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GOVERNING BODIES OF WIPO AND THE UNIONS ADMINISTERED BY WIPO

Twenty-Fourth Series of Meetings Geneva, September 20 to 29, 1993

GENERAL REPORT

adopted by the Governing Bodies

CONTENTS

	Paragraphs
INTRODUCTION	1 to 5
ITEMS OF THE CONSOLIDATED AGENDA (see document AB/XXIV/1 Rev.)	
Item 1: OPENING OF THE SESSIONS	6 to 49
Item 2: ADOPTION OF THE AGENDAS	50
Item 3: ELECTION OF THE OFFICERS	51 to 59
Item 4: ACTIVITIES FROM JULY 1, 1991, TO JUNE 30, 1993; ACCOUNTS FOR THE 1990-91 BIENNIUM; INTERIM FINANCIAL STATEMENT FOR 1992; ARREARS IN CONTRIBUTIONS; CHANGES IN CONTRIBUTION CLASS	60 to 153

Item 5:	EXAMINATION OF THE REPORTS OF THE 1992 PERMANENT COMMITTEES ON DEVELOPMENT COOPERATION (PC/IP AND PC/CR) AND OF THE REPORTS OF THE 1993 WORKING GROUPS OF THE PC/IP AND PC/CR	154 and WO/CF/XII/4
Item 6:	QUESTIONS CONCERNING THE DRAFT TREATY ON THE SETTLEMENT OF DISPUTES BETWEEN STATES IN THE FIELD OF INTELLECTUAL PROPERTY	155 and WO/GA/XIV/4
Item 7:	CONTINUATION OF THE DIPLOMATIC CONFERENCE FOR THE CONCLUSION OF A TREATY SUPPLEMENTING THE PARIS CONVENTION AS FAR AS PATENTS ARE CONCERNED	156 and P/A/XXI/2
Item 8:	MATTERS CONCERNING THE MADRID UNION	157 and MM/A/XXV/3
Item 9:	MATTERS CONCERNING THE HAGUE UNION	158 and H/A/XIII/2
Item 10:	MATTERS CONCERNING THE LISBON UNION	159 and LI/A/X/2
Item 11:	MATTERS CONCERNING THE PCT UNION	160 and PCT/A/XXI/5
Item 12:	MATTERS CONCERNING THE IPC UNION	161 and IPC/A/XII/2
Item 13:	ESTABLISHMENT OF WIPO ARBITRATION SERVICES	162 and WO/GA/XIV/4
Item 14:	PREMISES	163 to 171
Item 15:	CONTRIBUTION SYSTEM	172 to 180
Item 16:	PROGRAM AND BUDGET FOR 1994 AND 1995; MEDIUM TERM PLAN FOR 1996 TO 1999	181 to 273

Item 17:	DESIGNATION OF AUDITOR	274 and 275
Item 18:	UNITED NATIONS RESOLUTIONS	276 and WO/GA/XIV/4
Item 19:	ADMISSION OF OBSERVERS AND APPROVAL OF A WORKING AGREEMENT	277 to 279
Item 20:	STAFF MATTERS	280 and WO/CC/XXXI/6
Items 21, 22 and 23:	ELECTION OF THE MEMBERS OF THE EXECUTIVE COMMITTEES OF THE PARIS AND BERNE UNIONS AND DESIGNATION OF THE "AD HOC" MEMBERS OF THE WIPO COORDINATION COMMITTEE; ELECTION OF THE MEMBERS OF THE WIPO BUDGET COMMITTEE; DESIGNATION OF THE MEMBERS OF THE WORKING GROUPS OF THE PC/IP AND PC/CR FOR 1995	281 and 282
Item 24:	ADOPTION OF THE GENERAL REPORT AND OF THE INDIVIDUAL REPORTS OF EACH GOVERNING BODY	283 and 284
Item 25:	CLOSING OF THE SESSIONS	285 to 298

ANNEX

Contributions under the Unitary Contribution System

INTRODUCTION

1. This General Report records the deliberations and decisions of the following 21 Governing Bodies:

- (1) WIPO General Assembly, fourteenth session (11th ordinary)
- (2) WIPO Conference, twelfth session (11th ordinary)
- (3) WIPO Coordination Committee, thirty-first session (24th ordinary)
- (4) Paris Union Assembly, twenty-first session (11th ordinary)
- (5) Paris Union Conference of Representatives, twenty-first session (11th ordinary)
- (6) Paris Union Executive Committee, twenty-ninth session (29th ordinary)
- (7) Berne Union Assembly, fourteenth session (11th ordinary)
- (8) Berne Union Conference of Representatives, fourteenth session (11th ordinary)
- (9) Berne Union Executive Committee, thirty-fifth session (24th ordinary)
- (10) Madrid Union Assembly, twenty-fifth session (10th ordinary)
- (11) Hague Union Assembly, thirteenth session (9th ordinary)
- (12) Hague Union Conference of Representatives, thirteenth session (9th ordinary)
- (13) Nice Union Assembly, thirteenth session (11th ordinary)
- (14) Nice Union Conference of Representatives, twelfth session (11th ordinary)
- (15) Lisbon Union Assembly, tenth session (10th ordinary)
- (16) Lisbon Union Council, seventeenth session (17th ordinary)
- (17) Locarno Union Assembly, thirteenth session (10th ordinary)
- (18) IPC [International Patent Classification] Union Assembly, twelfth session (9th ordinary)
- (19) PCT [Patent Cooperation Treaty] Union Assembly, twenty-first session (9th ordinary)
- (20) Budapest Union Assembly, tenth session (7th ordinary)
- (21) Vienna Union Assembly, sixth session (5th ordinary)

meeting in Geneva from September 20 to 29, 1993, where the deliberations took place and the decisions were made in joint meetings of two or more of the said Governing Bodies (hereinafter referred to as "the joint meeting(s)" and "the Governing Bodies," respectively), except the joint meetings of the Assembly and the Conference of Representatives of the Paris Union, of the Assembly and the Conference of Representatives of the Hague Union and of the Assembly and the Council of the Lisbon Union. The deliberations and decisions of those joint meetings are covered in the separate reports on the sessions of the Assembly of the Paris Union, the Assembly of the Hague Union and the Assembly of the Lisbon Union, respectively.

2. In addition to this General Report, separate reports have been drawn up on the sessions of each of the Governing Bodies (see documents WO/GA/XIV/4, WO/CF/XII/4, WO/CC/XXXI/6, P/A/XXI/2, P/CR/XXI/2, P/EC/XXIX/1, B/A/XIV/1, B/CR/XIV/1, B/EC/XXXV/1, MM/A/XXV/3, H/A/XIII/2, H/CR/XIII/2, N/A/XIII/1, N/CR/XII/1, LI/A/X/2, LI/C/XVII/2, LO/A/XIII/1, IPC/A/XII/2, PCT/A/XXI/5, BP/A/X/1 and VA/A/VI/1).

3. The list of the States members of the Governing Bodies and the observers admitted to their sessions as of September 17, 1993, is set forth in document AB/XXIV/INF/1 Rev.

4. Meetings dealing with items 1, 2 and 3 of the Consolidated Agenda (see document AB/XXIV/1 Rev.) were, in the absence of the outgoing Chairman and the outgoing Vice-Chairmen of the WIPO General Assembly, presided over by the outgoing Chairman of the WIPO Conference, Mr. Marino Porzio (Chile), whereas those dealing with items 4, 6, 13, 14, 16, 17, 18, 19 and 22 were presided over by the new Chairman of the WIPO General Assembly, Mr. Jean-Claude Combaldieu (France). The meetings dealing with the following items of the Consolidated Agenda were presided over by the following officers: items 5, 15, 21 and 23, the Chairman of the WIPO Conference, Mr. Gao Lulin (China); item 7, the Chairman of the Paris Union Assembly, Mr. Julio Delicado Montero-Ríos (Spain); item 8, the Chairman of the Madrid Union Assembly, Mr. Alexander von Mühlendahl (Germany); item 9, the Chairman of the Hague Union Assembly, Mr. Ernő Szarka (Hungary); item 10, the Chairman of the Lisbon Union Assembly, Mr. José Mota Maia (Portugal); item 11, the Chairman of the PCT Union Assembly, Mr. Alec Sugden (United Kingdom); item 12, the Chairman of the IPC Union Assembly, Mr. Vitaly P. Rassokhin (Russian Federation); item 20, the Chairman of the WIPO Coordination Committee, Mr. Fernando Zapata López (Colombia); item 24, the Chairman (or, in his absence, a Vice-Chairman, or, in the absence of the Chairman and both Vice-Chairmen, an ad hoc Chairman) of one of the 21 Governing Bodies concerned, that is, for the General Report and the Report of the WIPO General Assembly, Mr. Dominic M. Mills (Ghana); the report of the WIPO Conference, Mr. Gao Lulin (China); the report of the WIPO Coordination Committee, Mr. Fernando Zapata López (Colombia); the report of the Paris Union Assembly, Mr. Liviu A.G. Bulgar (Romania); the report of the Paris Union Conference of Representatives and the report of the Paris Union Executive Committee, Mr. Moses Frank Ekpo (Nigeria); the report of the Berne Union Assembly, the report of the Berne Union Conference of Representatives and the report of the Berne Union Executive Committee, Mr. Noel McCardle (New Zealand); the report of the Madrid Union Assembly, Mr. Pak Chang Rim (Democratic People's Republic of Korea); the report of the Hague Union Assembly, Mr. Ernő Szarka (Hungary); the report of the Hague Union Conference of Representatives, Mr. Fattouh A. Gelil Hamed (Egypt); the report of the Nice Union Assembly, Mr. Ladislav Jakl (Czech Republic); the report of the Nice Union Conference of Representatives, Miss Micheline Abi Samra (Lebanon); the report of the Lisbon Union Assembly, the report of the Lisbon Union Council and the report of the Locarno Union Assembly, Mr. Marcelo Vargas Campos (Mexico); the report of the IPC Union Assembly, Mr. Vitaly P. Rassokhin (Russian Federation); the report of the PCT Union Assembly, the report of the Budapest Union Assembly and the report of the Vienna Union Assembly, Mr. Alec Sugden (United Kingdom).

5. The list of participants appears in document AB/XXIV/INF/4.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The twenty-fourth series of meetings of the Governing Bodies of WIPO and of the Unions administered by WIPO was convened by the Director General of WIPO, Dr. Arpad Bogsch (hereinafter referred to as "the Director General").

7. The sessions of the Governing Bodies were, in the absence of the outgoing officers of the WIPO General Assembly, opened in a joint meeting of all the 21 Governing Bodies by the outgoing Chairman of the WIPO Conference, Mr. Marino Porzio (Chile).

8. The Delegation of the United States of America made the following statement:

"As this Delegation has made clear on numerous occasions, the United States considers that the Socialist Federal Republic of Yugoslavia no longer exists. Furthermore the United States does not consider Serbia and Montenegro to be the continuation of, or the sole successor of, the Socialist Federal Republic of Yugoslavia. Our position is that Serbia and Montenegro should not be entitled to assume the seat of the former Republic of Yugoslavia in international organizations and conferences, including meetings of the World Intellectual Property Organization. Last September, one year ago, the WIPO Governing Bodies, then meeting, overwhelmingly adopted a resolution preventing the continued participation by the Federal Republic of Yugoslavia in their meetings. This action was consistent with General Assembly Resolution 47/1. The participation by the Federal Republic of Yugoslavia in United Nations meetings is still subject to the prohibition established by the General Assembly and by the WIPO Governing Bodies. Therefore we cannot accept the participation of Serbia and Montenegro in this meeting."

9. The Delegation of Belgium, speaking on behalf of the European Community and its Member States, made the following statement:

"The European Community and its Member States have made it clear on numerous occasions and in the meetings of the Governing Bodies of WIPO during the period of September 21 to 29, 1992, that they do not accept that the Federal Republic of Yugoslavia (Serbia and Montenegro) is the automatic continuation of the former Socialist Federal Republic of Yugoslavia. Referring to General Assembly Resolutions 47/1, of September 22, 1992, and 47/229, of May 5, 1993, and to the decision of the Governing Bodies of WIPO, meeting during the period of September 21 to 29, 1992, the European Community and its Member States consider that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not participate in the work of the Governing Bodies of WIPO and of the Unions meeting this period of September 20 to 29, 1993. We, therefore, propose that the decision we took last year, should be extended to cover the Governing Bodies of WIPO and the Unions administered by WIPO, meeting during the period September 20 to 29, 1993, and that this decision will be reviewed by the Governing Bodies in the light of the future decisions to be taken by the United Nations General Assembly."

10. The Delegation of the Russian Federation stated that it wished to know if the sessions of the Governing Bodies had been opened or not and asked how it was possible to have a statement made by a delegation without the agenda having been adopted and without officers having been elected.

11. The Chairman drew attention to the fact that the sessions Governing Bodies had already been opened by him and that he had then stated his desire to proceed with the next item of the draft agenda.

12. The Delegation of the Russian Federation asked under which item of the agenda the statements of the delegations that had spoken had been made.

13. The Chairman stated that, having opened the sessions of the Governing Bodies, certain delegations had then asked for the floor, which he had accordingly given to them.

14. The Delegation of Turkey stated that it fully supported the proposal made by the Delegation of the United States of America that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not participate in the work of the Governing Bodies of WIPO, as was the case in other international fora.

15. The Delegation of Austria made the following statement:

"The Government of Austria has also made it clear on numerous occasions that we consider that the former Socialist Federal Republic of Yugoslavia has ceased to exist and that we refuse to accept the automatic continuation of that State's rights by the so-called Federal Republic of Yugoslavia (Serbia and Montenegro). We have, therefore, supported the relevant resolutions of the United Nations General Assembly and the resolutions of the Security Council which have decided that the so-called Federal Republic of Yugoslavia (Serbia and Montenegro) cannot automatically continue the membership of the former Socialist Federal Republic of Yugoslavia. We also have wholeheartedly endorsed last year's decision of the Governing Bodies to suspend the participation of the so-called Federal Republic of Yugoslavia in their meetings and to review the question at this year's Governing Bodies. Considering that the relevant decisions of the United Nations bodies has not reversed the ruling taken last year and considering the general situation, we would support the proposal made by the United States of America and Belgium on behalf of the European Community that we reconduct last year's decision to apply it also to this year's Governing Bodies."

16. The Delegation of Yugoslavia made the following statement:

"Before entering into any discussion on this question, I think that the point of order of the Russian Delegation was very much in time and place because we first have to resolve under which item of the agenda this discussion is taking place. This is a highly political question that cannot be discussed or resolved as a procedural one. It has to be put under some item of the agenda. In accordance with Rule 5(4) of the Rules of Procedure of WIPO, a request to include an item on the draft agenda shall reach the Director General not later than one month before the date fixed for the opening of the session and delegations should be immediately informed about it. Consequently, I am putting a point of order, to resolve first of all the question of the item agenda under which we are discussing such a proposal and, of course, I am reserving my right to comment on the proposal and, further, on the procedures."

17. The Chairman stated that the agenda had not yet been adopted and that the question under discussion had arisen in the preliminary statements following the opening of the session of the Governing Bodies. The Chairman had considered it appropriate to give the floor to the delegations that had expressed the wish to make preliminary statements.

18. The Delegation of Yugoslavia stated that the matter under discussion was not a question for preliminary discussions or statements, but that a proposal had been submitted and, on that basis, asked under which item of the agenda the proposal was being dealt with.

19. The Chairman stated that it was usual in meetings of international organizations for delegations to ask for the floor in order to make preliminary statements.

20. The Delegation of Egypt made the following statement:

"The Delegation of Egypt wishes to recall the position that it has adopted in previous meetings where it has stated that the Federal Republic of Yugoslavia (Serbia and Montenegro) is not the legal successor of the Socialist Federation Republic of Yugoslavia. We would like to refer in this respect to United Nations General Assembly Resolution 47/1 of September 22, 1992, in which the General Assembly considered that the Federal Republic of Yugoslavia (Serbia and Montenegro) is not the successor State to the Socialist Federal Republic of Yugoslavia in the United Nations. We consider that resolution 47/1 should be a model which should be followed in all the specialized agencies of the United Nations System. In this respect, the decision of the 1992 Governing Bodies of WIPO on this matter should be recalled. Egypt supports the proposal by the Delegation of Belgium made on behalf of the European Community and its Member States. Egypt does not accept the legitimacy of the participation of Yugoslavia (Serbia and Montenegro) in the sessions of the Governing Bodies or in any of the committees convened by WIPO. The Delegation of Egypt would like to thank the International Bureau for observing the United Nations Security Council Resolution numbers 760 of 1992 and 820 of 1993, which have founded the legal machinery by boycotting the Federal Republic of Yugoslavia (Serbia and Montenegro)."

21. The Delegation of Japan made the following statement:

"As to the membership of the Federal Republic of Yugoslavia in the United Nations, the Government of Japan does not accept the automatic continuity of its membership in international organizations including the World Intellectual Property Organization (WIPO). The Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership if it wishes to become a member of the United Nations and its specialized agencies. The participation of Yugoslavia in any meeting of WIPO is without prejudice to the position and future decision of the Japanese Government on this and related issues. The Japanese Delegation supports the adoption of the same resolution that have been adopted by the Governing Bodies last year."

22. The Delegation of Morocco made the following statement:

"The Delegation of Morocco associates itself with those delegations that do not accept the participation of what is called the Federal Republic of Yugoslavia in the Unions administered by WIPO. We consider that that country is not the legitimate successor of the former Socialist Federal Republic of Yugoslavia as long as it has not submitted an application for membership in the United Nations."

23. The Delegation of Senegal made the following statement:

"The question now under discussion is merely a preliminary question, but it is also the continuation of a discussion that began last year at the outset of our work at the meetings of the Governing Bodies, even before the agenda was adopted. In this connection, the remarkable report by the Director General on the activities of WIPO in 1992 reminds us, in its paragraph 46, of the following decision, and I quote: 'The Governing Bodies of WIPO, noting United Nations Security Council Resolution 777 of September 19, 1992, and United Nations General Assembly Resolution A/47/RES/1 of September 22, 1992, decided that Yugoslavia should not participate in the said meetings of the Governing Bodies.' Relying therefore on this decision of the Governing Bodies, my Delegation supports the statement made by the Representative of the United States of America, by that of Belgium on behalf of the EC and by the other speakers who consider that, as the Socialist Federal Republic of Yugoslavia no longer exists, the Republic of Serbia and Montenegro cannot legitimately claim to succeed it. In fact, however, the decision that has to be taken consists simply in implementing a decision that we already took last year."

24. The Delegation of Chile made the following statement:

"The Delegation of Chile supports the proposal of the United States of America and of the Delegation of Belgium on behalf of the European Community and its member States, to the effect that the Federal Republic of Yugoslavia (Serbia and Montenegro) should not participate in the sessions of the Governing Bodies."

25. The Delegation of Sweden stated that it associated itself with the statement made by the Delegation of Belgium, speaking on behalf of the European Communities and its member States.

26. The Delegation of Switzerland made the following statement:

"The Swiss Delegation joins the speakers who do not regard the Federal Republic of Yugoslavia (Serbia and Montenegro) as the automatic legal successor to the former Socialist Federal Republic of Yugoslavia. It considers that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot automatically ensure the continuing membership of the former Socialist Federal Republic of Yugoslavia at international conferences and within international organizations, of which WIPO is one. The Swiss Delegation attaches great importance to the adoption of a uniform attitude within the United Nations system towards the Federal Republic of Yugoslavia (Serbia and Montenegro). Such an attitude could

be inspired by the Resolution of the United Nations General Assembly and also by the decisions taken by the constituent bodies of other international agencies. The Swiss Delegation is in a position to support those delegations that propose the adoption, at the present series of meetings, of a decision similar to the one that the Governing Bodies of WIPO and of the Unions administered by WIPO adopted in 1992. The presence of a Delegation of the Federal Republic of Yugoslavia (Serbia and Montenegro) at this meeting does not set a precedent."

27. The Delegation of Australia stated that it supported the proposal of the United States and of the European Community on the matter.

28. The Delegation of Yugoslavia made the following statement:

"On the understanding that we are talking about the preliminary statements and not opening up any action, because for that the normal procedure should be applicable, that is, any proposal should be submitted to the delegations in a written form and translated and, if it is to be a new item in the agenda, it should be submitted one month beforehand. In any case, any proposal for action should be submitted in accordance with the applicable procedures.

"I would like to add my own comments on the interventions we have just heard.

"First of all, I wish to point out that, as we have stressed on several occasions already, we believe that the World Intellectual Property Organization is not the appropriate place where such a top level political issue is to be debated. The request that the Delegation of the Federal Republic of Yugoslavia be suspended from participation at the twenty-fourth series of meetings of the Governing Bodies of WIPO is not legally founded either on the decision of the General Assembly of the United Nations or on the quoted decisions of the twenty-third series of meetings of the Governing Bodies of WIPO. As it is known, the decision of the General Assembly of the United Nations relates only to a temporary suspension of the participation of the Federal Republic of Yugoslavia in the work of the United Nations General Assembly which is also the interpretation of the United Nations' Legal Counsel who has very clearly expressed himself on this matter. I would like to stress first of all that the decision of the twenty-third series of the WIPO Governing Bodies applied only to the work of the WIPO bodies which were in session during the period September 21 to 29, 1992, as pointed in a document of these Governing Bodies (document AB/XXIV/INF/1), and that it referred to a temporary suspension of the participation of the Federal Republic of Yugoslavia in the work of the said Bodies with no implication as to the status of the Federal Republic of Yugoslavia in WIPO and its other bodies. That is contrary to the interpretation of the Delegation of Senegal which did not read that decision to its end. Operative paragraph two of that decision envisages only that it will be reviewed in the light of the future decision taken by United Nations General Assembly. The General Assembly had not discussed the issue of the status of the Federal Republic of Yugoslavia in the United Nations and no final decision on the matter has been taken. Therefore, there is no basis to overturn the decision taken at the twenty-third series of meetings of the Governing Bodies of WIPO, particularly not in a negative sense. On the contrary,

we consider that, instead, the participants of the twenty-fourth series of meetings of the Governing Bodies of WIPO should take a positive stand and enable our full participation in their work in the interest of all WIPO members.

"In this regard, I would like to underline that, at this moment, we consider a debate on the status of the Yugoslav Delegation to be inappropriate, bearing in mind that the Geneva peace talks are to reach a successful conclusion and that it is expected that the Bosnia and Herzegovina peace plan will be signed in Sarajevo tomorrow. As you are all aware, the Federal Republic of Yugoslavia has significantly contributed to the peace process. The Federal Republic of Yugoslavia would like, on this occasion, to express its wish and readiness to pursue its active and fruitful cooperation with WIPO and its members."

29. The Delegation of the Russian Federation made the following statement:

"The position of the Delegation of the Russian Federation in respect of the proposal concerning the participation of Yugoslavia in the present session of the Governing Bodies is well known. At the previous session, we strongly opposed the adoption of such a decision and as before, we today believe that there is no legal or political reason for such a step at this series of meetings. The proposal does not respond either to the practical interests of WIPO or to the decisions of the United Nations about the settlement of the conflict. In addition, that proposal politicizes the work of WIPO, a specialized agency that should not be involved in political questions which are not under its competence. As regards the question of Yugoslavia, and in accordance with Resolution 800 of the Security Council of the United Nations, the 47th session of the General Assembly of the United Nations will have to examine the question of membership of the Federal Republic of Yugoslavia in the United Nations. Since the settlement of the question seems to be moving in the right direction, any measure aimed at making more difficult the participation of the Federal Republic of Yugoslavia in international organizations would be illogical and counterproductive. The signing of an overall settlement very soon opens the possibility of the removal of sanctions from Yugoslavia in accordance with Security Council Resolution 700. As far as we know, at the meeting of the Security Council, on September 17, 1993, the participants there agreed to continue to examine that matter. Bearing in mind that the decision adopted by the Governing Bodies last year is to be reviewed in the light of subsequent developments in the United Nations, we believe that it would be inadmissible to prejudge any decision to be taken by the General Assembly or the Security Council by taking a decision here.

"As regards the decision making process at the present stage of work of the Governing Bodies, we understand that everything that has been said is in the nature of preliminary statements. It is not clear if and how a decision could be taken at the present stage. In particular, it is not clear under which item of the agenda a decision could be taken and what would be the status of such decision. It would be useful to have a legal opinion on these questions."

30. The Delegation of the Islamic Republic of Iran made the following statement:

"Serbia and Montenegro is not representing the whole population of the former Yugoslavia; therefore, it cannot automatically continue the membership of the former Socialist Federal Republic of Yugoslavia, which does not exist any longer. It was clear from the discussions that a great majority of the participants in the present Governing Bodies are of the view that the participation of Yugoslavia should not be accepted."

31. The Delegation of Canada made the following declaration:

"My Delegation wishes to join the great majority of those who have already spoken this morning in supporting the proposal of the European Communities, as expressed by Belgium, and of the United States of America. I would add only that this has nothing to do with the peace in Bosnia and Herzegovina and everything to do with the failure of Serbia and Montenegro to apply for membership in the United Nations family of organizations in its own right."

32. The Delegation of Yugoslavia stated that it supported the request of the Russian Federation for a legal opinion on the procedure being undertaken.

33. The Chairman stated that a proposal had been submitted by the Delegation of Belgium on behalf of the European Communities and its Member States, that that proposal had received the support of the overwhelming majority of the delegations and that two delegations had expressed their opposition to the proposal. Under those circumstances, the Chair asked whether it was necessary to vote on the proposal or whether it could be adopted without a vote on the basis that it was the sense of the meeting to approve the proposal. In any event, the report would include all the preliminary statements that had been made.

34. The Delegation of the Russian Federation recalled that it had asked for a legal opinion concerning the procedure and, since it understood that the Chairman was now intending to put the proposal to a vote, it also wished to have a legal opinion as to the validity and the legal effect of a decision on that proposal.

35. The Delegation of Yugoslavia stated that it was not up to the Chairman of any body or of any session to interpret the rules of procedure of WIPO as a whole, that there was a certain procedure for the submission of proposals and, on that basis, it repeated its request for a legal opinion on the matter.

36. The Director General stated that he did not consider that it was enough for the Secretariat to give a legal opinion on the request of two delegations. An opinion would be given only if the majority decided that one should be given.

37. The Delegation of Yugoslavia asked under which rule of procedure a delegation could submit a request or a proposal without first submitting it in writing and having it translated into all working languages.

38. The Delegation of Turkey stated that there was no necessity for any legal scrutiny of the proposal made by the Delegation of the United States and on behalf of the European Community and its Member States. The overwhelming attitude was clear and the meeting should repeat the decision that had been adopted a year ago by the Governing Bodies and then proceed with the important and fruitful work ahead.

39. The Delegation of Belgium recalled that, as the Chairman had already made clear several times, there was a very large majority that favored the adoption of a decision, and therefore proposed that the Assembly adopt one.

40. The Delegation of the United States of America supported the proposal made by the Delegation of Belgium.

41. The Chairman concluded that a proposal had been made by the Delegation of Belgium on behalf of the European Communities and its Member States and seconded by another delegation and stated that the meeting should proceed to adopt the proposal.

42. The Delegation of Yugoslavia stated that it appealed against the ruling of the Chairman, asked that the ruling be put to a vote and that by virtue of Rule 14(3) of the Rules of Procedure, it be put to a vote immediately, noting that its request did not require the support of another delegation and that the Chairman's ruling would stand unless overruled by a majority of the delegations.

43. The Chairman then asked the meeting to vote on the appeal against the ruling that he had made, referred to in paragraph 41, above. On a show of hands, 52 delegations expressed themselves in favor of the Chairman's ruling and two delegations against that ruling, with seven delegations abstaining.

44. The Delegation of Yugoslavia stated that the voting that had just taken place was on the ruling of the Chairman and not on the proposal made by the Delegation of Belgium and that the two should not be confused. It was a vote on a ruling that was unacceptable and illegal; it requested a vote on the proposal.

45. The Chairman stated that he had considered that a second vote could be avoided, since the feeling of the meeting was clear.

46. The Delegation of Yugoslavia stated that it wished to have a vote on the proposal of the Delegation of Belgium.

47. The Delegation of the Russian Federation supported the request of the Delegation of Yugoslavia for a vote on the proposal of the Delegation of Belgium.

48. A vote was then taken on the proposal of the Delegation of Belgium, made on behalf of the European Community and its Member States. On a show of hands, 62 delegations voted in favor of that proposal, two delegations voted against that proposal and nine delegations abstained.

49. The Chairman then declared the following decision as adopted:

"The decision which the Governing Bodies of WIPO took in 1992 is extended to cover the sessions of the Governing Bodies of WIPO and the Unions administered by WIPO, meeting during the present period of September 20 to 29, 1993. That decision would be reviewed by the Governing Bodies in the light of future decisions taken by the United Nations General Assembly."

ITEM 2 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDAS

50. Each of the Governing Bodies adopted its agenda as proposed in document AB/XXIV/1 Rev. (hereinafter referred to in this document and in the documents listed in paragraph 2, above, as the "Consolidated Agenda").

ITEM 3 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS

51. Following consultations among the delegations, undertaken by the outgoing Chairman of the WIPO Conference, a proposal for the election of the officers of the 21 Governing Bodies was presented by that Chairman.

52. The Delegation of India said that, in the absence of the coordinator of the Asian Group, it had been asked by that Group to state that the Asian Group was not sufficiently represented among the officers to be elected by the Governing Bodies, especially as concerns the officers of the Governing Bodies of the Berne Union, and in this regard, the countries of that Group should have been allotted a chairmanship or other suitable officer positions.

53. The Delegation of Pakistan stated that, as concerns the WIPO General Assembly, the WIPO Conference and the WIPO Coordination Committee, in 1991 no person from the Asian Group had been elected as a chairman and that in the proposal presented such a chairmanship was also absent. The Delegation added that, as concerns the Assembly, the Conference of Representatives and the Executive Committee of the Berne Union, officers from countries of the Asian Group were similarly absent in the proposal and that, unfortunately, in the Assembly, the Conference of Representatives and the Executive Committee of the Paris Union, there were not many countries of the Asian Group that were members of those bodies, thus constituting a handicap for that Group. The Delegation pointed out that, as concerns the Governing Bodies of the Paris Union, the Asian Group had made an accommodation in respect of the Vice-Chairmanship of the Conference of Representatives of that Union in favor of one of the other groups in the expectation that the Asian Group would have an officer elsewhere, preferably in the Berne Union Executive Committee. The Delegation of Pakistan concluded that, in view of the foregoing, in the future the proposal for the officers to be elected should take due account of the interest of the Asian Group.

54. The Delegation of Syria stated that it was of the view that a more equitable geographical distribution of the officers among the countries could have been achieved, especially to take into account the countries of the Asian Group that were members of the Governing Bodies of the Berne Union. The Delegation added that, as concerns the Paris Union, not many countries of the Asian Group were members, which thereby deprived them of the opportunity to be considered for the officers of the Governing Bodies of that Union, a situation for which, regrettably, those countries themselves were responsible.
55. The Delegation of Kenya, speaking on behalf of the African Group, expressed the support of that Group for the proposal presented by the Chairman.
56. The Delegation of Chile, speaking on behalf of the Latin American Group, stated that that Group supported the proposal presented by the Chairman.
57. The Delegation of the United Kingdom, speaking on behalf of Group B, stated that the discussions on the proposal for the election of officers had been difficult and that it appreciated the cooperation which had been shown by the other delegations. The Delegation noted the flexibility in the position of the Delegation of India, speaking on behalf of the Asian Group, and expressed its appreciation of the way in which the Chairman had led the consultations in arriving at the proposal presented.
58. The Delegation of Poland, speaking on behalf of the countries of Central and Eastern Europe and the countries of Central Asia, stated that those countries supported the proposal presented by the Chairman.
59. The Chairman, after noting the expressions of wide support for the proposal for the officers to be elected that had resulted from the consultations, declared that proposal adopted. The list of the officers elected appears in document AB/XXIV/INF/5.

ITEM 4 OF THE CONSOLIDATED AGENDA:

ACTIVITIES FROM JULY 1, 1991, TO JUNE 30, 1993; ACCOUNTS
FOR THE 1990-91 BIENNIUM; INTERIM FINANCIAL STATEMENT FOR 1992;
ARREARS IN CONTRIBUTIONS; CHANGES IN CONTRIBUTION CLASS

60. Discussions were based on documents WO/INF/7/1991 and AB/XXIV/8, 9, 12 and 16.
61. The Director General announced the new States which had adhered to certain treaties administered by WIPO after the date of the relevant documents: Uzbekistan in respect of the Paris Convention, which brought the total number of member States to 114; China and Uzbekistan in respect of the PCT, which will bring the total number of contracting States to 61; Uzbekistan in respect of the Madrid (International Registration of Marks) Agreement, which brought the total number of member States to 37; Bolivia in respect of the Rome Convention, which will bring that total number of member States to 44; and Croatia and Switzerland in respect of the (Brussels) Satellites Convention, which will bring the total number of member States to 17.

62. The Director General reported that, as a result of a payment just received, Mexico had no arrears in its contributions in the Paris Union.

63. The Delegation of Israel announced that, due to budgetary constraints, it would change to Class VII (from Class VI) in the Paris, Berne, IPC and Nice Unions, effective January 1, 1994, unless the unitary contribution system is adopted, in which case it should be placed in the new contribution Class VI bis.

64. The Secretariat informed the meeting that the WIPO Permanent Committee on Industrial Property Information (PCIPI) held its fourth session on September 21, 1993, and approved the report of the Director General on the activities of the PCIPI between July 6, 1991, and June 30, 1993, as contained in document AB/XXIV/16.

65. The delegations of the following 69 States, five intergovernmental and seven international non-governmental, organizations made statements: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Finland, France, Germany, Ghana, Hungary, India, Indonesia, Israel, Italy, Japan, Kenya, Lesotho, Malawi, Mexico, Mongolia, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syria, Thailand, the former Yugoslav Republic of Macedonia, Turkey, United Republic of Tanzania, Togo, Ukraine, United Kingdom, United States of America, Uruguay, Viet Nam, Zambia; ARIPO, BBM, CEE, ISESCO, OAPI; and BIEM, CISAC, EBU, FIM, IFPI, IFRRO, IPA.

66. Almost all of the said delegations expressed their satisfaction with the content of the reports submitted by the Director General, in particular as to the accurate and clear description of the International Bureau's work carried out during the period under review. The reports enabled the delegations to conduct a full evaluation of that work. They further voiced their appreciation for the amplitude and quality of tasks accomplished and the efficiency and thoroughness with which they were carried out. The delegations were of the view that the activities had attained their objectives as set out in the workplan of the 1992-93 biennium. In their view, the International Bureau, led by the Director General, responded promptly, with imagination and dedication, to the varied needs of the member States and to the new conditions prevailing in the world today.

67. Almost all of the delegations stressed the primary importance they attached to the development cooperation activities in favor of developing countries. The delegations of the recipient developing countries emphasized the priority which should be given to assistance to developing countries order to enhance the vital role played by intellectual property in cultural, technological and economic development. The delegations hoped that WIPO's development cooperation program would be increased in the future to allow for the development, in developing countries, of intellectual property systems adapted to local needs and in harmony with international trends. The delegations of donor countries reaffirmed their willingness to continue supporting WIPO's development cooperation program, whether in funds or in kind, and to increase, wherever possible, their contribution. The development cooperation activities that were considered most useful included different

kinds of training for various groups of people; assistance in the drafting of legislation; advice on the rationalization of the administrative operations of national offices, in particular through computerization; assistance in developing patent information services to the public through increased use of CD-ROM technology; the teaching of intellectual property in universities; and the establishment of societies for the fair and efficient administration of copyright and neighboring rights. In this respect, the creation of the WIPO Academy and the awarding of long-term scholarships were welcomed by many delegations as two initiatives that responded to their wishes.

68. A number of delegations, referring to the decline in the multilateral resources made available to WIPO from extra-budgetary sources such as the United Nations Development Programme (UNDP), urged donor countries to increase their assistance and supported the proposal of the Director General to allocate more funds from WIPO's regular budget for development cooperation activities in the next biennium. As the promotion of accessions to treaties was a development cooperation activity, many delegations supported the Director General's proposal for a unitary contribution system, since that would encourage a larger number of developing countries to adhere to treaties to which they were not yet party.

69. A great number of delegations from both developing and industrialized countries emphasized the importance they gave to WIPO's activities in the setting of norms and in the international registration systems. The overwhelming majority of those delegations were satisfied with the progress of work and expressed their desire to see the early conclusion of that work in respect of the establishment of the Patent Law Treaty, on preparations for a Treaty on the Settlement of Disputes Between States in the Field of Intellectual Property, on the draft Trademark Law Treaty, on a Possible Protocol to the Berne Convention, on a possible Instrument on the Protection of the Rights of Performers and Producers of Phonograms, and on arbitration and other extra-judicial mechanisms for the resolution of disputes between private parties.

70. Many delegations expressed their full satisfaction with the success and operations of the PCT. Some delegations expressed concern about the financial situation of the Madrid and Hague systems.

71. The Delegation of Senegal expressed special appreciation of the scope of WIPO's development cooperation activities. Among these, it cited the Regional Conference of Ministers in Charge of Copyright in West African Countries which was held in March 1992 in Dakar, organized by WIPO with the Government of Senegal and with the assistance of the Government of France. That conference, opened by the President of Senegal, in the presence of the Director General of WIPO, adopted the Dakar Appeal against Piracy which had since become an important tool in the fight against piracy against musical, literary and artistic works. The Delegation mentioned the many activities carried out by WIPO that its country considered important and useful, especially those relating to norm-setting, the study of the question of unfair competition, the increasing registrations under the PCT, the work of the PCIPI and settlement of intellectual property disputes between private parties.

72. The Delegation of Sweden declared that its country attached the greatest importance to WIPO's development cooperation activities and committed itself to continue and, if possible, increase the support from Sweden. The Delegation informed the meeting that Sweden had entered into a three-year intellectual property cooperation agreement with Latvia in the course of 1993. This agreement paralleled those concluded between Estonia and Finland on the one hand, and Lithuania and Denmark on the other hand. Iceland and Norway also participated in assistance to the Baltic countries. Further, the Delegation expressed the hope that Spain would become an International Searching Authority under the PCT during the current sessions of the Governing Bodies of WIPO. It referred to the success of the PCT and said that it was important to make the system even more useful to contracting States. Concerning developments in Sweden, the encouraging increase in the number of national patent applications recently was to a great extent due to the information activities initiated by the Swedish Patent Office to increase awareness of the advantages of industrial property protection for industry, especially for small and medium-sized enterprises. As for recent legislative developments in Sweden, a new bill introducing post-grant opposition in patent cases was presently before Parliament and was likely to be enacted by December 1, 1993, and provisions on a supplementary protection certificate for pharmaceuticals were also expected to be enacted by the same date. In the field of trademarks, Sweden was in the process of preparing its accession to the Madrid Protocol to be effective in January 1995. The Trademark Law had been amended, with effect on January 1, 1993, in order to be harmonized with the Council of the European Communities' Directive on this matter.

73. Regarding copyright and neighboring rights activities in 1992 and the first half of 1993, the Delegation of Sweden expressed its appreciation of both their scope and diversity and of the fact that they had been devoted to the promotion of all four pillars which were necessary for the building up of an efficient copyright system, namely: legislation, adherence to the relevant international treaties, the establishment of the necessary infrastructure and the creation of awareness of copyright. In the view of the Delegation, the International Bureau had found the right balance in its activities as between national, regional and global activities and as between the various geographical and linguistic regions. Particularly commended were certain meetings dealing with copyright questions such as the Worldwide Symposium on the Impact of Digital Technology on Copyright and Neighboring Rights and the Asian Regional Colloquium on the Judiciary and the Intellectual Property System in New Delhi, held in 1993 and 1992, respectively. Also highlighted was the attention paid by WIPO to the specific problems of countries in transition to market economy. The work undertaken for the application of the Madrid Protocol, the continuing contacts of the International Bureau with the private sector, particularly with organizations of owners of copyright, the teaching of intellectual property law and the establishment of the WIPO Academy, which would constitute an important forum for discussions by policy-makers, were also commended.

74. The Delegation of Chile said that during the period under review, Chile had continued the modernization of its intellectual property system. Chile was now one of the 10 leading countries in terms of the number of industrial property applications received, with an annual figure of about 33,000. Recalling that it had initiated last year a call for reflection by WIPO on its future role in order to be ready for the 21st century, the Delegation noted

with satisfaction that certain proposals had since been implemented by the International Bureau, notably the creation of a WIPO Academy. The latter initiative was in line with the Delegation's belief that WIPO should have its own training center. It was hoped that some future sessions would include different groups of people. The creation of Working Groups to evaluate the work of the Permanent Committees on Development Cooperation Related to Industrial Property and Related to Copyright and Neighboring Rights was welcomed. The meetings of those two Working Groups should improve WIPO's development cooperation program. It was the view of the Delegation that countries in transition to market economy should also benefit from the development cooperation activities as they had great need for advice and training. However, this should be done through alternative financing, with both budgetary and extra-budgetary resources, without affecting the normal flow of assistance to developing countries. Although the harmonization of trademark laws was important, certain legal norms of Chile and some other countries might be adversely affected. However, Chile would not oppose a Diplomatic Conference on the question if the majority of countries wished to have it. In this vein, the Delegation proposed that WIPO should pay, as for the Diplomatic Conference for the Patent Law Treaty, for the participation of a representative of each developing country wishing to participate in the Diplomatic Conference on trademark harmonization. To prepare for the 21st century, WIPO's medium-term plans should be more ambitious and should include, among others, the preparation of studies to clarify subjects important to various countries. The Delegation warned against a proliferation of treaties since it could adversely affect the efficiency of intellectual property protection. The Delegation welcomed the proposal on the creation of a unitary contribution system. Regarding the question of the appointment of a new Deputy Director General, Chile would support a consensus candidate from Africa. Lastly, the Delegation suggested that the existing organigram of the International Bureau could be reviewed.

75. In the view of the Delegation of Finland, skill, creativity and inventiveness were strengthening their key positions in international cooperation and competition; they formed the basis of the well-being of the world's industrialized nations while giving hope of a better future for the world's less industrialized countries. In this context, WIPO's comprehensive and multi-faceted program and activities were especially important. The Delegation of Finland hoped that the work in respect of harmonization of patent laws would continue and the second part of the Diplomatic Conference on the Patent Law Treaty be held at a date providing optimal opportunities for achieving results.

76. The Delegation of Hungary informed the meeting that, as part of its transition to market economy and in view of the increasing importance of industrial property protection, its Government had signed an Association Agreement with the European Community, which contained special provisions with respect to the further improvement of the level of intellectual property protection in the country as a precondition to its acceding to the Community and its organizations. Hungary therefore highly appreciated the attention that WIPO gave to the problems of the countries in transition to market economy. Hungary was happy to have contributed to the production of the IPC-CLASS CD-ROM. The importance of industrial property to the country was also shown by the visits of high-ranking Hungarian officials to WIPO and the participation of the Director General in the Assembly of the Association of

Hungarian Inventors in September 1992, on which occasion the Director General was received by the Prime Minister and other members of the Government. In the field of copyright and neighboring rights, the Hungarian Bureau for the Protection of Authors' Rights hosted and organized with WIPO, every third year since 1979, a general introductory course on authors' rights for some 20 participants on each occasion. It also received two officials for training each year. So far, over 100 experts from developing countries had been trained. The Delegation reaffirmed the country's readiness to continue, in the 1994-95 biennium, its participation in WIPO's development cooperation program on the same terms as previously. In regard to work on a possible Protocol to the Berne Convention and a possible new instrument on the protection of the rights of performers and of producers of phonograms, the Delegation shared the Director General's view that the Protocol should include rules on the collective administration of copyright.

77. The Delegation of Japan said that, given the increasingly importance of intellectual property in the globalization of economic activities and technological advances, there was a pressing need to reconcile and harmonize internationally the levels of protection of intellectual property rights, the acquisition of rights and their enforcement. Japan had undertaken radical reforms of its Patent Law and Utility Model Law in April 1993, a comprehensive reform of the Law Against Unfair Competition in May 1993, and, a month later, reform in the drafting requirements of specifications of patent applications in new fields of technology as well as in new examination standards for the inventive step. In addition, the electronic filing system of the Japanese Patent Office had now reached a stage where about 95% of all patent applications were filed electronically, with on-line access for applicants to various information. With respect to patent information, its publication on CD-ROMs represented an improvement for data storage and dissemination. At the international level, Japan continued to promote international intellectual property cooperation through an on-going fund-in-trust agreement with WIPO in the field of industrial property, and, in 1993, a new, similar agreement with WIPO in the field of copyright and neighboring rights. As concerns the norm-setting activities of WIPO, there was a need to hold the second part of the Diplomatic Conference on the Patent Law Treaty as soon as possible, by creating a "grand package" that established a worldwide first-to-file principle, an early publication system for patent applications, and an appropriate patent term.

78. The Delegation of the United Republic of Tanzania said that the present system, whereby intellectual property rights in developing countries most benefited foreign owners, needed reviewing. The approach of acquisition of foreign, locally protected technology partly addressed that anomaly. The long-term solution would be assistance which directly related to the encouragement of capacity building in the intellectual property rights area in developing countries. In this respect, priority should be given to human resource development so as to enhance local inventive and creative activities, facilitate the access of developing countries to and use of the technological information contained in patent documents and exploitation by local enterprises of their local intellectual property rights. The delegation mentioned the visit of the Director General, in May 1993, to the country where he held discussions with the President, the Prime Minister and other members of the Government. Given the reduction in extrabudgetary funds from such sources as the UNDP, the Delegation hoped that donor countries would increase

assistance to developing countries, particularly the least developed countries of which the United Republic of Tanzania was one. Also, more funds should come from the regular budget of WIPO. Only in this way would the least developed countries, in particular, be able to finance projects to upgrade intellectual property protection systems. It was also felt that the limited resources were not equitably distributed among all regions and should be corrected, with particular attention to the least developed countries located mostly in the African continent. The Delegation supported the proposal of a unitary contribution system which was in the interest of all countries and not only developing countries.

79. The Delegation of the Russian Federation underlined the leading role played by WIPO in giving advice and providing assistance to the countries of the former Soviet Union, especially in the work they had undertaken to establish a single system of legal protection of inventions among a number of those countries. The Delegation informed the Assembly that the Patent Law (covering inventions, utility models and industrial designs), the Law on Trademarks, Service Marks and Appellations of Origin, the Law on the Legal Protection of Computer Programs and the Law on the Legal Protection of Integrated Circuits all entered into force in October 1992, while the Law on Copyright and Neighboring Rights entered into force in August 1993. Furthermore, provisions on patent agents entered into force. New provisions on patent fees also entered into force in September 1993. A modernized legal basis for the entire intellectual property system, harmonized with current world trends, had thus been established in the country.

80. The Delegation of Argentina welcomed the creation of the WIPO Academy and believed that the training to be given to officials in decision-making positions would be of great value. Given the economic importance of intellectual property today, Argentina was reviewing its intellectual property laws. The Congress was on in the process of approving the country's accession to the Nice Agreement. The draft legislation on accession to the International Convention for the Protection of New Varieties of Plants (UPOV) would also soon be approved. In respect of economic integration in the sub-region, WIPO was providing assistance to the four MERCOSUR countries by organizing the First WIPO/MERCOSUR meeting which would be held in October 1993 in WIPO's headquarters. WIPO's norm-setting activities were considered important, particularly preparations for a Treaty on the Settlement of Disputes Between States in the field of Intellectual Property.

81. The Delegation of Spain described in some detail the training which its country had provided to the countries of Latin America mainly in cooperation with WIPO and the EPO. The Spanish Office also participated in WIPO projects for the modernization of national industrial property offices of the Latin American countries and various seminars and advisory missions organized by WIPO for those countries. The work of the Iberoamerican Patent Documentation Center, whose principal aim was to disseminate patent information of the countries concerned, was endorsed in July 1992 by the second Summit of the Heads of States and Governments of the Iberoamerican countries. Since that date, considerable progress had been made. The Center was finalizing, in cooperation with WIPO and the EPO, a CD-ROM disc, called DOPALES-PRIMERAS, containing the first pages of patents issued by the countries of Latin America in 1991. This work was possible thanks to the cooperation of all the countries concerned. In addition, there was a data base called CIBEPAT, in CD-ROMs, which contained 800,000 references of bibliographic data and

abstracts of Spanish patents and utility models, and European patents and PCT applications designating Spain. Also, through the joint efforts of the Spanish Patent and Trademark Office, WIPO and EPO, CD-ROM work stations had been provided to all 18 Latin American countries to process the information required for the DOPALES-PRIMERAS disc. The exercise not only would provide greater access to patent information but would also have the effect of standardizing the presentation of the first pages of patents and abstracts. In the field of copyright, there had been a noteworthy increase of activities as, for example, under a special arrangement just concluded between General Authors' Society of Spain (SGAE) and WIPO, a copyright training course for Latin American countries would be held each year in Spain.

82. The Delegation of Israel informed the meeting that its country contributed to WIPO's extensive development cooperation program by receiving each year a number of trainees. The establishment of the WIPO Academy was regarded as a useful initiative. Regarding norm-setting activities, the Delegation expressed the wish that WIPO should press ahead as much as possible. It added that work on the resolution of intellectual property disputes between private parties should place more emphasis on the economic implications and data relevant to dispute resolution. As for developments in the country, the Delegation indicated that a government bill recommending some 60 amendments to the Patent Law was about to be introduced in Parliament. A second stage of work would involve looking into such questions as conformity with the PCT. This would make it possible for Israel to accede to the PCT and Budapest Treaty in the near future. Work on the revision of the Copyright Law was about to be concluded by a special committee which had used the WIPO draft Model Law on Copyright as a working draft. The text of a proposed new law on industrial designs was presently going through the legislative process, while two committees to review the Trademark Law and the Law of Semi-Conductor Chip Topography had just been set up. With the finalization of these endeavors, Israel's intellectual property system would be modernized and adapted to the latest trends.

83. The Delegation of the Republic of Korea gave an overview of recent developments in its country. The Korean Industrial Property Office (KIPO) launched in 1992 a seven-year computerization plan which had so far resulted in automated administrative procedures for applications and registrations, a trial processing system as well as an automated figurative mark search system. At the end of the plan, a paperless system for electronic application and search procedures should be operational. In addition, KIPO was setting up cooperation relations with a number of counterpart offices in other countries. It wished to enhance cooperation with WIPO under its development cooperation program, particularly through use of the facilities available in the International Intellectual Property Training Institute, a sub-organization of KIPO. The wish was expressed that WIPO would organize regional training programs at the said Institute on an annual basis. The Delegation also suggested that WIPO prepare model laws for the protection of technologies such as integrated circuits, computer software, computer technology, optical disc technology and biotechnology and to disseminate such model laws together with the experience and laws of industrialized countries. WIPO activities should also be extended to focus on licensing and dispute settlement procedures. WIPO's help was requested to enable the Republic of Korea to gain information on the development of a patent data base and standardization of electronic patent data that was being jointly undertaken by Japan, the United States of

America and the EPO. In particular, the Republic of Korea was interested in introducing the jointly-developed first page data search system as a model for the search system to be developed in KIPO.

84. The Delegation of Burkina Faso expressed its appreciation of WIPO's assistance in training its country's officials as well as for the organization of the Regional Conference of Ministers in Charge of Copyright in West Africa last year in Dakar. That conference adopted the Dakar Appeal against piracy which was subsequently endorsed in June 1992 by the Assembly of the Heads of States and Governments of the Organization of African Unity. WIPO supported copyright institution-building in Burkina Faso by providing, in 1992, a software which now allowed the country's Copyright Office to establish a fair distribution of fees. It noted with satisfaction that a WIPO official visited Ouagadougou in February 1993 during the 13th Pan-African Film and Television Festival to promote adherence to the Film Register Treaty. In addition, the Delegation was gratified to note that two officials of its country had been invited by WIPO as speakers in WIPO seminars. Lastly, the Delegation supported the draft program and budget for 1994-1995 as well as the medium-term plan for 1996-99 presented by the Director General.

85. The Delegation of Syria gave priority to development cooperation activities. It expressed appreciation for the recent WIPO missions to its country to review the industrial property situation and to discuss the revision of industrial property legislation, as well as for WIPO's participation in the First National Seminar on the Protection of Industrial Property held in Damascus in November 1992. Syrian officials benefited from participation in WIPO's seminars and courses in the field of industrial property designed for Arab countries. Full satisfaction was also expressed concerning the creation of the WIPO Academy in which a Syrian official would be participating.

86. The Delegation of Austria informed the meeting that besides cooperating with WIPO in the latter's development cooperation program, Austria also conducted various bilateral development cooperation activities in the field of industrial property, particularly with countries of Central and Eastern Europe which were in the process of building up new intellectual property laws and administration. The Delegation welcomed the imminent appointment of the Spanish Patent and Trademark Office as an International Searching Authority. As regards domestic legislative developments, the Delegation drew attention to the new Utility Model Law which was expected to enter into force in January 1994. The purpose of another new law was to implement the corresponding Regulation of the Council of the European Communities regarding a supplementary protection certificate for pharmaceutical products. According to that law, the term of patent protection for those products would be extended by five years. Regarding harmonization of the provisions in trademark laws in the member States of the European Communities and the European Free Trade Association, an amendment to the Austrian Trademark Law had entered into force at the end of 1992. A new law on plant varieties entered into force on March 1, 1993, and accession to the UPOV Convention was under preparation. Further, the Austrian Patent Office was cooperating with the German Patent Office in a German translation of the International Classification of the Figurative Elements of Marks, which would be published by WIPO as the authorized German version in due course. That activity would allow Austria to ratify the Vienna Agreement Establishing an International

Classification of the Figurative Elements of Marks in the course of 1994. The ratification of the Madrid Protocol was foreseen to occur at the latest by 1995. The Industrial Design Law, which was introduced in 1991, was having a very successful development, so that discussions had taken place between Austria and WIPO regarding requirements for possible accession to the Hague Agreement, in particular as regards computerized bibliographical data exchange.

87. The Delegation of the Czech Republic especially highlighted WIPO's assistance to countries in transition to market economy by helping them solve intellectual property problems connected with that transition. The country had particularly welcomed the visit of the Director General in September 1993 to Prague to participate in the International Symposium on Authors' Rights for the States of Central and Eastern Europe organized by WIPO in cooperation with the Ministry of Culture of the Czech Republic. The Czech Republic, which had come into existence on January 1, 1993, actively pursued the improvement of the industrial property system which existed in the former Czech and Slovak Federal Republic by harmonizing its legislation with the European patent system and worldwide trends. The Industrial Property Office of the Czech Republic was established on January 1, 1993, and the Czech Republic continued the application of all WIPO-administered treaties by which the former Federal Republic had been bound. The International Depositary Authority under the Budapest Treaty which was located on the territory of the Czech Republic in Brno continued its operations. At the moment, intensive work was devoted to the preparations of the new Trademark Law, which might enter into force in the second half of 1994. The possibility of acceding to the Madrid Protocol was envisaged and accession to the Hague Agreement, or to its future new Act, was also considered. The Czech Republic also continued cooperating with various European countries and the EPO. In respect of the PCT, the number of designations of the Czech Republic was growing sharply, which, in the view of the Delegation, was evidence of the fact that the new State had succeeded in ensuring continuity.

88. The Delegation of Australia declared its country's special willingness to continue cooperating with WIPO's development cooperation program in Asia and the Pacific through participation in workshops and seminars and the provision of experts as WIPO consultants. The country had a strong interest in the work undertaken on the draft trademark law treaty as the current revision of the Australian Trade Mark Law was taking the development of that draft treaty into account. The Delegation noted with satisfaction the growing use of the PCT system.

89. The Delegation of China thanked the International Bureau for having provided for interpretation into Chinese. It drew attention to a number of achievements effected in China following the new policy of opening and reform, namely, the adoption of the revision of the Chinese Patent Law in September 1992; the adoption of the revised implementing regulations under that law (also in 1992) and the revision of patent examination procedures which became effective on January 1, 1993. The number of patent applications reached a new record this year. The instrument of China's accession to the PCT was transmitted to the Director General of WIPO last week and the PCT would enter into force in respect of China on January 1, 1994. PCT training courses would be organized with WIPO from October 1993. The Chinese version of the PCT Applicant's Guide and Administrative Instructions had been published. The Chinese Patent Office had also produced a CD-ROM of Chinese patents with

English abstracts. During the month of September 1993, China had been proud to host no less than three meetings organized in cooperation with WIPO (on the PCT, on the international registration of trademarks and on the protection of folklore). In the field of trademarks, the number of applications had increased last year. The revision of the trademark legislation and implementing regulations had extended the scope of protection, by allowing for registration of service marks, collective marks, certification marks and well-known marks, and improved protection through more severe repression of infringements and higher sanctions. China was carefully studying the Madrid Protocol and would consider acceding to it at the appropriate time. In the field of copyright, progress had also been made. The first Chinese Copyright Law had been enacted in September 1990, and the regulations for implementing the Berne Convention enacted in 1992. Earlier this year, China acceded to the Geneva Phonograms Convention. A revision of the copyright legislation was also under consideration and China was following closely the evolution of international copyright trends. The level of intellectual property protection was now close to that prevailing in the industrialized countries. However, it was necessary to take account of the socio-economic conditions in developing countries and China therefore approved WIPO's efforts in that context. The Chinese Government had taken a severe attitude toward infringement cases occurring in China and had increased its efforts to combat infringement. Stronger anti-piracy measures had been taken to protect rights in books, software and audiovisual works. Special tribunals for intellectual property matters had been established at the intermediate and high court levels in Beijing. The Law Against Unfair Competition which laid particular emphasis on the protection of trade secrets had been adopted and would come into effect in December 1993. The drafting of legislation for the protection of integrated circuits and plant varieties had already begun. Finally, the Delegation announced that China and WIPO had jointly published earlier this month a book commemorating the first 20 years of cooperation between China and WIPO.

90. The Delegation of Switzerland welcomed the success of the PCT but voiced its preoccupation concerning a certain decline in registrations under the Madrid (International Registration of Marks) Agreement in the past two years. Raising fees would not constitute the best solution and the reasons for the decline in use should be carefully examined. It was preferable, pending the application of the Madrid Protocol, to take further rationalization measures such as the full use of ROMARIN, which should increase the viability of the Madrid system. The Delegation thanked the Organization for its efforts to make the Hague Agreement more attractive for the textile industry of not only Switzerland but also of other countries. Concerning development cooperation, Switzerland actively supported the efforts of WIPO through offering training attachments and receiving study visits at the Swiss Federal Intellectual Property Office in Berne, which also welcomed officials from countries in transition to market economy. The Delegation gave a brief summary of some important legislative developments in its country in the field of intellectual property. The first half of 1993 saw the entry into force of three laws on marks, on copyright and neighboring rights and on integrated circuits. As concerns copyright and neighboring rights, Switzerland had now ratified all the latest Acts of the relevant treaties. Legislative revisions in the field of patents, especially a supplementary certificate for pharmaceutical products, withdrawal of the reservation under Chapter II of the the PCT, and the removal of preliminary examination have been submitted to Parliament. Under study was the possibility of improving protection for geographical indications and appellations of origin.

91. The Delegation of Denmark said that the Danish Patent Office became in 1992 a "Contract Government Administration," a new status which implied a larger degree of freedom of action, combined with a more market-oriented approach. As a consequence of this move, the Office had experienced a substantial growth in requests for services from industry. The result of the adoption of a law protecting utility models in 1992 greatly exceeded expectations; two-thirds of the applications received came from individuals or small companies. In the field of patents, a new Act of the Patent Law had been in force since January 1, 1993, which authorized the Danish Government to accede to the Community Patent Convention as well as to grant supplementary protection certificates for pharmaceutical products. Concerning international activities, Denmark supported, together with the other Nordic countries, the development of the industrial property systems in the Baltic States, with a special focus on Lithuania. In 1994, the 100th year celebration of the Patent Law in Denmark would take place.

92. The Delegation of Slovenia mentioned the important recent progress in the country's intellectual property system. The number of applications for protection of industrial property rights had doubled as compared to last year. Slovenia benefitted from the valuable assistance of WIPO and of certain countries through bilateral agreements as well as from a regional program financed by the Commission of the European Communities. In the spring of 1993, Slovenia upgraded its industrial property legislation which relied extensively on the relevant international treaties. That upgrading was a necessary step leading to yet another important event, namely the conclusion of an agreement with the EPO, to enter into force at the beginning of 1994, which provided for the extension of the effects of European patents to the territory of Slovenia. Slovenia was the first non-member State of the European Patent Organisation which made use of that solution. In the Delegation's view it was an important move towards the desired full economic and political integration of the country with Western Europe. Furthermore, a law on the protection of integrated circuits was expected to be adopted by the end of 1993, at which time accession to the PCT, the Nairobi Treaty and the Budapest Treaty would also be approved. Accession to the PCT might take place as soon as October 1993.

93. The Delegation of Kenya said that the recommendations of a WIPO advisory mission last year on upgrading the industrial property system were being implemented. Kenya benefitted from the Organization's training program and thus regarded the creation of the WIPO Academy as a milestone in human resource development. Concerning national legislation, the Trademark Act had been recently amended to include protection of service marks. The ratification of the Nice Agreement had been approved by the Government, while steps regarding accession to the PCT were being taken. Applications were being received under the new Patent Law. Computerization of the industrial property administration was planned for the near future and external help would be required.

94. The Delegation of the Netherlands expressed admiration for the work accomplished by the International Bureau both in development cooperation and norm-setting and gave assurance that it would continue to support the progress of the Organization's future work.

95. The Delegation of Brazil reiterated its view that despite the initiative of some member States to undertake negotiations outside WIPO, this organization was the main multilateral forum for setting intellectual property

norms. Disappointment was expressed at the lack of progress in the work on the Patent Law Treaty, accompanied by the hope that the second part of the Diplomatic Conference could be convened as early as possible. There was satisfaction with the progress of work on the other norm-setting activities, in particular on the draft Treaty for the Settlement of Disputes between States in the Field of Intellectual Property. As for development cooperation activities, the Delegation indicated a number of areas in respect of which Brazil wished to benefit from more cooperation programs. It expressed the wish of the Brazilian National Institute for Industrial Property to resume the position of consultant of WIPO for developing countries. WIPO's support was particularly required in connection with projects of the Brazilian National Institute for Industrial Property (INPI) and for the holding of three copyright seminars in Brazil in 1994, as well as for intellectual property cooperation within the context of MERCOSUR and the Latin American Economic System (SELA). The Delegation also expressed its satisfaction with the establishment and work of the Working Groups of the Permanent Committees for Development Cooperation Related to Industrial Property and Related to Copyright and Neighboring Rights, the annual regional training seminars organized by INPI and WIPO. Brazil supported an increased allocation of resources to development cooperation activities as proposed in the draft program and budget for 1994-95, as well as the Director General's proposal to set up a unitary system of contributions. Insofar as staff questions were concerned, the Delegation was prepared to give sympathetic consideration to the Director General's proposals, for they sprang from the need to renovate the high echelons of the secretariat and to give career incentives, in keeping with the principle of equitable geographical distribution. It hoped that the proposals would be supported by consensus.

96. The Delegation of Portugal regarded as highly significant its country's adherence last year to the European Patent Convention and its accession to the PCT later that year, as well as the preparation of a new omnibus industrial property law, which was expected to be adopted before the end of 1993. The National Institute of Industrial Property was also being computerized. In this connection, thanks were expressed for the help given by the International Bureau in respect of internationally registered marks. The Delegation expressed special appreciation for WIPO's cooperation activities in favor of the Portuguese-speaking countries of Africa. In respect of WIPO's activities reports, the Delegation made suggestions on changing their structure and content. It also thought that it might be opportune for WIPO to undertake studies, by country, touching on industrial, commercial, scientific and cultural questions relating to the protection and use of intellectual property. Further, it might be timely to reflect on the strategy for the Organization in preparation for the 21st century. In respect of copyright, the Delegation referred to the successful seminar that WIPO had organized in Lisbon in May 1993 for Portuguese-speaking African countries and to the second Iberoamerican Copyright Congress which would take place in Lisbon in November 1994. The Delegation supported the Director General's proposals regarding the two posts of Assistant Directors General.

97. The Delegation of the Philippines appreciated particularly the efforts deployed by WIPO in providing legal-technical assistance to developing countries, including its own. A recent useful activity for the Philippines was the roundtable discussions on intellectual property organized by WIPO for Philippine legislators which took place in early September 1993. Those discussions would help in the current consideration of new intellectual property laws for the country.

98. The Delegation of Mexico referred to two specific events under WIPO's development cooperation program which took place in Mexico last year: a regional seminar on Industrial Property Management Strategies for Small and Medium-Sized Enterprises in Latin America, as well as the WIPO missions to advise the Mexican Federal Government on the establishment of an autonomous industrial property institute. In this connection, a special staff training program had been put in place with WIPO's help. The Delegation of Mexico mentioned that it was considering accession to additional WIPO-administered treaties. In regard to the automation of the Office of the Register of Copyright, the Delegation said that WIPO's financial assistance was preferable to technical advice. The Delegation proposed that broadcasting organizations should be included in the work on a possible new Instrument on the Protection of the Rights of Performers and Producers of Phonograms.

99. Regarding developments at the national level, the Delegation of the former Yugoslav Republic of Macedonia informed the Assembly that the Industrial Property Law had entered into force in July 1993. Instructions concerning the procedures for maintaining the validity of industrial property rights acquired in the former Socialist Federal Republic of Yugoslavia had been approved. With the passing of that law, in respect of which the regulations and instructions were in the final phase of preparation, the former Yugoslav Republic of Macedonia would have established a complete industrial property system. Simultaneously, the procedure for the country's accession to the PCT and membership in the PCIPI had started. The competent Ministry had already received 1,250 applications under the new Law. The country looked forward to cooperation with WIPO and certain countries, in particular in respect of staff training and computerization of office procedures.

100. The Delegation of Sudan stressed the importance of WIPO's support to inventors through awards and other incentives, as those persons contributed to technological development in developing countries. It further mentioned the importance of computerizing operations of industrial property offices and, in this respect, thanked WIPO for the provision of some equipment and the related CD-ROM discs. The teaching of intellectual property law was regarded as essential, and a course was being conducted at the University of Khartoum, for which WIPO had provided assistance. The Delegation joined other delegations in calling for long-term training.

101. The Delegation of Algeria was appreciative of the advice and assistance received from the International Bureau in the preparation of new legislation for the protection of inventions and copyright and neighboring rights, the training of officials and users, the provision of patent documentation and the training of officials and users in the computerization of the Algerian Institute for Standardization and Industrial Property. A new law on copyright and neighboring rights was expected to be enacted within the next six months. Similarly, a new industrial property law was being considered. Support for the Director General's proposals for the activities during the forthcoming biennium was given. In conclusion, the Delegation proposed the institution by WIPO of a World Intellectual Property Day, which should help to promote awareness of intellectual property around the world.

102. The Delegation of Canada referred to a number of important domestic events that had occurred in the past year. The Canadian Intellectual Property Office (CIPO) had been transformed into a governmental special operating agency in order to operate more flexibly and in a more business-like fashion,

using leading-edge management practices. Furthermore, the CIPO was henceforth part of a newly-created department of Industry and Science which would provide broad policy leadership in technology and industrial development. In the field of automation, CIPO's project to automate patent operations was on track for completion by 1996. At the same time, CIPO was also updating its existing, computerized trademark system. In the legislative area, four separate intellectual property law amendments had been approved by Parliament. Amendments to the Patent Act had been approved which repealed the compulsory licensing provisions relating to patented pharmaceuticals and food, and provided increased powers to the Patented Medicine Prices Review Board to monitor and control prices of patented medicines in Canada. Second, an Omnibus Bill to implement the North American Free Trade Agreement (NAFTA), among Canada, Mexico and the United States of America had been approved by Parliament a few months ago. The Bill included changes to the Patent, Trade-Mark, Copyright and Industrial Designs Acts but was not scheduled to become law until the Agreement itself came into force. In addition, a bill that contained a series of amendments to the major intellectual property acts administered by CIPO had received approval in May 1993. It contained changes that were technical and administrative in nature, and which modernized and simplified the law to better serve both the Office and clients. Almost all of the amendments to the Trade-Mark, Industrial Design, Copyright and Integrated Circuit Topography Acts came into effect in June 1993. The patent amendments would not, however, come into effect until the required changes to the rules had been approved, expected early next year. Finally, the Parliament had also passed a specific amendment to the Copyright Act in order to clarify the meaning of infringement of a musical work. The Delegation also noted that, as of May 1993, integrated circuit topographies could now be registered and receive protection in Canada for a period of 10 years. Protection for foreign owners would be on a reciprocal basis. For the time being, applicants from Australia, Japan and the United States of America were eligible to obtain protection under the new Act. Discussions to extend protection to applicants from other countries were continuing.

103. The Delegation of the United Kingdom, while congratulating WIPO on the high quality of the documentation submitted to this meeting, observed that it would be helpful if it could in future include more output measures on the wide range of WIPO's activities, although it noted with pleasure that some of that information had already been reflected in the texts. The Delegation described its cooperation with WIPO and with other countries in the past year. The United Kingdom Patent Office continued to invest heavily, in 1992 and 1993, in marketing and in education and training of the users. In the course of this year, the work of the Office as an International Preliminary Examining Authority under the PCT had been transferred to the EPO. The United Kingdom would closely monitor the effects of this change on the use of the PCT by national applicants and, in particular, by small and medium-sized firms. In May 1993, the United Kingdom Patent Office granted the first supplementary protection certificate for a medicinal product under a Regulation of the Council of the European Communities. That Regulation was an important step by the European Commission in harmonizing patent protection for pharmaceuticals. Over the last few months, the Government of the United Kingdom had been reviewing the role of the Patent Office and were examining a wide range of policy options--from keeping the status quo to the possibility of entirely privatizing the Office. The consultants' emerging conclusions would shortly be put to Ministers. Finally, the Delegation was hopeful that the parliamentary timetable would permit the introduction of a bill in the next Parliamentary session to modernize the Law on Trade Marks and to enable the United Kingdom to ratify the Madrid Protocol.

104. The Delegation of Poland told the meeting that four laws dealing with patents, the protection of integrated circuits, on patent attorneys and protection against unfair competition had recently been adopted. Poland recently acceded to the Budapest Treaty. A preliminary draft industrial property code, which covered inventions, utility models, industrial designs, trademarks, appellations of origin and indications of source, unfair competition, the profession of patent agents, the functioning of the patent office and a patent court would be completed this year. That law was expected to be adopted by Parliament by 1995. In 1996 at the latest, Poland would adhere to the European Patent Convention. Procedures had already been instituted to withdraw Poland's reservation regarding Chapter II of the PCT.

105. The Delegation of Paraguay mentioned that its country had greatly benefited from WIPO's development cooperation activities this year. Three major meetings on copyright and neighboring rights had been organized in that country at the national or Latin American regional level in March 1993 and the Director General and other WIPO officials had in that month visited the country and provided advice on further strengthening copyright protection and measures against piracy in the country. It requested WIPO's help in organizing a seminar for judges in Paraguay next year. The Delegation supported the Director General's proposals regarding the two posts of Assistant Directors General.

106. The Delegation of the Democratic People's Republic of Korea requested that negotiations on the Patent Law Treaty should duly take into account the interests of developing countries. It was of the opinion that the dispute settlement mechanisms to be set up should not include sanctions or retaliatory measures of any kind. It announced that the UNDP had just approved a country project, for the computerization of the Invention Office, which would be executed by WIPO. It mentioned that its Government accorded great importance to inventive activities and that on the occasion of the Third National Exhibition of New Technology, which was held in September 1993, a WIPO gold medal had been awarded to a winner. The Delegation supported the Director General's intention to increase allocations for development cooperation activities from the regular budget.

107. The Delegation of Egypt said that the proposals to increase allocations for development cooperation activities in the forthcoming biennium were wise and would enable WIPO to promote better intellectual property protection worldwide. It expressed its satisfaction with WIPO's activities in favor of the Arab and African countries and cited the meetings organized in 1992 and 1993 by WIPO in these regions, including the holding, in October 1993, in Cairo, of a WIPO sub-regional Workshop on Licensing Contracts and Technology Transfer Arrangements for Arab countries. The latter event would further strengthen cooperation among the countries of the region. More such seminars should be organized in the future. In addition, the Delegation urged the other delegations to support the proposed unitary contribution system. The Delegation further stated that it was looking forward to the convening of the sixth session of the Committee of Experts on the draft Treaty on the Settlement of Disputes between States in the field of Intellectual Property early in 1994; it further stated that the treaty, when in effect, would be considered by Egypt as an important and constructive means of settling intellectual property disputes.

108. The Delegation of Viet Nam explained that its country attached the greatest importance to the promotion and development of a national industrial property system that was adapted to the country's circumstances as well as be in harmony with international practice. Encouraging results had been attained in this respect in recent times, such as the increase in the number of applications for the registration of trademarks, the upgrading of patent information services, the training of staff and international cooperation. It was to be noted that Viet Nam had become a member of the PCT Union since March 1993. The National Office of Industrial Property had been called upon by the Government to assess, in cooperation with other concerned authorities, the implementation of the national industrial property legislation over the last 10 years and to submit recommendations on a possible revision in the near future. Given the fact that industrial property was still a new subject matter in Viet Nam and that market economy activities had only very recently been started, the Delegation hoped to be able to further benefit from WIPO's cooperation as well as from that of its member States.

109. The Delegation of Uruguay was pleased to see that some of the suggestions that were made in the last two years to WIPO had been put into effect, such as the creation of Working Groups for the two Permanent Committees dealing with development cooperation and the training of members of the judiciary. The Delegation hoped that such training would be extended to other government officials dealing with intellectual property matters. WIPO's positive response to MERCOSUR by organizing a WIPO-MERCOSUR meeting in Geneva next month to discuss cooperation was much appreciated. A technical cooperation project on industrial property was being implemented by WIPO and funded through a loan from the Inter-American Development Bank to the Government. It was hoped that a similar project would soon be established in the field of copyright. The Congress was studying the copyright bill and considering accession to the PCT, Madrid (International Registration of Marks) Agreement and the Budapest Agreement. Finally, the Delegation gave its support to the Director General's proposals for a unitary contribution system and for the two posts of Assistant Directors General.

110. The Delegation of Turkey informed the Assembly that the Turkish Patent Institute was created on September 16, 1993. After years of effort, this was a major advance in modernizing the Turkish industrial property system. The question of Turkey's accession to the PCT was presently on the agenda of the Parliament and this was expected to be approved in the near future. Turkey had completed the studies for amending its Copyright Law. The revision of the Copyright Law would take into account the Directive of the Council of the European Communities on software protection and other international agreements, thus endowing Turkey with up-to-date copyright legislation. Thanks was expressed to WIPO as executing agency of the ongoing UNDP-financed project for strengthening the Turkish industrial property system.

111. The Delegation of Colombia paid tribute to WIPO's effort in invigorating respect for copyright and neighboring rights in Latin America through its many activities for the benefit of authors' societies and seminars for officials and judges. The joint WIPO-SUISA copyright courses and the Latin American copyright congresses encouraged Latin American countries to accede to the Berne Convention. Interest was shown in the WIPO Academy by the Delegation. Owing to the UNDP-financed country project for the Industrial Property Division of Colombia, tremendous improvements in the Division's work had been achieved. The backlogs were eliminated and the time for processing

applications drastically cut back. WIPO also helped Colombia in advising on the revision of Decision 313 of the Cartagena Agreement. That revision was expected to be adopted at a ministerial meeting of the Andean countries next month. Further, the Congress would consider accession to the Paris Convention in the coming weeks. Accessions to more treaties in 1994 were possible. Agreement with the Director General's proposals regarding the two posts of Assistant Directors General as well as for the allocation of more resources to development cooperation activities in the next biennium was given by the Delegation.

112. The Delegation of Thailand described the recent intellectual property developments in the country. The new patent law, adopted in 1992, which provided, *inter alia*, protection for food and pharmaceutical products as well as agricultural machinery. Besides, the period of protection was extended to 20 years for inventions and 10 years for designs. The Copyright Law was being revised to cover protection of software and performers' rights. An intellectual property enforcement coordination unit had been set up in the Ministry of Commerce, and steps had been initiated for the setting up of a special intellectual property court. Also, Thailand's accession to the Paris Act of the Berne Convention had been approved by the Cabinet. The Delegation affirmed its support of the proposed unitary contribution system.

113. The Delegation of Italy conveyed the information that, at the end of 1992, a new law on trademarks had been approved which provided better protection for well-known marks and contained provisions for resolving conflicts between marks and other distinctive signs of enterprises. At the beginning of 1993, the Directive of the Council of the European Communities on software was put into force, thereby becoming an important tool against piracy. In 1992, provisions on supplementary patent protection for pharmaceutical products were adopted and, recently, the Italian Parliament had authorized the ratification of the Community Patent Convention. All these developments permitted Italy to better participate in the international harmonization work of WIPO.

114. The Delegation of Nigeria appreciated for WIPO's support which led to the country's recent accession to the Berne and Rome Conventions. Nigeria was discussing with WIPO the holding, in Nigeria, of a meeting of West African Ministers in charge of copyright as a follow-up to the Dakar meeting held in 1992. There was a need for comprehensive, long-term assistance to developing countries in order to truly develop the creative genius of the people. In this context, the Director General's proposal to allocate more resources to development cooperation activities in the next biennium was a step in the right direction. More assistance in the form of equipment and related materials as well as direct project funding should be provided. Donor countries were urged to do likewise. It was Nigeria's intention to ensure effective protection and enforcement of intellectual property rights.

115. The Delegation of Zambia was particularly satisfied with the assistance received from WIPO in both the industrial property and copyright fields, whether it dealt with training, institution-building or legislation. It welcomed the orientation in the proposed program and budget for the next biennium towards building up the intellectual property capacity of developing countries, and expressed its full support for the proposals made by the Director General for the next biennium, including the unitary contribution system.

116. The Delegation of Cuba made special reference to the strong support provided by WIPO in the field of copyright and in building up the country's patent information services. Thanks was also expressed for assistance received from various countries.

117. The Delegation of Saudi Arabia expressed its satisfaction with WIPO's development cooperation activities undertaken in 1992. It stated that, as a result of its Government's conviction of the importance of intellectual property in technological, scientific and economic development, it had reorganized its intellectual property system. A system for the protection of inventions, trademarks and copyright was now in place in the country. The Delegation stated that its country confronted, like other developing countries, some problems in modernizing its intellectual property administration and in training its staff. In this respect, it expressed its appreciation for the advice and assistance it had received from WIPO and hoped that such assistance would be increased in the future.

118. The Delegation of Morocco referred to its cooperation with WIPO, particularly through the UNDP-financed country project which was implemented by WIPO. It also referred to the WIPO Arab Regional Training Course on Industrial Property which its country hosted three months ago, and reiterated its interest in enhancing cooperation with WIPO. Furthermore, the Delegation supported the proposal to increase, within the regular budget, resources for development cooperation activities.

119. The Delegation of Ukraine made reference to the assistance given by WIPO to countries in transition to market economy. From September 1992, provisional legislation was in force in Ukraine which provided for the protection of inventions, trademarks and industrial designs. The first patent had been published by the State Patent Office in December 1992, and, so far, some 30,000 patent applications had been received and some 3,000 patents granted. Draft legislation was presently being considered, with the assistance of WIPO, to give protection to inventions and utility models, trademarks, industrial designs and copyright. A national seminar for patents agents would be organized by WIPO in Kiev in November 1993 in cooperation with the Government of Ukraine. There were some 90 registered agents in the country. The Delegation gave information on cooperation with the EPO and the industrial property offices of various countries, particularly in training and strengthening the patent data base. In March 1993, the Heads of Government of nine countries, namely, Armenia, Belarus, Kazakhstan, Kyrgyzstan, the Republic of Moldova, the Russian Federation, Tajikistan, Ukraine and Uzbekistan, had signed an Agreement on Measures on the Protection of Industrial Property which created the Interstate Council on the Protection of Industrial Property. That Council held its first session in Moscow on May 1993, and its second session in September 1993 in Uzgorod (Ukraine). At that last session, the draft convention on the establishment of a regional industrial property system, drawn up in cooperation with WIPO and with the personal participation of its Director General, was discussed and given the name of "Euro-Asian Patent Convention." The text of that draft convention had been transmitted to WIPO for comments and would thereafter be transmitted to the Parliaments of the interested countries for ratification.

120. The Delegation of Germany said that its participation in the activities of WIPO were well reflected in the activities reports. It singled out for mention the Organization's sound financial health due to the latter's successful registration activities. As a consequence, WIPO did not have to

rely on an increase in contributions from member States. However, as the fees for the registration activities were paid by users, their interests should be preserved. Since the registration activities continued to generate a surplus income, the Delegation saw no justification for an increase in fees, especially as WIPO would not suffer in the absence of an increase.

121. The Delegation of Belgium mentioned the importance it especially attached to WIPO's norm-setting activities relating to the proposed Patent Law Treaty, the proposed Trademark Law Treaty, a possible Protocol to the Berne Convention and a possible new Instrument for the Protection of the Rights of Performers and Producers of Phonograms. It praised the success of the PCT system, noted that the situation was less encouraging for the Madrid and Hague systems and welcomed the efforts being made by WIPO in order to render the Hague system more attractive.

122. The Delegation of Malawi said that WIPO had met the specific requests of its country for assistance. It welcomed the granting of long-term fellowships for academic studies and the creation of the WIPO Academy and wished to benefit from those two initiatives. Its country's industrial property law was under serious consideration by the Attorney General in consultation with certain national interested circles. It was hoped that a new law would give new impetus to industrial property activities in the country. The Department of the Registrar General intended to request WIPO's help in obtaining funds to implement a proposed computerization project. In the field of copyright, the Delegation expressed its gratitude to WIPO for its continued support, especially for the establishment of the Copyright Society of Malawi (COSOMA) by providing consultancy advice. COSOMA was now operational and looked forward to WIPO's assistance in installing a software for better administration. Finally, the Delegation requested WIPO for support in organizing, in its country, a copyright seminar for member States of the Southern African Development Community in order to promote subregional cooperation.

123. The Delegation of Indonesia appreciated WIPO's assistance which contributed to the adoption of a new trademark law that entered into force on April 1, 1993. That law gave protection also to service marks, collective marks and well-known marks. WIPO had successfully implemented the first phase of a UNDP-financed country project for the strengthening of the intellectual property system in the country. A second three-year phase had just started which the Delegation hoped would be as successful as the first, if not more so. As a member country of the Association of South Asian Nations (ASEAN), Indonesia welcomed the initiatives taken by the Director General in developing cooperation between WIPO and ASEAN. Finally, it hoped that the WIPO/ASEAN survey mission on industrial property information exchange, which had, among other countries, visited Indonesia in early August 1993, would be able to identify and put forward relevant proposals and recommendations concerning concrete steps to be taken by WIPO in order to enhance cooperation in the field of intellectual property among the members countries of ASEAN.

124. The Delegation of India reiterated the country's position that, in respect of intellectual property, WIPO was the most appropriate forum both for evolving international standards and norms of protection and for helping member countries in strengthening enforcement of their respective national laws. It drew attention to the two visits of the Director General to India in 1992 when he met, among others, the President, the Prime Minister, the Vice President and other Ministers of the country. He also was conferred an

honorary doctorate degree from the University of Delhi at a special convocation. A proposed revision of the copyright law was now before the Parliament. It was designed to reinforce the protection of the interests of authors, performers, computer scientists and to promote the collective administration of copyright. WIPO had given valuable advice in that revision. Further, a new trademark bill was currently before Parliament which provided for the protection of service marks and well-known marks. WIPO was implementing two country projects which were funded by the Government of India and UNDP. One was to modernize India's patent information services and the other was to computerize the work of the Trademark Registry. Both projects were being carried out in the context of India's economic reform. As further examples of cooperation with WIPO, the Delegation described several regional and national seminars which WIPO had organized in the last two years in India, dealing with the promotion of technological innovations, the role of the judiciary in intellectual property litigation, and patent information. The Delegation supported the broadening of development cooperation activities under the program for the next biennium and the allocation of more money from the regular budget for that purpose. It also recognized that the development of a Protocol to the Berne Convention was an important on-going activity which had to be supported.

125. The Delegation of Namibia declared that its Government placed great importance on the protection of intellectual property at the global, regional and national levels. WIPO had provided Namibia with assistance since its independence, particularly in the drafting of appropriate legislation. The country had acceded to the Berne Convention while preparations for accession to the Paris Convention was presently at an advanced stage. Namibia had already benefited from WIPO's training and advisory services, both in the field of copyright and industrial property, and was looking forward to continued support in this respect.

126. The Delegation of the United States of America said that its Government placed a high priority on the work of WIPO in the years to come because the Organization was the international steward of the most important source of wealth for all mankind--the fruits of the human mind. The natural and physical resources of the world were limited, but the potential of the world's inventors, authors and other creators was a limitless resource for everyone. It pledged that the United States of America would continue to support and participate in the development cooperation activities of WIPO. The President of the United States of America placed a very high priority on affording protection everywhere to inventors, authors, artists and other creators of intellectual property. It was the Government's intention to actively pursue effective intellectual property protection and harmonization work and to continue its strong support of the activities of WIPO which had the same goal.

127. The Delegation of Lesotho declared that its country had received tremendous support from WIPO over the past two years, in particular in training, advice on the computerization of industrial property operations and, the provision of some related equipment. With the encouragement of WIPO, a national association of inventors was being established. The Delegation expressed interest in participating in future seminars for judicial officers and university teachers. It commended WIPO for using resource persons from developing countries in WIPO seminars and expressed the hope that this would continue. In the copyright field, WIPO gave advice on implementation of the copyright law and the establishment of a collective administration society. A

post of Registrar of Copyright in the Ministry of Tourism, Sports and Culture had been created. To promote better enforcement, WIPO was requested to organize a national seminar for law enforcement officials. Further, the Delegation supported Malawi's proposal of a copyright meeting for countries of the Southern African Development Community. Lastly, the Delegation supported the proposal of a unitary contribution system.

128. The Delegation of Slovakia said that its country confirmed its membership of WIPO and of its treaties from the first day of its existence. A new Patent Office was presently being built up, learning from the most up-to-date experience of other countries and with the assistance of WIPO. The Delegation highlighted the visit of the Director General to Bratislava in August 1993. It added that Slovakia would very soon be able to host WIPO seminars and other knowledge-sharing activities.

129. The Delegation of Côte d'Ivoire expressed its appreciation of the fruitful cooperation between WIPO and its country. Many officials were trained and some computer equipment was made available to the Directorate of Industrial Technology. Reference was made to a meeting in December 1992 of the Administrative Council of Ministers of OAPI, which was presided over by Côte d'Ivoire, in which the so-called Abidjan Declaration was adopted. That Declaration aimed at strengthening and giving new directions to industrial property activities in the member States. As the current President of that Council and initiator of the Declaration, Côte d'Ivoire very much desired WIPO's cooperation in realizing the aims of that Declaration.

130. The Delegation of Norway informed the meeting that it had recently launched an ambitious program of computerizing the processing of trademark applications. Expert missions had been sent to WIPO and several countries as well as the EPO to obtain advice and information. Although it was not yet a member of the European Patent Convention, Norway was pleased to host in the near future a one-week seminar organized by the EPO in favor of the Baltic States.

131. The Delegation of Nicaragua, speaking on behalf of the countries of Central America, recalled the joint declaration adopted at the Ministerial-Level Meeting of the Countries of the Central American Isthmus that was organized in San Salvador in September 1992 with the assistance of WIPO. That Declaration related to the intention of the countries concerned, namely Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama, to accede to the Paris Convention. The Delegation described various activities carried out by WIPO in the countries in the region in the fields of copyright and industrial property and which led to various legislative developments in those countries. The Delegation gave its full support to the Director General's proposals regarding the two posts of Assistant Directors General. A new Intellectual Property Law had been passed in Honduras. A new Industrial Property law was presently under examination in Panama which should facilitate the country's accession to the Paris Convention.

132. The Delegation of Mongolia thanked WIPO for its help in the drafting of new industrial property legislation and in upgrading the work of the Patent and Trademark Office. The meeting was informed that the new Patent Law had entered into force on September 1, 1993. Thanks to WIPO's support, a major improvement in the country's industrial property system had thus been brought about. Appreciation was also expressed for the help received from other countries in this regard.

133. The Delegation of Bulgaria said that, with WIPO's assistance, a draft Patent Law and a draft Copyright Law were prepared which, after their enactment by the Parliament, entered into force on June 1, and August 1, 1993, respectively. Both laws were up to date. WIPO was also implementing a UNDP and Government-financed country project for the computerization of the trademark operations of the Patent Office. In October 1992, Bulgaria celebrated the 100th anniversary of its first Trademark Law with a special symposium which was attended by a WIPO official. During the period under review, Bulgaria had benefited from staff training and study visits to various industrial property offices. Concerning adherence to WIPO-administered treaties, the Delegation revealed that it had initiated procedures for acceding to the Hague Agreement soon. Accession to the Madrid Protocol was being considered.

134. The Delegation of Pakistan said that its country greatly benefited from WIPO's assistance during the last biennium and was making steady progress in the systematic improvement of its intellectual property system. It looked forward to hosting soon a WIPO-sponsored national seminar on copyright and neighboring rights in Pakistan and to continuing to benefit from WIPO's training program. The Delegation hoped that its country would benefit from WIPO's long-term scholarships on a regular basis.

135. The Delegation of Ghana said that it was struck by the satisfaction expressed by so many delegations with WIPO's assistance. It was a sign that WIPO was able to respond fully and equitably to the needs of all the developing countries, whatever their situation, in the different regions, thereby permitting them all to move forward at an even pace. As far as Ghana was concerned, WIPO's help led to the founding of a national association for inventors and for the protection of industrial property. A CD-ROM workstation and the related CD-ROM materials had been received and installed by a WIPO expert in the Industrial Property Institute of Ghana. That system was fully operational and provided useful services. Further, WIPO provided help in promoting intellectual property law teaching in the country, which would have the effect of increasing the number of trained experts such as patent agents. A new patent law and its implementing regulations had been drafted and adopted with WIPO's assistance. In the field of copyright and neighboring rights, Ghana had acceded to the Berne Convention in 1991 and modernized its copyright legislation, also with WIPO's support. Ghanaian nationals had also profited from WIPO's training in collective administration of copyright. As a result of the Dakar Appeal of 1992 against piracy, mentioned by some delegations, Ghana and Nigeria had formulated common strategies which led to a dramatic diminution of piracy in both countries. Finally, the Delegation supported the Director General's proposal regarding the two posts of Assistant Directors General.

136. The Delegation of Sri Lanka said that the Registry of Patents and Trademarks was in the process of implementing the recommendations of a WIPO mission which visited Colombo earlier this year to advise on the upgrading of the Registry, including computerization of its work. Sri Lanka was reviewing its Intellectual Property Code to extend protection to such areas as integrated circuits, well-known marks and trade secrets. Regarding training activities, the Delegation was pleased to inform the meeting that intellectual property law was taught at the University of Colombo and declared its Government's readiness to host the 10th Training Course on Intellectual Property for Developing Countries of Asia and the Pacific next year.

137. The Delegation of Ecuador said that since its country acceded to the Berne Convention in 1991, special efforts had been made to protect intellectual property. It expressed satisfaction that a WIPO course on copyright for judges would be held next year in its country. Ecuador supported the unitary contribution system proposed by the Director General, which would facilitate its adherence, and that of other developing countries, to more WIPO-administered treaties. The Delegation added, in conclusion, that it supported the Director General's proposal regarding the two posts of Assistant Directors General, in recognition of the important work which was being carried out in that area.

138. The Delegation of Peru recalled the valuable assistance received from WIPO; for example, five meetings were held in Peru in 1991 with the cooperation of WIPO. Last year, a new industrial property administration, the National Institute for the Defense of Competition and Intellectual Property Protection (INDECOPI) was established. The Institute had ambitious aims, the attainment of which require WIPO's help. Peru looked forward to hosting two meetings in its country with the cooperation of WIPO, one on copyright to be held in December 1993 and the other on industrial property in March 1994.

139. The Delegation of France said that it was impressed by the satisfaction expressed by so many recipient countries of WIPO's development cooperation program and the International Bureau should be thanked. The success of the PCT system was reassuring, while the decrease in the number of registrations and renewals since 1991 in the Madrid system was worrying. The Delegation therefore indicated that many factors, such as the financial situation of the Madrid Union, the proposal regarding new WIPO buildings, computerization commitments, and the present general economic situation, should be taken into account by the Assembly of the Madrid Union when it considered the various decisions to be taken during the current sessions of the Governing Bodies, notably that concerning a fee increase.

140. The Delegation of Togo indicated that Togo was reinforcing its national industrial property structure and intended to establish a national industrial property and technology center. To realize this intention, Togo would need computer equipment, training and documentation. WIPO's support would be essential and would be requested soon.

141. The Delegation of ISESCO expressed its satisfaction with the state of cooperation between WIPO and ISESCO. So far, three successful seminars dealing with copyright and neighboring rights had been jointly organized in Rabat in 1989, in Kuala Lumpur in 1990, and in Cairo in 1993. The intellectual contribution to those meetings came from WIPO and had greatly benefited the member countries of ISESCO. ISESCO endorsed WIPO's development cooperation program which would be useful to benefit all the member States of ISESCO. The Delegation expressed ISESCO's readiness to establish with WIPO a joint work plan for the period 1994 to 1997.

142. The Delegation of the Commission of European Communities (CEC) was satisfied with the increasing and fruitful cooperation between WIPO and the Commission. The Commission supported the norm-setting activities presently underway at WIPO and, in particular, the convocation of the second part of the Diplomatic Convention for the adoption of the Patent Law Treaty. At the level of the European Communities, the Regulation concerning supplementary certificates for pharmaceutical products entered into force in January 1993

and the Regulation concerning the protection of geographical indications and appellations of origin through a Community registration system entered into force in July this year. This Community registration would be opened under certain conditions to third countries for the protection of their geographical indications or appellations of origin on a reciprocal basis. In this respect, it underlined the importance of the seminar which WIPO was organizing with the Government of Portugal next month on the protection of geographical indications. The Commission of the European Communities recently launched three technical assistance programs in the fields of patents and trademarks: the first was for Central Eastern European countries; the second was to assist China; and the third was for the benefit of ASEAN countries, with that part of the program relating to trademarks and promotional activities being implemented by WIPO. An agreement to this effect--the first such cooperation between the Commission and WIPO--would be signed very soon. The Commission was ready to consider other joint cooperation programs for other countries. Concerning copyright and neighboring rights, a uniform protection of computer programs has been applicable since January 1993, and a Directive on rental lending rights and other neighboring rights covering the rights of performers, phonogram producers and broadcasters was adopted in November 1992. As a first step, a common position had been taken for the adoption of two Directives concerning broadcasting by satellites and cable and concerning the duration of protection of copyright and neighboring rights.

143. The Delegation of the African Intellectual Property Organization (OAPI) said that WIPO's diverse development cooperation activities were of great interest to the member States of OAPI, which had benefited from different kinds of assistance. As for the Secretariat of OAPI itself, it was also a beneficiary of WIPO's support, especially in an important ongoing project to create a database on CD-ROM of OAPI's patents. OAPI also looked forward to WIPO's cooperation in realizing the policy directions spelt out in the Abidjan Declaration referred to by the Delegation of Côte d'Ivoire.

144. The Delegation of the Benelux Trademarks Office (BBM) expressed its full readiness to continue its cooperation with WIPO in favor of developing countries. After two years of interruption, due to office space problems only, the jointly-organized yearly course on the legal and administrative aspects of trademarks resumed in 1993 for some 20 officials of developing countries. In addition, the BBM received the visits of individuals and groups on study visits organized by WIPO. Concerning cooperation in favor of Central and Eastern European countries, the Delegation said that the BBM was organizing a seminar for officials from those countries in November 1993.

145. The Delegation of the African Regional Industrial Property Organization (ARIPO) thanked WIPO for its continuous and excellent cooperation. In the view of the Delegation, human resource development was of paramount importance and, in that context, it firmly supported the establishment of the WIPO Academy and the granting of long-term scholarships. The Delegation called on all donor countries to provide adequate funding for such essential activities. The Delegation of ARIPO further thanked EPO and other Patent Offices which had continued to support ARIPO's activities.

146. The Delegation of the International Federation of the Phonographic Industry (IFPI) commended WIPO on its activities in improving enforcement measures and the establishment and efficient operation of infrastructures needed to translate treaty obligations and statutory rights into worthwhile realities. IFPI was particularly appreciative of WIPO's constructive and

imaginative responses to the many problems and challenges to which the impact of technology and other contemporary developments had given rise. Not all the ideas and proposals had been accepted, but they had been thought-provoking and had helped stimulate fruitful examination of the many questions. IFPI reaffirmed its support of WIPO in its work in promoting intellectual property protection as well as in its training and other forms of assistance to developing countries.

147. The Delegation of the European Broadcasting Union (EBU) regretted that the broadcasting organizations had been excluded from the scope of the current discussions on a possible new instrument on the protection of neighboring rights, the more so as broadcasting organizations were covered in the Rome Convention. More than over 30 years after that Convention was signed, broadcasters had a real need for comprehensive and up-to-date protection. Any effort at updating the protection of neighboring rights should also include the rights of broadcasting organizations. It therefore requested WIPO to include the protection of broadcasting organizations in the said instrument and in the corresponding model law.

148. The Delegation of the International Federation of Reproduction Rights Organizations (IFRRO) highly appreciated WIPO's cooperation with international non-governmental organizations. It attached particular value to WIPO's work in the improvement of legislation, setting up of organizations for the collective administration of copyright and training in the management of such organizations. Reprography formed a growing part of collective administration worldwide. IFRRO offered its contribution to WIPO and would like, at the appropriate time, to coordinate its activities with those of WIPO, particularly those in the Asian and Pacific region. Speaking of the ongoing preparations for a possible Protocol to the Berne Convention, the Delegation deplored the fact that the issue of reprography had now been left out of the list of items which would be covered by the possible Protocol and wished to emphasize the importance of copyright questions involving electronic and digital use of protected works. Proper protection in this field was needed on a worldwide basis and the role of WIPO in this respect was crucial.

149. The Delegation of the International Publishers Association (IPA) strongly supported WIPO's proposed program for the 1994-95 biennium and looked forward to taking part in those activities under the program relating to the legal implications of the creative role of the publishers in the transfer of information through digital technology. The Delegation also expressed its appreciation of the possible drafting of a model law on the prevention and repression of unfair competition and proposed the holding of a forum on the question of protection against counterfeiting and piracy when the outcome of GATT's Uruguay Round negotiations would be known.

150. The Delegation of the International Federation of Musicians (FIM), speaking also on behalf of the International Federation of Actors (FIA), drew attention to and welcomed those WIPO activities which were of direct concern to performers, namely, the new Instrument on the Protection of the Rights of Performers and of the Producers of Phonograms, as well as of work in the area of digital technology. In this connection, the WIPO Symposium on the Impact of Digital Technology on Copyright and Neighboring Rights held earlier this year was timely and helpful for future work. It undertook to cooperate fully with WIPO in the future as in the past.

151. The Delegation of the International Bureau of Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM) said that its work in Latin America, Southeast Asia and Eastern Europe complemented what WIPO was doing. It outlined its reservations regarding WIPO's work in certain fields and stated that they would be communicated officially to WIPO very soon. Those reservations related to the ranking of copyright and neighboring rights to the detriment of the latter rights, the limitations imposed on the subjects that would be treated under the proposed Protocol to the Berne convention, the handling of the principle of national treatment which was contrary to the Berne Convention and, lastly, the priority given to preparations for a possible new Instrument on the Protection of the Rights of Performers and Producers of Phonograms at the expense of the work on a possible Protocol to the Berne Convention.

152. The Delegation of CISAC expressed appreciation of the complementarity between WIPO's and CISAC's work in reinforcing the collective administration of copyright around the world. The two organizations were cooperating in particular in the development and installation of a software for small and medium-sized authors' societies. While welcoming WIPO's norm-setting work in the area of copyright and neighboring rights, CISAC regretted the limitation of discussions to only certain questions as well as the exclusion of broadcasting organizations. The said exclusion would lead to an imbalance in the protection of the rights of the three traditional beneficiaries of neighboring rights. Finally, CISAC followed with great interest the activities of WIPO concerning the resolution of disputes between private parties in the field of intellectual property and offered to cooperate in the start-up of the proposed services. The Delegation supported the proposal of the Director General regarding the two posts of Assistant Director General.

153. The WIPO General Assembly,
WIPO Conference,
WIPO Coordination Committee,
Paris Union Assembly,
Paris Union Conference of Representatives,
Paris Union Executive Committee,
Berne Union Assembly,
Berne Union Conference of Representatives,
Berne Union Executive Committee,
Madrid Union Assembly,
Hague Union Assembly,
Hague Union Conference of Representatives,
Nice Union Assembly,
Nice Union Conference of Representatives,
Lisbon Union Assembly,
Lisbon Union Council,
Locarno Union Assembly,
IPC [International Patent Classification] Union Assembly,
PCT [Patent Cooperation Treaty] Union Assembly,
Budapest Union Assembly,
and Vienna Union Assembly,

each as far as it was concerned,

(i) noted with approval the reports and activities contained or referred to in documents WO/INF/7/1991 and AB/XXIV/8, 9, 12 and 16.

(ii) noted with approval the report of the Auditor on the accounts for the 1990-91 biennium and approved the accounts for the 1990-91 biennium;

(iii) noted the interim financial statement for 1992 contained in document AB/XXIV/9, paragraph 745;

(iv) noted the status of arrears in contributions and payments towards the working capital funds as reported in document AB/XXIV/12, as completed by the announcement recorded in paragraph 62 above;

(v) noted the changes in contribution class reported in document AB/XXIV/9, paragraph 765, and in paragraph 63, above.

ITEM 5 OF THE CONSOLIDATED AGENDA:

EXAMINATION OF THE REPORTS OF THE 1992 PERMANENT COMMITTEES
ON DEVELOPMENT COOPERATION (PC/IP AND PC/CR) AND OF THE REPORTS
OF THE 1993 WORKING GROUPS OF THE PC/IP AND PC/CR

154. See the report on the session of the WIPO Conference (document WO/CF/XII/4).

ITEM 6 OF THE CONSOLIDATED AGENDA:

QUESTIONS CONCERNING THE DRAFT TREATY ON
THE SETTLEMENT OF DISPUTES BETWEEN STATES
IN THE FIELD OF INTELLECTUAL PROPERTY

155. See the report on the session of the WIPO General Assembly (document WO/GA/XIV/4).

ITEM 7 OF THE CONSOLIDATED AGENDA:

CONTINUATION OF THE DIPLOMATIC CONFERENCE
FOR THE CONCLUSION OF A TREATY SUPPLEMENTING
THE PARIS CONVENTION AS FAR AS PATENTS ARE CONCERNED

156. See the report on the session of the Paris Union Assembly (document P/A/XXI/2).

ITEM 8 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE MADRID UNION

157. See the report on the session of the Madrid Union Assembly (document MM/A/XXV/3).

ITEM 9 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE HAGUE UNION

158. See the report on the session of the Hague Union Assembly (document H/A/XIII/2).

ITEM 10 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE LISBON UNION

159. See the report on the session of the Lisbon Union Assembly (document LI/A/X/2).

ITEM 11 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

160. See the report on the session of the PCT Union Assembly (document PCT/A/XXI/5).

ITEM 12 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE IPC UNION

161. See the report on the session of the IPC Union Assembly (document IPC/A/XII/2).

ITEM 13 OF THE CONSOLIDATED AGENDA:

ESTABLISHMENT OF WIPO ARBITRATION SERVICES

162. See the report on the session of the WIPO General Assembly (document WO/GA/XIV/4).

ITEM 14 OF THE CONSOLIDATED AGENDA:

PREMISES

163. Discussions were based on document AB/XXIV/15.

164. In introducing that document, the Director General stated that it mainly dealt with the needs of the Organization as concerns conference and parking space. Whatever the economic situation in the world, it was clear that the number of the member States would increase. The need for additional conference space was already evident, as shown by the fact that the present conference rooms were already too small and that it was practically impossible to find adequate conference rooms elsewhere in Geneva for rent. The zone in which the Steiner lot is, was presently in a zone in which only apartment houses reserved for persons with low-income can be built. An effort should again be made to persuade the Swiss authorities to re-zone the Steiner lot, to make it possible that it be used for the construction of a building for WIPO. Since the permit for the construction on that lot of low-income housing could issue in the nearest future, the said re-zoning was of the utmost urgency. This is why the Director General proposed that the Governing Bodies adopt a resolution requesting and urging the Swiss authorities to make it possible for WIPO to construct a building on the Steiner lot. In the event that those authorities reacted favorably, the Director General would return to the Governing Bodies, after an evaluation had been made by the Premises Committee, asking for their decision concerning a possible new construction on the Steiner lot. The Director General said that the moral support of the Governing Bodies would help in the contacts that would have to be made with the Swiss authorities.

165. In response to questions from the Delegations of the United States of America, the United Kingdom, France, Denmark, Japan and Italy, the Director General stated that it would not be practical to present the matter of constructing conference facilities to the Premises Committee as long as there was no indication by the Swiss authorities that they were ready to reconsider the question of the use of the Steiner lot by WIPO. If such an indication were given, the Director General would submit architect's plans and cost estimates to the Premises Committee. This could be done promptly since what would be needed was merely an updating of the studies that had already been made in 1990. As a developer and construction firm, the owner of the Steiner lot was interested in selling the lot only if it were entrusted also with the construction of the new building.

166. The Delegation of Switzerland stated that Switzerland's position on the matter under consideration was special, owing to the fact that it was at once a Member State of and host to WIPO and the Unions administered by WIPO. Speaking as representative of the host State, it said that Switzerland's role as host to international organizations and conferences was an important component of Swiss foreign policy. One of the priorities of the Federal authorities and those of the Republic and Canton of Geneva consisted in the development of the international organizations with headquarters in Geneva. The Swiss authorities were very concerned that the World Intellectual Property Organization should be able to grow in a manner befitting the expectations of its members and thereby to satisfy the needs of those members, in the same way as any other international organization with its headquarters in Geneva. It was a known fact that Switzerland had a federal structure, which made for a sometimes complex sharing of competence between the Federal, cantonal and communal authorities. In matters of urban planning it was the cantonal authorities that had the decision-making powers. The authorities of the Republic and Canton of Geneva were already aware of WIPO's interest in what was known as the Steiner lot. That said, regardless of whether or not the Assemblies of WIPO and the Unions administered by WIPO adopted a resolution, the Swiss Delegation would inform the competent authorities of the observations that had been made, and assure them, should that be necessary, of WIPO's continuing interest in the Steiner lot. It would not fail to emphasize in that connection the place occupied by WIPO and the Unions administered by WIPO in the international community of Geneva.

167. The Delegation of Denmark stated that it might have been preferable to have the views of the Premises Committee before the Governing Bodies at this session were asked to deal with the questions concerning the conference facilities. It proposed that the Governing Bodies adopt the resolution proposed by the Director General, but should note that the adoption of such a resolution would not carry with it an obligation on the part of the Governing Bodies to approve the acquisition of the Steiner lot, and the construction thereon, by WIPO and that, if the reaction of the Swiss authorities was favorable, the Premises Committee would be convened so that it could deal with the matter and report to the Governing Bodies.

168. The Delegations of Finland, Norway, the United Kingdom, Slovakia, the Netherlands, Nigeria, Austria, Bulgaria, Kenya, Ireland, Germany, Algeria and Egypt, having heard the explanations of the Director General, supported the proposal made by the Delegation of Denmark.

169. The Director General said that it was only natural that he would comply with the proposal of the Delegation of Denmark.

170. In response to a question from the Delegation of the United States of America concerning the rationale for renting space in the P & G Annex (20 work places) during a period which seemed to be unnecessary and concerning the larger space that, according to paragraph 12 of document AB/XXIV/15, would be needed later for the 1997-99 period, the Director General said that every effort would be made to avoid renting more space after the year 1996 but that, in the interim, for the reasons given in paragraph 14 of that document, it would be more efficient and cost effective to continue the rental of that Annex, which was very close to the WIPO and BIRPI Buildings.

171. The Governing Bodies referred to in paragraph 25 of document AB/XXIV/15,

(i) noted the information contained in document AB/XXIV/15;

(ii) authorized the International Bureau to prolong the rental by it of the P & G Annex (20 working places) until 1999;

(iii) adopted the following two resolutions:

A. "The General Assembly of the World Intellectual Property Organization (WIPO) and the Assemblies of the Unions administered by WIPO request and urge the authorities of the Swiss Confederation, the Canton and Republic of Geneva and the City of Geneva to make it possible for WIPO to construct a new building on the Steiner lot."

B. "The General Assembly of the World Intellectual Property Organization (WIPO) and the Assemblies of the Unions administered by WIPO request and urge the Director General of WIPO to petition and negotiate with the said authorities for the said purpose."

(iv) noted the Director General's undertaking that (a) he would not make any commitment on behalf of WIPO as to the possible purchase of and construction on the Steiner lot before he receives an express authorization to that effect by the competent Governing Bodies of WIPO and the Unions administered by it and (b) that, before seeking any such authorization, he would submit the matter to the WIPO Premises Committee.

ITEM 15 OF THE CONSOLIDATED AGENDA:

CONTRIBUTION SYSTEM

172. Discussions were based on documents AB/XXIV/5, 6 and 7.

173. A number of delegations thanked the Director General for the proposals for the unitary contribution system which they considered to be innovative and well presented.

174. The Delegations of Chile (speaking on behalf of the Latin American Group), Finland, Egypt, Sweden, the United States of America, Germany, Nigeria, Côte d'Ivoire, China, Indonesia, Sudan, Kenya (speaking on behalf of the African Group of countries), Republic of Korea, Spain, Malawi, Canada, Belgium, the Russian Federation, France, Switzerland, Ghana, the Philippines, Austria, the United Kingdom, the Czech Republic, New Zealand, Australia, Thailand, the Netherlands, Pakistan, Syria, Italy, Bulgaria and India stated that they supported the proposal to establish, on a provisional basis, the unitary contribution system. Those delegations noted that the unitary contribution system would simplify arrangements between States and the International Bureau for the payment of contributions, would encourage accessions to the various Contribution-financed Unions, and would be more equitable for the developing countries.

175. The Delegations of Sweden, Germany, Spain, Belgium, France, Switzerland, Austria, the United Kingdom, the Netherlands, New Zealand and Italy added that it was important that the Unions continue to have separate budgets under the unitary contribution system.

176. The Delegations of Germany, Spain, Belgium, France, Switzerland, Austria, the United Kingdom, Australia, the Netherlands and Italy also said that, since the unitary contribution system would be introduced on a provisional basis, there should be a progress report to the next meeting of the WIPO Budget Committee to assess whether the expected advantages had materialized.

177. The Delegation of the Republic of Korea, noting that the proposals were not in conformity with the conventions, said that it hoped that action would be taken as soon as possible to amend the relevant provisions of the conventions.

178. The Delegation of Canada said that it had been concerned over the implications of the reductions in contributions relative to the total income of the Organization, but had been reassured that the control by Member States would not diminish.

179. The Delegation of Japan said that it had doubts as to whether the autonomy of each Union would be maintained, was concerned over countries paying for activities in Unions of which they were not members, and did not favor implementing the new system without changing the treaties. Nevertheless, recognizing the advantages of the unitary contribution system, the Delegation said that it would not block a consensus for the approval of the introduction of the unitary contribution system on a provisional basis.

180. The WIPO Conference, the Assemblies of the Paris, Berne, IPC, Nice, Locarno and Vienna Unions, and the Conferences of Representatives of the Paris, Berne and Nice Unions, each as far as it was concerned, took the decisions contained in paragraphs 39 and 50 of document AB/XXIV/5.

ITEM 16 OF THE CONSOLIDATED AGENDA:

PROGRAM AND BUDGET FOR 1994 AND 1995; MEDIUM TERM PLAN FOR 1996 TO 1999

I. Program and Budget for 1994 and 1995

181. Discussions were based on documents AB/XXIV/2, 3 and 4.

182. The present part of the report first deals with those declarations or parts of declarations which refer to the totality of the program and budget or which concern matters not covered in the draft program and budget submitted by the Director General (document AB/XXIV/2). The rest of this part of the report deals with the declarations made in respect of specific items of the draft program and budget and does so in the order of that draft.

183. In introducing the documents, the Director General said that the consequential changes required in view of the decisions of the PCT and Madrid Unions (see documents PCT/A/XXI/4 and MM/A/XXV/3) would be incorporated in the program and budget. He noted that Item 04(2) ("Patents and Technical Standards") was withdrawn, since recent events made the topic no longer necessary.

184. Many delegations expressed their appreciation to the Director General and the staff of the International Bureau for the excellent, clearly presented and comprehensive documentation.

185. The Delegations of Hungary, Chile, Finland, Sweden, Indonesia, Slovenia, Switzerland, Mexico, India, the Czech Republic, Ghana, Romania, France, Austria, Brazil, China, Germany, Australia, Nigeria, New Zealand, Bulgaria, Belgium, the United States of America, Pakistan, the United Kingdom, Algeria, Portugal, Poland, the Netherlands, Italy, Malawi, Paraguay, Egypt, Colombia, Angola, the Russian Federation, Argentina, Burkina Faso, Uruguay, Côte d'Ivoire (speaking also for the States members of OAPI) and Kenya expressed their support for the draft program and budget for the 1994-95 biennium. A number of those delegations noted that the draft program and budget was imaginative, ambitious, yet realistic, and that it responded well to the needs of all Member States. Several delegations added that the draft program should contribute significantly to making the protection and enforcement of intellectual property rights more effective throughout the world.

186. A number of delegations observed that the draft program and budget was well balanced, including significant increases in resources for both development cooperation activities and normative activities, both of which areas were of particular importance. They noted with satisfaction the reinforcement of existing activities as well as the addition of new activities in these areas. The significant increase in development cooperation activities was particularly welcomed, since those activities would benefit both developing countries and developed countries.

187. As concerns the particular needs of countries in transition to a market economy, the Delegations of Hungary, Romania, the Czech Republic and Bulgaria noted with satisfaction the intention to give special attention to those countries, and emphasized the importance of providing assistance. The Delegation of Chile suggested that the International Bureau should try to extend the program to cover such countries as well, without affecting the resources for developing countries, perhaps through extrabudgetary or other funds.

188. The Delegation of India endorsed the proposed reduction of the total contributions by 8.6%, which was associated with the introduction of the unitary contribution system.

189. The Delegation of Algeria expressed its appreciation for the remarkable feature that the program would be increased while at the same time the contributions of Member States would be reduced.

190. The Delegation of Hungary stated that, in 1996, its government planned to hold, in cooperation with the Hungarian Association of Inventors, a world festival and international exhibition of intellectual property, under the title "Genius '96."

191. The Director General welcomed that initiative, since it would mean a significant contribution to creating awareness of the importance of protection of intellectual property worldwide. As in the case of other exhibitions of inventions, WIPO would also participate in the event in Hungary through lectures and an exhibit on the role of WIPO in the international protection of intellectual property.

Item 02: Development Cooperation with Developing Countries

192. Virtually all delegations expressed their support for the significant increase in development cooperation activities, which they considered to be of great importance for all countries throughout the world.

193. The Delegation of Chile noted with satisfaction that the increased funding for development cooperation activities involved greater participation by the PCT and other Unions, which it welcomed. It hoped that further extra-budgetary resources could also be obtained.

194. The Delegation of Ghana noted the importance of having a well-functioning patent system for economic development, for rapid industrialization and for adding to the well-being of the people of every country, and said that developing countries were anxious to use the system for those benefits.

195. Item 02(1): Human Resources. The Delegations of Hungary, Sweden, Indonesia, India, Ghana, Austria, Nigeria, Bulgaria, the United States of America, Pakistan, the United Kingdom, Algeria, Italy, Paraguay, Colombia, Angola, Uruguay and Kenya, and the Representative of ARIPO, said that they considered this item to be of great importance. The Delegation of India emphasized the importance of the training of trainers, and urged the Organization to consider the possibility of instituting specialized courses in academic or professional institutions in developing countries. The Delegation of Sweden stressed the importance it attached to the establishment of the "WIPO Intellectual Property Academy." The Delegation of Ghana said that it considered that training concerning intellectual property should be given not only to lawyers, but also to engineers who use inventions. The Delegation of Pakistan emphasized greater focus on human resource development. It suggested a systematic approach for providing training for trainers, government officials and long term scholarships for students. The Delegation of Uruguay suggested extending training to cover those involved in international negotiations (including trade negotiations) concerning intellectual property. The Delegation of Kenya suggested that it would be useful to develop service units in various institutions which could assist and inform applicants.

196. Item 02(2): National and Regional Legislation and its Effective Enforcement. The Delegations of India, Ghana, Romania, Nigeria, Algeria, Angola, Colombia and Kenya emphasized the need to develop national legislation and to promote its effective enforcement.

197. Item 02(4): Institution Building. The Delegations of Hungary, Sweden, Indonesia, India, Ghana, Austria, Nigeria, the United States of America, the United Kingdom, Algeria and Kenya particularly supported this item. The Delegations of Sweden, India and Nigeria emphasized the importance of promoting the collective administration of copyright, especially with further computerization. The Delegations of Indonesia, India, Ghana, Austria, Nigeria

and Kenya said that emphasis should be given to computerization of industrial property Offices in developing countries; the Delegation of Kenya emphasized the financial constraints in developing countries, which made the assistance by WIPO in strengthening their Offices especially important. The Delegation of Ghana noted the value of the new CD-ROM technology for Offices.

198. The Delegations of Brazil, Colombia, Argentina and Uruguay said that they did not support the policy favoring the granting of patents without substantive examination, since they considered that that would not help developing countries develop their technical capabilities, nor would it encourage technological spin-offs, and could even encourage piracy. The Delegation of Colombia said that it preferred to consider means of facilitating information exchange and consultation between Offices.

199. The Delegation of Kenya said that it supported the policy of granting patents without substantive examination, since applicants could not afford the higher fees that substantive examination entailed, and Offices would need access to considerable amounts of information if they were to undertake substantive examination efficiently.

200. The Director General noted that it was not intended to discourage substantive examination in countries (like Brazil) which already had such systems fully operational, but that the significant costs needed (in respect of numbers of staff and very extensive documentation) in fact precluded the possibility of substantive examination for many developing countries.

201. Item 02(5): Local Inventive and Artistic-Creative Activity. The Delegations of Ghana, Nigeria and Kenya expressed particular interest in this item. The Delegations of Nigeria and Kenya emphasized the importance of protecting folklore, and asked that work on this matter be revived.

202. Item 02(6): Teaching of and Research in Intellectual Property Law. The Delegations of Sweden, Mexico, Ghana and Burkina Faso, and the Representative of ARIPO, welcomed an emphasis on this item.

203. The Delegations of Slovenia and Germany, noting that professors and researchers in countries other than developing countries also had difficulties in obtaining funds to participate in meetings of the International Association for the Advancement of Teaching and Research in Intellectual Property, suggested that consideration might be given to having WIPO extend the support now offered only to professors and researchers in developing countries to those from other countries as well.

204. Item 02(7): The Profession of Intellectual Property Lawyer and Agent. The Delegation of Kenya and the Representatives of the Commission of the European Communities and of ARIPO said that they considered this item to be particularly important.

205. Item 02(8): Programs for Legislators. The Delegations of Sweden, Mexico, Nigeria, Ghana, Paraguay, Burkina Faso, Colombia and Uruguay said that they welcomed this new item, which they considered important for sensitizing legislators to the significance of intellectual property.

206. Item 02(9): Programs for the Judiciary. The Delegations of Sweden, Mexico, India, France, Nigeria, the United Kingdom, Ghana, Italy, Paraguay, Burkina Faso, Colombia and Uruguay, and the Representatives of the Commission of the European Communities and of ARIPO, stated that they attached great importance to this new item, which would promote effective protection of intellectual property rights.

207. The Delegation of Ghana offered to host a meeting for the judiciary in 1994 in cooperation with WIPO. The Director General accepted that invitation with thanks.

208. Item 02(10): Access to and Use of the Technological Information Contained in Patent Documents. The Delegations of Indonesia, Ghana, the United Kingdom and Kenya, and the Representative of the Commission of the European Communities, said that they particularly supported this item. The Delegation of Indonesia added that it considered that this item should be expanded to encompass other areas of intellectual property, especially copyright and trademarks.

209. The Delegation of Colombia suggested that this item should include advice to developing countries on the direct production by them of patent documentation in a complete form (and not just the front pages of patent documents). This would supplement efforts already being made and facilitate the granting of patents. The Director General offered to assist countries needing assistance in this connection.

210. Item 02(11): Acquisition of Foreign, but Locally Protected Technology. The Delegation of Kenya expressed its interest in this item.

211. Item 02(12): Management and Exploitation by Local Enterprises of their Industrial Property Rights. The Delegation of Kenya noted that this item was of considerable interest to entrepreneurs.

212. Item 02(13): WIPO Permanent Committee for Development Cooperation Related to Industrial Property and WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights. The Delegation of Brazil said that the development cooperation activities of WIPO should benefit from the guidance provided by the Permanent Committees and their Working Groups.

213. Item 02(14): Facilitating Participation of Representatives of Developing Countries in Certain Meetings Organized by WIPO. The Delegation of Burkina Faso welcomed this assistance to developing countries.

214. Additional (Extrabudgetary) Financing. While expressing their appreciation for the extrabudgetary funds that had been made available by various countries, the Delegations of Brazil, China and Nigeria highlighted the need to have even more resources (beyond those available in the budget) for development cooperation, especially in the light of the decline in UNDP resources.

215. The Delegation of the United States of America stated that it would continue its copyright training programs in Washington, and that it also intended to expand the United States' training effort in the patent and trademark area.

Item 03: Setting of Norms and Procedures for the Protection and Enforcement of Intellectual Property Rights

216. A number of delegations expressed their support for the activities proposed in this item and emphasized the role of such activities in strengthening the protection of intellectual property throughout the world. The Delegation of Chile said that it hoped that the International Bureau would convene Diplomatic Conferences only when there was a consensus reflecting the majority opinion of the international community.

217. The Delegations of Hungary, the Czech Republic, China, Germany, Portugal and Paraguay noted that while the Diplomatic Conference for the Patent Law Treaty was not mentioned in document AB/XXIV/2, it was important that the treaty be adopted during the 1994-95 biennium.

218. The Director General said that although Unesco had proposed to collaborate in Items 03(4) ("Instrument on the Protection of the Rights of Performers and Producers of Phonograms") and 03(9) ("Guiding Principles on the Application of Copyright and Neighboring Rights to Electronic Storage, Transmission and Reproduction of Works, Recordings and Broadcasts"), so far no country or nongovernmental organization had asked for such cooperation. Rather there was a clear indication that WIPO should address those matters alone.

219. The Delegation of Finland confirmed that WIPO had the expertise for those activities and considered it premature to involve any other international organization, especially since it was not clear whether there would be any link with the Rome Convention. That view was supported by the Delegations of Sweden, the United Kingdom and the United States of America.

220. The Delegations of France and Belgium, and the Representative of Unesco, considered that collaboration with Unesco would be appropriate.

221. The Representative of the Commission of the European Communities expressed support for the new treaties proposed in the program.

222. Item 03(1): Treaty on the Settlement of Disputes Between States in the Field of Intellectual Property. The Delegations of Hungary, India, the Czech Republic, Brazil, China, Germany, Pakistan, Poland, Malawi, Paraguay, Egypt and Argentina stressed the importance of this activity. The Delegations of Hungary, India, Brazil, Pakistan and Egypt urged the International Bureau to accelerate the preparations for the Diplomatic Conference in order to hold it as early as possible.

223. Item 03(2): Treaty supplementing the Paris Convention as far as Marks Are Concerned ("Trademark Law Treaty"). The Delegations of Hungary, Sweden, the Czech Republic, China, Germany, Bulgaria, Portugal, Poland, Malawi and Egypt expressed their support for this item and looked forward to the conclusion of the treaty.

224. Item 03(3): Protocol to the Berne Convention. The Delegations of Hungary, Chile, Sweden, Switzerland, India, the Czech Republic, France, China, Belgium, the United States of America, the United Kingdom, Ghana, Malawi, Paraguay, Egypt, Colombia and Burkina Faso stressed the importance of this item.

225. The Delegation of Sweden proposed that the meetings of the Committees of Experts on the Berne Protocol and on the possible Instrument on the Protection of the Rights of Performers and Producers of Phonograms (see Item 03(4), below) be held in two consecutive weeks, starting June 6, 1994. That proposal was supported by the Delegations of the United States of America, the United Kingdom, Ghana and Burkina Faso.

226. The Director General said that, since no delegation advanced another date, the meetings would be called for the said dates.

227. The Delegations of India and France said that they hoped that every effort would be made to speed up the preparatory work for the Berne Protocol.

228. The Delegations of Chile, Switzerland, France and Paraguay said that they considered that the agenda for the meeting of the Committee of Experts should be broadened. The Delegations of Switzerland and France suggested adding the subject of home taping. The Delegation of Paraguay proposed that the subject of collective administration be added. The Representative of International Confederation of Societies of Authors and Composers (CISAC) asked whether the Assembly of the Berne Union would be making additions to the said agenda.

229. The Delegations of Sweden, the United States of America and the United Kingdom noted that the agenda for the Committee of Experts had been set only after very difficult negotiations, and that it would be premature for the Assembly of the Berne Union to make any change for the time being as that could jeopardize the discussions.

230. The Director General said that the list of items to be discussed by the Committee of Experts on a Possible Protocol to the Berne Convention would remain the one adopted by the Assembly of the Berne Union in 1992, since the present session of that Assembly could have but did not make any change in that list.

231. The Director General also said that he regretted that the Committee of Experts had eliminated the consideration of collective administration.

232. Item 03(4): Instrument on the Protection of the Rights of Performers and Producers of Phonograms. The Delegations of Hungary, Sweden, Switzerland, India, the Czech Republic, France, Brazil, China, Bulgaria, Belgium, the United States of America, Pakistan, the United Kingdom, Ghana, Malawi, Colombia and Burkina Faso welcomed this item. The Delegations of Switzerland, Belgium and the United Kingdom emphasized the need to coordinate the preparatory work with that for the Protocol to the Berne Convention. The Delegation of Hungary noted the need to clarify the relationship between the protection of authors' rights under the Protocol and neighboring rights under the new Instrument.

233. The Delegation of Pakistan considered that the said Instrument should cover the rights of broadcasters because of the change in their role since the Rome Convention came into force. The Representative of the European Broadcasting Union expressed concern over the omission of broadcasting from the proposals on neighboring rights; in order to update the protection of broadcasters' rights, in the light of technology changes, she requested that the new Instrument and the associated model law also cover broadcasting.

234. The Director General noted that the rights in audiovisual (and not only in sound) fixations could be treated by the Committee of Experts and that the International Bureau would prepare a document on such rights in due course.

235. Item 03(5): Treaty on the Protection and International Registration of Geographical Indications. The Delegations of Hungary and Portugal emphasized the importance of this activity. The Delegation of Chile considered that many aspects of this matter still needed clarification, notwithstanding the TRIPS negotiations in GATT. The Delegation of Colombia proposed that industrial secrecy be included in the activity and hoped that guidelines would be prepared for developing countries.

236. Item 03(6): Status of Certain Intergovernmental Organizations in WIPO-Administered Treaties. The Delegations of Chile and Argentina said they had doubts over the need for a study on this matter, as it was not desirable to grant intergovernmental organizations a status similar to that of Member States.

237. The Delegations of Switzerland, Belgium, and the United Kingdom supported the proposed study, as they considered that intergovernmental organizations could bring much to the Organization. The Representative of the Commission of the European Communities also supported this item.

238. Item 03(8): Model Laws on the Protection of the Rights of Performers and Producers of Phonograms. The Delegations of Hungary and Paraguay expressed their interest in this activity.

239. The Delegations of Australia, the United States of America and the United Kingdom said that they considered it preferable to clarify issues relating to the proposed new Instrument (see Item 03(4)) before developing the model laws. The Director General agreed with this sequence.

240. Item 03(9): Guiding Principles on the Application of Copyright and Neighboring Rights to Electronic Storage, Transmission and Reproduction of Works, Recordings and Broadcasts. The Delegations of Hungary, Sweden, the United Kingdom and Paraguay expressed their support for this activity.

241. Item 03(10): Voluntary International Numbering System for Certain Categories of Literary and Artistic Works and for Phonograms. The Delegations of Hungary and Sweden appreciated the inclusion of future-oriented programs such as this one, especially in view of rapid technology developments. The Delegation of the United Kingdom was not convinced of its value, but did not wish to oppose it. The Delegation of Paraguay expressed interest in the activity.

242. Item 03(11): Services for the Voluntary Resolution of Intellectual Property Disputes Between Private Parties. The Delegations of China, Colombia and Paraguay expressed their support for this activity. The Delegation of China stressed the role of the Patent, Trademark and Copyright Offices in each province in China in the settlement of disputes and, in view of China's experience of the settlement of disputes outside the Courts, proposed Beijing as the venue for a symposium on this subject. The Director General said that the worldwide forum was already planned for Geneva for March 1994, but that he would take that offer into consideration for another meeting.

Item 04: Exploration of Intellectual Property Questions in Possible Need of Norm Setting

243. Item 04(1): Biotechnological Inventions. The Delegation of the Netherlands considered this item useful, and hoped that the forum might help to remove the many current misunderstandings and prejudices regarding biotechnological inventions.
244. Item 04(3): Well-Known Marks. The Delegations of Hungary, Chile, Sweden, Switzerland, China, Germany, the United Kingdom and Italy, and the Representative of the Commission of the European Communities, stressed the importance of this item. The Delegation of China observed that a definition of well-known marks was necessary even though it was a difficult task. The Delegation of Germany asked that the results of consultant studies in this and other areas be communicated promptly to Member States.
245. Item 04(4): "Business Identifiers". The Delegations of Hungary, Chile, Austria, Germany and Italy indicated their interest in this item.
246. Item 04(6): Unfair Competition. The Delegations of Chile, New Zealand and the United Kingdom expressed their support for this item. The Delegation of New Zealand noted that the study should not duplicate existing studies.
247. Item 04(7): Counterfeiting and Piracy. The Delegations of Sweden, New Zealand and the United Kingdom expressed their support for the proposed activities. The Delegations of New Zealand and the United Kingdom said that the activities should only follow the conclusion of the Uruguay Round in GATT.
248. Item 04(8): Conflict of Laws concerning the Ownership of Copyright and Neighboring Rights. The Delegation of Belgium, speaking as spokesman for the European Communities, said that it doubted that it was timely to convene a session of a committee of experts, and proposed that this item be deleted from the draft program. This position was shared by the Delegations of Switzerland, Romania, France and Germany and the Representative of the Commission of the European Communities. The Delegation of the United Kingdom considered that it could be useful to study the subject in the future. The Delegation of Germany thought the study should not be limited to copyright, as wider intellectual property issues were involved; a broader study was required and it therefore seemed premature to convene the committee of experts. This view was supported by the Delegations of Hungary, Switzerland, Italy, France and Colombia.
249. The Delegation of the United States of America considered that this was an important activity, which should be retained in the program for the 1994-95 biennium.
250. The Governing Bodies decided not to include Item 04(8) in the program for the 1994-95 biennium.
251. Item 04(9): Audiovisual Works. The Delegations of France, China, the United Kingdom and Burkina Faso expressed their support for this item, although the United Kingdom expressed concern about overloading the program. The Delegation of France thought that there should be more geographical diversity in the venues of meetings relating to audiovisual works.

252. The Director General welcomed the possibility of holding a symposium or forum in France, and said he would be pleased to discuss with the French authorities what topic might be of the greatest interest.

Item 05: Periodicals, Collection of Laws, Statistics

253. The Delegation of Sweden supported the merger of the periodicals "Copyright" and "Industrial Property" as soon as possible.

Item 06: Documentation and Information Activities of Industrial Property Offices

254. The Delegation of Hungary attached great importance to its country's participation in the activities of the PCIPI, which was most effective for the production of means of information and rendering information services.

255. The Delegation of Colombia noted the utility of periodic meetings of officials of Patent Offices, and suggested that such meetings be continued.

256. The Delegation of China welcomed the development by the International Bureau, in cooperation with the European Patent Organisation, of CD-ROM products, which were particularly useful for Offices and enterprises in reducing the volume of patent information material. China had developed its own software for five CD-ROM products, two of which were in English and would therefore facilitate Chinese collaboration with other countries.

Items 07: International Patent Classification; 08: International Classification of Goods and Services for the Purposes of the Registration of Marks; 09: International Classification of the Figurative Elements of Marks; 10: International Classification for Industrial Designs

257. The Delegations of Chile, Paraguay and Burkina Faso expressed their support for the proposals to improve the classification activities, and noted that the introduction of the unitary contribution system should facilitate accessions to the corresponding treaties.

258. The Delegation of China proposed that an international patent classification meeting should be held in Beijing. The Director General said that the International Bureau would be ready to organize such a meeting in Beijing.

Registration Activities

259. The Delegation of Hungary said that computerization in the PCT and Madrid systems had resulted in revolutionary changes in the administration of those systems, which it hoped would continue.

260. The Delegation of Burkina Faso fully supported the Organization's registration activities.

Item 11: PCT System (Patent Cooperation Treaty)

261. The Delegation of Italy said it was pleased with the progress of the PCT, and looked forward to increased activity with more member States. The Delegation supported the computerization activities, in particular the EASY project.

Item 12: Madrid System (Madrid (International Registration of Marks) Agreement and Madrid Protocol)

262. The Delegations of Austria, Algeria and Portugal expressed their appreciation for the ROMARIN product, which was of considerable benefit to them; they supported the work of the International Bureau to make it even more performant. The Delegation of Austria welcomed the cooperation between the International Bureau and national Trademark Offices, particularly supporting automation for reducing the workload of Offices by diminishing paper flows. The Delegation of Italy hoped that the information and promotion activities would help to promote the use of the Madrid system, and that the Madrid Protocol would soon be in force.

Item 13: Hague System (Hague (International Deposit of Industrial Designs) Agreement)

263. The Delegation of Belgium supported the development of the Hague system to provide greater flexibility for its users.

Item 15: Adherences to Treaties Administered by WIPO; Cooperation with States and Organizations

264. The Delegations of the United Kingdom and Burkina Faso emphasized the importance of promoting accessions to the conventions administered by WIPO.

265. The Delegation of Paraguay stated that its country was in the process of accession to the Paris Convention.

Staff Items and Administrative Support Activities

266. The Delegation of Burkina Faso said that it was essential to provide sufficient resources for support services for the program activities.

Decision

267. Subject to the decisions made by the Assemblies of the Madrid and PCT Unions, and the introduction of the unitary contribution system with the alignment of contributions of non-Union States, as well as the deletion of Items 04(2) and 04(8), the Governing Bodies, each as far as it was concerned, made the decisions referred to in paragraph 4.1 of document AB/XXIV/2.

Contribution Class

268. The Delegation of Slovenia stated that its country wished to be in Class VII (instead of Class VIII) in the unitary contribution system.

269. The Annex (to be attached to the final version of this document) contains information on the amounts of the contributions expected to be payable by each Member State under the unitary contribution system according to the class of contribution in force on January 1, 1994.

II. Medium Term Plan for 1996 to 1999

270. The Delegations of Hungary, Mexico, Austria, China, Germany, Bulgaria, Algeria, Malawi, Egypt, Burkina Faso and Côte d'Ivoire expressed their full support for the medium term plan for 1996 to 1999, which they considered gave a clear perspective for the future.

271. The Delegation of Mexico stressed that the International Bureau should follow up on the work concerning intellectual property in other forums, such as the TRIPS negotiations in GATT, or the work in other agencies.

272. The Delegation of Germany suggested that, based upon the apparent success of the Trademark Law Treaty covering trademark formalities, the International Bureau should consider developing a convention on patent formalities. Noting the way in which equipment had been provided to States members of the Madrid Agreement, to make the operations of their national trademark systems compatible with the international trademark system, the Delegation suggested that consideration be given to doing this also for any national Patent Office, whether that be financed under the PCT Treaty or as part of the development cooperation program.

273. The Governing Bodies, each as far as it was concerned, noted the plan for the medium term of 1996 to 1999.

ITEM 17 OF THE CONSOLIDATED AGENDA:

DESIGNATION OF AUDITOR

274. The Chairman introduced document AB/XXIV/13, and expressed the thanks of all concerned to the Swiss authorities for their readiness to continue to assume the tasks of auditor, which they had carried out for many years.

275. On the advice of the WIPO Coordination Committee, the WIPO General Assembly and the Assemblies of the Paris, Berne, Madrid, Hague, Nice, Lisbon, Locarno, IPC, PCT and Vienna Unions renewed, up to and including the year 1997, the designation of the Swiss Government as auditor of the accounts of WIPO, of the Unions administered by WIPO, and of the accounts of technical assistance projects executed by WIPO and financed, in particular, by UNDP.

ITEM 18 OF THE CONSOLIDATED AGENDA:

UNITED NATIONS RESOLUTIONS

276. See the report on the session of the WIPO General Assembly (document WO/GA/XIV/4).

ITEM 19 OF THE CONSOLIDATED AGENDA:

ADMISSION OF OBSERVERS AND
APPROVAL OF A WORKING AGREEMENT

277. Discussions were based on documents AB/XXIV/11 and AB/XXIV/17.

Admission of Intergovernmental Organization as Observer; Approval of a Working Agreement

278. The Governing Bodies, each far as it is concerned, approved the proposals appearing in document AB/XXIV/11, paragraph 6, that is, observer status was accorded to the Organization of the Islamic Conference (OIC) and the agreement between the OIC and WIPO was approved.

Admission of International Non-Governmental Organizations as Observers

279. The Governing Bodies, each as far as it is concerned, approved the proposals appearing in documents AB/XXIV/11, paragraph 16, and AB/XXIV/17, paragraph 2, that is, observer status was accorded to the following 13 international non-governmental organizations: the Afro-Asian Book Council (AABC), the American Film Marketing Association (AFMA), the Association of Commercial Television in Europe (ACT), the Association of European Radios (AER), the Biotechnology Industry Organization (BIO), the European Bureau of Library, Information and Documentation Associations (EBLIDA), the European Council of American Chambers of Commerce (ECACC), the International Alliance of Orchestra Associations (IAOA), the International Council of Scientific Unions (ICSU), the International Franchise Association (IFA), Pearle* Performing Arts Employers Associations League Europe, The Chartered Institute of Arbitrators (CI Arb) and the World Association of Research Media (WARM).

ITEM 20 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

280. See the report on the session of the WIPO Coordination Committee (document WO/CC/XXXI/6).

ITEMS 21, 22 AND 23 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE MEMBERS OF THE EXECUTIVE COMMITTEES
OF THE PARIS AND BERNE UNIONS AND DESIGNATION
OF THE AD HOC MEMBERS OF THE WIPO COORDINATION COMMITTEE

ELECTION OF THE MEMBERS OF THE WIPO BUDGET COMMITTEE

DESIGNATION OF THE MEMBERS OF THE WORKING GROUPS OF
THE PC/IP AND PC/CR FOR 1995

281. Discussions were based on documents AB/XXIV/10 Rev., AB/XXIV/14 and WO/CF/XII/2.

282. Upon the initiative of the Chairman of the WIPO Conference and the Chairman of the WIPO General Assembly, and following consultations undertaken by the said Chairmen among delegations and by delegations within groups of countries, proposals were made by the said Chairmen in respect of the election or designation of the members of the committees and working groups referred to in subparagraphs A, B, and C, below.

A. On the basis of the proposals made by the Chairman of the WIPO Conference,

(i) the Paris Union Assembly unanimously elected the following States as ordinary members of the Paris Union Executive Committee: Australia, Austria, Belgium, Brazil, Central African Republic, Chile, China, Cuba, Czech Republic, Democratic People's Republic of Korea, Indonesia, Italy, Japan, Malawi, Morocco, Portugal, Republic of Korea, Russian Federation, Slovenia, Sri Lanka, Sudan, Sweden, Togo, Ukraine, United Kingdom, United States of America, Uruguay (27);

(ii) the Paris Union Conference of Representatives unanimously elected Syria as an associate member of the Paris Union Executive Committee;

(iii) the Berne Union Assembly unanimously elected the following States as ordinary members of the Berne Union Executive Committee: Argentina, Cameroon, Canada, Colombia, Denmark, Egypt, Finland, France, Germany, Greece, Hungary, India, Ireland, Kenya, Mexico, Namibia, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Romania, Spain, Venezuela (24);

(iv) the Berne Union Conference of Representatives unanimously elected Lebanon as an associate member of the Berne Union Executive Committee;

(v) the WIPO Conference unanimously designated the following States as ad hoc members of the WIPO Coordination Committee: Angola, El Salvador, Panama, Singapore (4);

(vi) the Assemblies of the Paris and Berne Unions noted that Switzerland would continue to be an ex officio ordinary member of the Paris Union Executive Committee and of the Berne Union Executive Committee.

As a consequence, the WIPO Coordination Committee is composed of the following States: Angola, Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Italy, Japan, Kenya, Lebanon, Malawi, Mexico, Morocco, Namibia, Netherlands, Nigeria, Pakistan, Panama, Paraguay, Peru, Portugal, Republic of Korea, Romania, Russian Federation, Singapore, Slovenia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syria, Togo, Ukraine, United Kingdom, United States of America, Uruguay, Venezuela (58).

B. On the basis of the proposal made by the Chairman of the WIPO General Assembly, the WIPO General Assembly and the Assemblies of the Paris and Berne Unions elected the following States as members of the WIPO Budget Committee for the period from January 1, 1994, to December 31, 1997: Algeria, Brazil, Bulgaria, Canada, Chile, China, France, Germany, Guinea, India, Japan, Netherlands, Pakistan, Philippines, Poland, Russian Federation, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, and noted that Switzerland would continue to be an ex officio member of the WIPO Budget Committee (21);

C. On the basis of the proposal made by the Chairman of the WIPO Conference, the WIPO Conference designated, for their sessions in 1995,

(i) as members of the Working Group of the Permanent Committee for Development Cooperation Related to Industrial Property: Austria, Brazil, Burkina Faso, Canada, Chile, China, Democratic People's Republic of Korea, France, Germany, Hungary, India, Japan, Philippines, Romania, Spain, Switzerland, United States of America, Uruguay, Uzbekistan, Zambia, Zimbabwe (21).

(ii) as members of the Working Group of the Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights: Argentina, Canada, China, Czech Republic, Finland, France, Ghana, Hungary, Indonesia, Japan, Lesotho, Mexico, Pakistan, Paraguay, Republic of Korea, Slovakia, Spain, Switzerland, Tunisia, United Kingdom, United States of America (21).

ITEM 24 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE GENERAL REPORT AND OF THE INDIVIDUAL REPORTS OF EACH GOVERNING BODY

283. This General Report, including paragraphs 285 to 297, was unanimously adopted by the Governing Bodies concerned on September 29, 1993.

284. Each of the 21 Governing Bodies unanimously adopted the separate report concerning its session, in a separate meeting of the Governing Body concerned, on September 29, 1993.

ITEM 25 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

285. The Director General said that as his colleague and friend, Deputy Director General Shahid Alikhan, was unlikely to participate in future Governing Bodies as Deputy Director General, he wished to say a few words concerning this exceptional person. Mr. Alikhan had been with WIPO for seventeen years, the first four as Director of the Copyright Division, the next seven as Director of the Developing Countries Copyright Division and the last six as Deputy Director General of WIPO. Mr. Alikhan had many qualities, talents and merits, out of which the Director General would mention only six. Mr. Alikhan was, first of all, a correct man. He always acts according to the rules and acted with impartiality and objectivity, both for developing regions and individual countries and for the staff, as well as in the choice of trainees and of experts. The second characteristic of Shahid Alikhan is that he is always well prepared. He knows in the minutest detail each case with which he had to deal and concerning which he had to make decisions or recommendations. A third trait which characterizes Shahid Alikhan is that he is an exceptionally hard-working individual. He never hesitates to work over hours, all the weekends, in airplanes, in whatever situation it was possible to do so. The fourth characteristic which the Director General wished to mention about Shahid Alikhan was his loyalty. In the Director General's view, this was a characteristic feature of the Indian Civil Service from which Mr. Alikhan had joined the International Bureau. He has unconditional loyalty to the policy of the Organization and to his colleagues. Last, but not least, Shahid Alikhan is a man who is deeply convinced of the importance of intellectual property in general and for developing countries in particular. This enthusiasm, this conviction, characterizes all the actions which he undertakes and in which he participates. He is a real gentleman, a real international civil servant, and for the Director General, a real friend. His services were invaluable and had significantly advanced the cause of WIPO. His services and his person would not be forgotten either by the staff or by the member States. The Director General concluded by thanking Mr. Alikhan for everything that he had done for WIPO and added that his best wishes would accompany Mr. Alikhan after his retirement.

286. Mr. Alikhan declared that he was very proud indeed to have served all developing countries with all his energy, WIPO with devotion over the years, and the Director General with the loyalty he deserved. He was deeply grateful to the member States of WIPO, first to the developing countries, and equally to the industrialized and other countries, for their support of WIPO's development cooperation programs, which, with the help of the donor countries, the developing countries, as well as with that of the UNDP, WIPO had been able to keep and sustain at a satisfactory level. Mr. Alikhan expressed his wish to publicly thank his country's Government and Ambassador for the great confidence they had reposed in him and for their consistent support. He added his deep thanks also to all the many friends whom he had in almost every delegation, for their support given to him personally. Mr. Alikhan said that he was, above all, deeply grateful to the Director General for his understanding over the years, his unstinting support in the International Bureau's plans, programs and activities for developing countries, and for his

strong personal encouragement. It had been a privilege and a pleasure to have served the Director General and this Organization. The International Bureau had been able to achieve a great deal in its development cooperation programs for developing countries, and in this regard, Mr. Alikhan said that he owed deep gratitude to his colleagues, specially the four Bureau Directors for Africa, Arab Countries, Asia and the Pacific, and Latin America and the Caribbean, namely, Messrs. Ibrahima Thiam, Kamil Idris, Narendra Sabharwal, Ernest Rubio, and the two Heads of the Program Support Unit and the Program Planning Unit, Messrs. Vladimir Yossifov and Zahir Jamal, respectively, as well as to all their diligent staff for the untiring, full and loyal help that he had received from each and every one, in the discharge of his duties. Further, Mr. Alikhan extended his thanks to colleagues in every sector of this very efficient and dynamic Organization, for the constant help which he had received from each of them. Finally, he expressed his thanks as well to his two secretaries, Miss Elisabeth Cassiau and Mrs. Sheila Ginger, for their help, assistance and tolerance in the long hours of work entailed each day in the discharge of his duties, and for the pleasant and patient manner in which they had extended their support to him. He reiterated his profuse thanks to the Director General for his very kind words, for his guidance throughout, his understanding and his encouragement.

287. The Delegation of the United Kingdom, speaking on behalf of its country and of the countries of Group B, confirmed the Director General's view that Mr. Alikhan had been exceptional and was totally dedicated to WIPO and to the objectives of development cooperation. That Mr. Alikhan kept long hours was well-known. He was always available and ready to talk about the important tasks which he was carrying out. In addition, he was extremely fair and objective in setting priorities and was a friend to both developing and industrialized countries. As an Ambassador of WIPO and of intellectual property, he was outstanding, very ably introducing intellectual property to those who were not aware of it; and to those who were aware, he succeeded in persuading them to do more. All this he did with the right touch. His work was highly appreciated and would not be forgotten. The Delegation sent its best wishes to Mr. Alikhan and expressed the hope to see him again soon.

288. The Delegation of Chile, speaking on behalf of the Latin American Group of countries and on its own behalf, fully concurred with the words expressed by the Director General in regard to Mr. Alikhan. Through working closely with Mr. Alikhan over the years, the Delegation grew acquainted with him professionally and grew to appreciate the qualities described by the Director General. Mr. Alikhan was always ready to discuss all the problems of interest to Latin American countries. Despite the occasional disagreement, the Latin American Group always found Mr. Alikhan ready to discuss and find solutions to the problems at hand that were satisfactory to both sides. The Latin American Group supported the appreciation for Mr. Alikhan which had been expressed and conveyed to him its best wishes for the future.

289. The Delegation of Japan expressed its appreciation of the achievements of Mr. Alikhan during his term of office and of his many qualities, including his high knowledge of intellectual property, open-mindedness and flexibility. He accorded great importance to development cooperation and contributed much to meeting the needs of developing countries. His contribution to WIPO was indeed invaluable. The Delegation sent Mr. Alikhan its best wishes for the future.

290. The Delegation of China agreed completely with the Director General's remarks about the person of Mr. Alikhan and about his excellent performance during his long career in WIPO not only in the field of copyright and neighboring rights, but also in the field of industrial property. In carrying out this work, Mr. Alikhan displayed great dedication and high abilities. The Delegation wished to thank him for his numerous contributions and to wish him all the best in his future professional and private activities.

291. The Delegation of India added its voice in support of what the Director General and the other delegations had said. Mr. Alikhan had served WIPO with impartiality and dedication. All developing countries had benefitted from his unstinted support throughout his term of office. The Delegation of India was very proud of Mr. Alikhan as a national of India and of his contributions to WIPO. It expressed its thanks for the support that the Director General and all countries, especially those from the Asian Group, had given to Mr. Alikhan, to whom the Delegation conveyed its best wishes for the future.

292. The Delegation of Indonesia, speaking in the name of the Asian Group and in its own name, said that Mr. Alikhan had been extremely helpful, particularly to Indonesia and the other Asian countries, in strengthening their respective legal and institutional framework. It wished Mr. Alikhan success in his future endeavors.

293. The Delegation of Kenya, speaking in its own name and on behalf of the African Group of countries, expressed deep and sincere thanks to Mr. Alikhan for his work in WIPO. The quality of his service for the good of developing countries was of the highest order. The results of the efforts which he had deployed could be seen in the more active participation of developing countries in the intellectual property field and in the confidence which they placed in WIPO. Mr. Alikhan's work and dedication was highly appreciated by all countries. Generous with his time, Mr. Alikhan was ready at all times to listen to others. His humility, notwithstanding his high position, and his diplomatic skills were admired by all. The Delegation wished Mr. Alikhan happiness in retirement.

294. The Delegation of Switzerland, speaking on behalf of the host country, paid homage to Mr. Alikhan. The contacts between the Delegation and Mr. Alikhan in both the copyright and industrial property fields were extensive and close over the years. His many qualities, including his availability, his rich and warm personality were deeply appreciated. The Delegation expressed its warm thanks and good wishes to Mr. Alikhan.

295. The Chairman of the General Assembly, speaking in the name of that Assembly, associated himself with all the heart-felt words which had been expressed by both the Director General and the various delegations. Over the years, Mr. Alikhan had become a constant presence in WIPO for the delegates and the staff members. He was an indefatigable traveller for WIPO and had organized and discharged remarkably well his work in the development cooperation area. Everyone had become very fond of Mr. Alikhan's person as well as of what he represented and had done for WIPO. Not only would Mr. Alikhan not be forgotten, it was everyone's hope that Mr. Alikhan would soon be in Geneva again.

296. The Chairman of the WIPO General Assembly announced that the present sessions of the Governing Bodies marked the twentieth anniversary of the election of Dr. Arpad Bogsch as Director General of WIPO. He stated that he did not wish to allow the occasion of that twentieth anniversary to pass without marking the exceptional manner in which the Director General was leading the Organization. The Chairman proposed that, in homage to Dr. Bogsch on the occasion of the twentieth anniversary of his tenure as Director General, the General Assembly authorize the acquisition by the Organization of an object of art representing or symbolizing the Director General, and authorize him to make the necessary arrangements with the International Bureau. The Chairman's proposal was approved by acclamation.

297. The Director General said that he was profoundly touched by the proposal of the Chairman and the approval of the General Assembly.

298. The twenty-fourth series of meetings of the Governing Bodies of WIPO and the Unions administered by WIPO were closed by the Vice-Chairman of the WIPO General Assembly, Mr. Dominic Mills (Ghana).

[Annex follows]

ANNEX

CONTRIBUTIONS UNDER THE UNITARY CONTRIBUTION SYSTEM

I. States Members of One or More of the Contribution-financed Unions ("Union States")

1. The approved budget for the 1994-95 biennium provides for contributions, payable as to one half on January 1, 1994, and one half on January 1, 1995, totalling 43,212,000 francs for the Contribution-financed Unions (namely, the Paris, Berne, IPC, Nice, Locarno and Vienna Unions).

2. Pursuant to the decision of the Governing Bodies at their 1993 meetings to introduce the unitary contribution system with effect from January 1, 1994, the contributions are payable under that new system.

3. The share of each State member of one or more of the Contribution-financed Unions ("Union States") depends on (i) the class to which it belongs for the purpose of contributions and (ii) the class to which the other Member States belong.

4. Following the 1993 Governing Bodies meetings, the Union States will, on January 1, 1994, belong to the following classes:

Class I (25 units): France, Germany, Japan, United Kingdom, United States of America (5 countries, totalling 125 units, each country contributing 25 units or approximately 6.57% of the total contributions to the Contribution-financed Unions).

Class II (20 units): No country belongs to this class.

Class III (15 units): Australia, Belgium, Italy, Netherlands, Sweden, Switzerland (6 countries, totalling 90 units, each country contributing 15 units or approximately 3.94% of the total contributions to the Contribution-financed Unions).

Class IV (10 units): Canada, Denmark, Finland, Ireland, Norway, Russian Federation, Spain (7 countries, totalling 70 units, each country contributing 10 units or approximately 2.63% of the total contributions to the Contribution-financed Unions).

Class IVbis (7.5 units): Austria, China, Mexico, Portugal, South Africa (5 countries, totalling 37.5 units, each country contributing 7.5 units or approximately 1.97% of the total contributions to the Contribution-financed Unions).

Class V (5 units): Czech Republic, Slovakia (2 countries, totalling 10 units, each country contributing 5 units or approximately 1.31% of the total contributions to the Contribution-financed Unions).

Class VI (3 units): Greece, Hungary, New Zealand, Poland (4 countries, totalling 12 units, each country contributing 3 units or approximately 0.79% of the total contributions to the Contribution-financed Unions).

Class VIbis (2 units): Argentina, Brazil, Bulgaria, India, Israel, Libya, Romania, Turkey, Yugoslavia (9 countries, totalling 18 units, each country contributing 2 units or approximately 0.53% of the total contributions to the Contribution-financed Unions).

Class VII (1 unit): Algeria, Indonesia, Iran (Islamic Republic of), Luxembourg, Monaco, Nigeria, Republic of Korea, Slovenia (8 countries, totalling 8 units, each country contributing 1 unit or approximately 0.26% of the total contributions to the Contribution-financed Unions).

Class VIII (1/2 unit): Croatia, Holy See, Iceland, Liechtenstein, Malaysia, The former Yugoslav Republic of Macedonia (6 countries, totalling 3 units, each country contributing 1/2 unit or approximately 0.13% of the total contributions to the Contribution-financed Unions).

Class IX (1/4 unit): Belarus, Colombia, Kazakhstan, Iraq, Latvia, Republic of Moldova, San Marino, Thailand, Ukraine, Uzbekistan, Venezuela (11 countries, totalling 2.75 units, each country contributing 1/4 unit or approximately 0.07% of the total contributions to the Contribution-financed Unions).

Class S (1/8 unit): Bahamas, Chile, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Egypt, Gabon, Morocco, Pakistan, Paraguay, Peru, Philippines, Syria, Trinidad and Tobago, Tunisia, Uruguay (19 countries, totalling 2.375 units, each country contributing 1/8 unit or approximately 0.03% of the total contributions to the Contribution-financed Unions).

Class Sbis (1/16 unit): Barbados, Bolivia, Cameroon, Congo, Costa Rica, Fiji, Ghana, Honduras, Jordan, Kenya, Lebanon, Malta, Mauritius, Mongolia, Namibia, Saint Lucia, Senegal, Sri Lanka, Suriname, Swaziland, Viet Nam, Zimbabwe (22 countries, totalling 1.375 units, each country contributing 1/16 unit or approximately 0.016% of the total contributions to the Contribution-financed Unions).

Class Ster (1/32 unit): Bangladesh, Benin, Burkina Faso, Burundi, Central African Republic, Chad, Gambia, Guinea, Guinea-Bissau, Haiti, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Niger, Rwanda, Sudan, Togo, Uganda, United Republic of Tanzania, Zaire, Zambia (24 countries, totalling 0.75 unit, each country contributing 1/32 unit or approximately 0.008% of the total contributions to the Contribution-financed Unions).

5. If no changes occur in the situation described in the preceding paragraph, the contribution, in Swiss francs, of each Union State in each of the classes will be as follows:

	1994	1995
Class I	1,418,650	1,418,650
Class II	-	-
Class III	851,190	851,190
Class IV	567,460	567,460
Class IVbis	425,595	425,595
Class V	283,730	283,730
Class VI	170,238	170,238
Class VIbis	113,492	113,492
Class VII	56,746	56,746
Class VIII	28,373	28,373
Class IX	14,187	14,187
Class S	7,092	7,092
Class Sbis	3,546	3,546
Class Ster	1,773	1,773

[Total Union States = 128]
[Total Units = 380.75]

6. It is to be noted that the actual amount that each Union State will have to pay on January 1 of the above years may be different from the amounts indicated since each Union State's actual contribution will depend on the factors referred to in paragraph 3, above.

II. States Members of WIPO which Are Not Members of Any of the Unions ("Non-Union States")

7. Pursuant to the decision of the WIPO Conference to align the contributions of States members of WIPO which are not members of any of the Unions ("non-Union States") with Classes VII to Ster of the unitary contribution system, the share of each non-Union State depends on (i) the class to which it belongs for the purpose of contributions and (ii) the amount of the contributions under the unitary contribution system for that class.

8. Following the 1993 Governing Bodies meetings, the non-Union States will, on January 1, 1994, belong to the following classes:

Class VII (1 unit): Saudi Arabia (1 country, contributing 1 unit).

Class VIII (1/2 unit): No non-Union State belongs to this class.

Class IX (1/4 unit): Albania, Armenia, Lithuania, Singapore, United Arab Emirates (5 countries, totalling 1.25 units, each country contributing 1/4 unit).

Class S (1/8 unit): Guatemala, Panama, Qatar (3 countries, totalling 0.375 unit, each country contributing 1/8 unit).

Class Sbis (1/16 unit): Angola, El Salvador, Jamaica, Nicaragua (4 countries, totalling 0.25 unit, each country contributing 1/16 unit).

Class Ster (1/32 unit): Sierra Leone, Somalia, Yemen (3 countries, totalling 0.09375 unit, each country contributing 1/32 unit).

9. If no changes occur in the situation described in the previous paragraphs, the contribution, in Swiss francs, of each non-Union State in each of the classes will be as set forth in paragraph 5, above.

10. It is to be noted that the actual amount that each non-Union State will have to pay on January 1 of the above years may be different from the amounts indicated, since each non-Union State's actual contribution will depend on the factors referred to in paragraph 7, above.

[End of annex and of document]