBLIES OF THE MEMBER STATES OF WIPO

Forty-Second Series of Meetings Geneva, September 26 to October 3, 2006

ADMISSION OF OBSERVERS

Memorandum of the Director General

I. ADMISSION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

1. At their previous sessions, the Assemblies adopted a set of principles to be applied in extending invitations to international non-governmental organizations to attend, as observers, the meetings of the Assemblies concerned (AB/X/32, paragraph 17, and AB/X/17, Annex V; TRT/A/I/2 and 4, paragraph 5; BP/A/I/2 and 5, paragraph 5; V/A/I/1, paragraphs 25 to 29, and V/A/I/2, paragraph 7; and FRT/A/I/3 and 9, paragraph 10).
2. The international non-governmental organizations admitted to attend, as observers, the meetings of the Assemblies, and which have been invited to attend the Forty-second series of meetings of the Assemblies and the Unions administered by WIPO are listed in Annex I to document A/42/INF/1 Rev.
3. Once an international non-governmental organization is admitted to attend, as an observer, the meetings of the Assemblies of the Member States of WIPO, it is also invited to attend, as an observer, meetings of committees, working groups, or other bodies subsidiary to the Assemblies, if their subject matter seems to be of direct interest to that organization.
4. Since the Forty-first series of meetings of the Assemblies, from September 26 to October 5, 2005, when decisions were last taken concerning the admission of international non-governmental organizations to attend, as observers, the meetings of certain Assemblies of Member States of WIPO (A/41/8, paragraphs 10 to 15, and A/41/17, paragraph 295),

the Director General has received requests, with the necessary information, from each of the following international non-governmental organizations for admission to attend, as an observer, the meetings of the Assemblies of the Member States of WIPO concerned:

- (i) Arab Federation for the Protection of Intellectual Property Rights (AFPIPR);
- (ii) The European Commercial Patent Services Group (PatCom);
- (iii) 3D → Trade - Human Rights - Equitable Economy (3D).

5. A brief statement about each of the organizations mentioned in paragraph 4, above – its objectives, structure and membership – appears in Annex I of this document. It is proposed that, as concerns each of the organizations mentioned in paragraph 4, above, the Assemblies of the Member States include the said organizations in the category of international non-governmental organizations.

6. The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 5, above.

II. ADMISSION OF NATIONAL NON-GOVERNMENTAL ORGANIZATIONS AS OBSERVERS

7. At the Thirty-seventh series of meetings of the Assemblies, from September 23 to October 1, 2002, the Assemblies of the Member States of WIPO, each in so far as it was concerned, agreed to adopt the following proposals as principles applicable in extending invitations to national non-governmental organizations (NGOs), as observers (A/37/14, paragraph 316):

(a) The organization shall be essentially concerned with intellectual property matters falling within the competence of WIPO and shall, in the view of the Director General, be able to offer constructive, substantive contributions to the deliberations of the Assemblies of WIPO;

(b) The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of WIPO and of the United Nations;

(c) The organization shall have an established headquarters. It shall have democratically adopted statutes, adopted in conformity with the legislation of the Member State from which the NGO originates. One copy of the statutes shall be submitted to WIPO;

(d) The organization shall have authority to speak for its members through its authorized representatives and in accordance with the rules governing observer status; and

(e) The admission of national NGOs to observer status shall be the subject of prior consultations between Member States and the Secretariat.

8. Since the Forty-first series of meetings of the Assemblies, from September 26 to October 5, 2005, when decisions were last taken concerning the admission of national NGOs to attend, as observers, the meetings of certain Assemblies of Member States of WIPO (A/41/8, paragraphs 16 to 19 and A/41/17, paragraph 296), the Director General has received requests, with the necessary information, from each of the following national NGOs for admission to attend, as an observer, the meetings of the Assemblies of the Member States of WIPO concerned:

- (i) American BioIndustry Alliance (ABIA);
- (ii) *Association romande de propriété intellectuelle* (AROPI);
- (iii) Confederation of Indian Industry (CII);
- (iv) *Conseil national pour la promotion de la musique traditionnelle du Congo* (CNPMTTC);
- (v) EXIT Centre - Information Technology Business Support Centre (EXIT Centre - IT BSC);
- (vi) The Federalist Society for Law and Public Policy Studies (The Federalist Society);
- (vii) Japan Patent Attorneys Association (JPAA);
- (viii) National Intellectual Property Organization (NIPO);
- (ix) Syrian Intellectual Property Association (SIPA).

9. A brief statement about each of the organizations mentioned in paragraph 8, above – its objectives, structure and membership – appears in Annex II of this document. It is proposed that, as concerns each of the organizations mentioned in paragraph 8, above, the Assemblies of the Member States decide, in accordance with the principles set out in paragraph 7, above, whether to include the said organizations in the category of national NGOs.

10. The Assemblies of the Member States of WIPO are invited, each in so far as it is concerned, to take a decision on the proposal appearing in paragraph 9, above.

[Annexes follow]

ANNEX I

PARTICULARS CONCERNING INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS

(on the basis of information received from the said organizations)

1. Arab Federation for the Protection of Intellectual Property Rights (AFPIPR)

Headquarters: Established on May 19, 2005, at Cairo, Egypt.

Objectives: To assist and cooperate with governmental, public and private sector organizations in Arab countries to establish transparent non-discriminatory intellectual and industrial property regimes and systems that adhere to international norms and meet with national and regional economic and social conditions. To foster international and regional treaties and agreements so as to pave the way for an economically sound and investment-safe environment. To encourage potential trading as well as the industrial and technological exchange between public and private sector in the Arab world and the international community.

Structure: The main decision-making body is the Board of Directors elected by the General Assembly. Other bodies are the General Secretariat and the Working Committees.

Membership: AFPIPR has 115 individual professional members, 19 national and regional organizations, as well as 36 private and public sector organizations active in 22 Arab countries.

2. The European Commercial Patent Services Group (PatCom)

Headquarters: Established in November 2004, its official seat is in The Hague, The Netherlands.

Objectives: Promoting the interests and disseminating the visions of the commercial providers of patent information worldwide. To ensure that the patenting authorities provide patent information in a timely and accurate manner, in accordance with internationally recognized standards. To provide a platform for the exchange of non competition-sensitive information about the patent information sector.

Structure: The main governing body is the Executive Board, which is in charge of the management of the association and is composed of a President, a Secretary and a Treasurer.

Membership: PatCom is composed of 15 European associations of commercial patent information providers.

3. 3D → Trade - Human Rights - Equitable Economy (3D)

Headquarters: Established on June 23, 2003, at Geneva, Switzerland.

Objectives: To promote collaboration amongst trade, development and human rights professionals, to ensure that trade rules are developed and applied in ways that promote an equitable economy. To ensure intellectual property rules and standards are developed and implemented in ways that are consistent with development commitments and human rights obligations.

Structure: The main governing bodies are: the Secretariat, responsible for the managing and the carrying out of projects and activities of the organization, the Steering Committee, with executive powers, and the Advisory Board.

Membership: 3D is composed of 16 individual members.

[Annex II follows]

ANNEX II

PARTICULARS CONCERNING NATIONAL NON-GOVERNMENTAL ORGANIZATIONS

(on the basis of information received from the said organizations)

1. American BioIndustry Alliance (ABIA)

Headquarters: Established on September 30, 2005 in the District of Columbia, United States of America.

Objectives: To provide focused advocacy in support of the full patentability of biotechnology inventions and ensure the maintenance of the current minimum international standards for the protection of intellectual property. To sustain and encourage biotechnology research and development.

Structure: ABIA is governed by a Board of Directors and a “Committee of the Whole”.

Membership: Comprises companies with United States-based operations active in the biotechnology field such as Bristol-Myers Squibb, Eli Lilly, Pfizer and Procter & Gamble and others.

2. Association romande de propriété intellectuelle (AROPI)

Headquarters: Founded on November 10, 2003, at Geneva, Switzerland.

Objectives: To foster the development, the research and knowledge of intellectual property, mainly in the field of industrial property, copyright and related rights. To provide and ensure support to professionals and experts active in different sectors of intellectual property, particularly in the French-speaking region of Switzerland.

Structure: The governing bodies are the General Assembly, which is the main decision-making body, the Board, with executive competencies, and the Auditors.

Memberships: The association counts 93 members (individual entities).

3. Confederation of Indian Industry (CII)

Headquarters: Founded in 1985 at New Delhi, India.

Objectives: CII's efforts are directed towards harnessing and leveraging the power of technology to change communication, business and business procedures, connect knowledge to procedures and hence, impact profits. CII's policy advisory and consultative services cover intra and inter-industry discussions, industry-community parleys and industry-government meetings, all aimed at giving the whole policy making process a better business focus and more representative hue.

Structure: The main decision-making body is the National Council. Other governing bodies are: the Steering Committee, the Secretariat and four National Councils.

Membership: CII counts a direct membership of over 6,100 organizations from the private as well as public sectors, including Small and Medium-Sized Enterprises (SMEs) and Multinational Corporations (MNCs) and indirect membership of over 95,000 companies from around 325 national and regional associations.

4. Conseil national pour la promotion de la musique traditionnelle du Congo (CNPMTTC)

Headquarters: Established on July 20, 1997, at Kinshasa, Democratic Republic of the Congo.

Objectives: To promote and ensure the development of the traditional culture through all forms of artistic expressions such as dance, music, games, rituals etc. To protect the traditional oral national patrimony and gather all associations working in the field of traditional knowledge, particularly in the field of Congolese traditional music.

Structure: The governing bodies are: The General Assembly, which is the main decision-making body, the Executive Board and the Secretariat.

Membership: The organization counts 23 individual members and 14 associations active in the field of traditional arts and music.

5. EXIT Centre - Information Technology Business Support Centre (EXIT Centre - IT BSC)

Headquarters: Established on April 15, 2005, at Banja Luka, Bosnia and Herzegovina.

Objectives: EXIT Centre - IT BSC represents the sole regional provider of services and legal advice in the field of intellectual property, which ensures and provides information to local users on how intellectual property can be used in their business. In particular, the organization provides legal advice on copyright and trademark protection, copyright in eLearning, and how local users can benefit and profit from intellectual property rights at national and international level.

Structure: The main governing bodies are the Assembly, the Managing Board, which is the executive body engaged in carrying out the objectives of the organization and the Control Committee, which monitors all financial and legal activities.

Membership: EXIT Centre - IT BSC counts 1,155 members among domestic IT, Media, financial institutions and individual users.

6. The Federalist Society for Law and Public Policy Studies (the Federalist Society)

Headquarters: Founded on September 8, 1982, at Chicago, Illinois (U.S.A.).

Objectives: To promote or encourage any educational, research or scientific purpose or activity, and to promote intellectual diversity in the United States of America law schools and universities, as well as in the legal profession and throughout the legal community. To conduct debates, speaker meetings and conferences; to sponsor research on legal and public policy matters.

Structure: The Federalist Society is governed by a Board of Directors whose members are: the Chairman, the Vice-Chairman, the President, the Secretary and the Treasurer.

Membership: The Federalist Society is comprised of over 30,000 legal professionals and includes more than 5,000 law students from 180 American Bar Association-accredited law schools.

7. Japan Patent Attorneys Association (JPAA)

Headquarters: Established on May 5, 1922, at Tokyo, Japan.

Objectives: To manage matters relating to the guidance, liaison, and supervision of members in order to maintain the dignity of patent attorneys and improve and advance the work of patent attorneys and to manage matters relating to the registration of patent attorneys. To promote better understanding of various issues in the field of Intellectual Property (IP). To focus on IP issues on such wide-ranging topics as international treaties, domestic and international laws and new and advanced technologies.

Structure: The main decision-making body of the association is the General Assembly. The other governing bodies are the Board of Directors and the Board of Council Members.

Membership: JPAA is composed of 6,695 individual members and represents 54 patent corporations.

8. National Intellectual Property Organization (NIPO)

Headquarters: Established on September 12, 2001, at New Delhi, India.

Objectives: Dedicated to creating an intellectual property culture, generating knowledge and competencies in the global environment, NIPO provides inputs for harnessing intellectual property assets and knowledge to generate economic wealth and development of policy initiatives and advocacy in the area of intellectual property.

Structure: The governing bodies of NIPO are: the General Body of the Society, with decision-making powers, the Board of Management, with executive powers and the Policy Planning Council.

Membership: NIPO counts 141 members among creators, users and owners of intellectual property rights. Members of NIPO include scientists, authors, film makers, musicians, software and pharmaceutical corporations, academicians and legal experts.

9. Syrian Intellectual Property Association (SIPA)

Headquarters: Established on October 24, 2005, at Damascus, Syria.

Objectives: To increase public awareness in the field of intellectual property and to enforce the Syrian laws and the application of rules in the field of intellectual property rights. To encourage creativity in artistic, literary and scientific fields and making efforts to establish consulting, training and arbitration center in all fields of intellectual property.

Structure: The main governing bodies of the association are: the General Assembly, the decision-making body, and the Board, which has mainly executive and administrative powers.

Membership: SIPA has 23 members.

[End of Annex II and of document]