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GENEVA

GOVERNING BODIES OF WIPO AND THE UNIONS ADMINISTERED BY WIPO

**Thirty-First Series of Meetings
Geneva, September 22 to October 1, 1997**

GENERAL REPORT

adopted by the Governing Bodies

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* This internet document is the consolidated version of documents AB/XXXI/12 and AB/XXXI/12 Corr.

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INTRODUCTION

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

- (1) WIPO General Assembly, twenty-first session (13th ordinary)
- (2) WIPO Conference, fourteenth session (13th ordinary)
- (3) WIPO Coordination Committee, thirty-ninth session (28th ordinary)
- (4) Paris Union Assembly, twenty-sixth session (13th ordinary)
- (5) Paris Union Conference of Representatives, twenty-third session (13th ordinary)
- (6) Paris Union Executive Committee, thirty-third session (33rd ordinary)
- (7) Berne Union Assembly, twenty-second session (13th ordinary)
- (8) Berne Union Conference of Representatives, sixteenth session (13th ordinary)
- (9) Berne Union Executive Committee, thirty-ninth session (28th ordinary)
- (10) Madrid Union Assembly, twenty-eighth session (12th ordinary)
- (11) Hague Union Assembly, fifteenth session (11th ordinary)
- (12) Hague Union Conference of Representatives, fifteenth session (11th ordinary)
- (13) Nice Union Assembly, fifteenth session (13th ordinary)
- (14) Nice Union Conference of Representatives, fourteenth session (13th ordinary)
- (15) Lisbon Union Assembly, twelfth session (12th ordinary)
- (16) Lisbon Union Council, nineteenth session (19th ordinary)
- (17) Locarno Union Assembly, fifteenth session (12th ordinary)
- (18) IPC [International Patent Classification] Union Assembly, fourteenth session (11th ordinary)
- (19) PCT [Patent Cooperation Treaty] Union Assembly, twenty-fourth session (11th ordinary)
- (20) Budapest Union Assembly, twelfth session (9th ordinary)
- (21) Vienna Union Assembly, eighth session (7th ordinary)

meeting in Geneva from September 22 to October 1, 1997, with the exception of part of the PCT Union Assembly which started its session on September 16, 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).

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/XXI/13, WO/CF/XIV/3,

WO/CC/XXXIX/5, P/A/XXVI/1, P/CR/XXIII/1, P/EC/XXXIII/1, B/A/XXII/1, B/CR/XVI/1, B/EC/XXXIX/1, MM/A/XXVIII/3, H/A/XV/3, H/CR/XV/1, N/A/XV/2, N/CR/XIV/1, LI/A/XII/1, LI/C/XIX/1, LO/A/XV/1, IPC/A/XIV/1, PCT/A/XXIV/10, BP/A/XII/1 and VA/A/VIII/1).

3. The list of the States members of the Governing Bodies and the observers admitted to their sessions as of September 19, 1997, is set forth in document AB/XXXI/INF/1 Rev.2.

4. The meetings dealing with the following items of the Agenda (document AB/XXXI/1 Prov.2) were presided over by the following Chairmen:

Items 1, 2 and 3:	Mr. Moses F. Ekpo (Nigeria), outgoing Chairman of the WIPO General Assembly
Items 4, 5, 6, 7, 8, 9, 15, 16, 17, 21, 23, 24, 27 and 28:	Ms. Sheila Batchelor (Canada), Chairperson of the WIPO General Assembly
Items 22, 25 and 26:	Mr. André Roch Palenfo (Burkina Faso), Chairman of the WIPO Conference
Items 18, 19 and 20:	Ms. Lilia R. Bautista (Philippines), Chairperson of the WIPO Coordination Committee
Item 10:	Mr. Bruce Ian Murray (Australia), Chairman of the PCT Union Assembly
Item 11:	Mr. Li-Feng Schrock (Germany), Chairman of the Madrid Union Assembly
Item 12:	Mr. Jan Nicaise (Netherlands), Chairman of the Hague Union Assembly
Items 13 and 14:	Mrs. América Néstar Santos Riveras (Cuba), Vice-Chairperson of the Nice Union Assembly

- Item 29: 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, the Report of the WIPO General Assembly, Ms. Sheila Batchelor (Canada); the Report of the WIPO Conference, Ms. Sheila Batchelor (Canada); the Report of the WIPO Coordination Committee, Ms. Lilia R. Bautista (Philippines); the Reports of the Paris Union Assembly and Conference of Representatives, Mr. Victor Rodríguez Cedeño (Venezuela); the Reports of the Paris Union and Berne Union Executive Committees, the Berne Union Assembly and Conference of Representatives, Mr. Gao Lulin (China); the Report of the Madrid Union Assembly, Mr. Li-Feng Schrock (Germany); the Report of the Hague Union Assembly, Mr. Alexandru Cristian Strenc (Romania); the Report of the Hague Union Conference of Representatives, Mrs. Odile Rouillet (Holy See); the Reports of the Nice Union Assembly and Conference of Representatives, Lisbon Union Assembly and Council and Vienna Union Assembly, Mrs. América Néstar Santos Riveras (Cuba); the Report of the Locarno Union Assembly, Mr. Gorgi Filipov (the Former Yugoslav Republic of Macedonia); the Report of the IPC Union Assembly, Mr. Martti Jaakko Juhani Enäjärvi (Finland); the report of the PCT Union Assembly, Mr. Roland Grossenbacher (Switzerland); the Report of the Budapest Union Assembly, Mr. Valeriy I. Petrov (Ukraine)
- Item 30: Ms. Sheila Batchelor (Canada), Chair of the WIPO General Assembly.

5. An index of interventions by delegations of States and representatives of intergovernmental organizations and non-governmental organizations mentioned in this report will be reproduced as an Annex to the final version of the present report. The list of participants, including those who attended the PCT Union Assembly from September 16 to 19, 1997, will appear in document AB/XXXI/INF/3.

ITEM 1 OF THE CONSOLIDATED AGENDA:

OPENING OF THE SESSIONS

6. The thirty-first 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 opened in a joint meeting of all the 21 Governing Bodies, except the Assembly of the PCT Union (whose session opened on September 16, 1997), by the outgoing Chairman of the WIPO General Assembly, Mr. Moses F. Ekpo (Nigeria).

ITEM 2 OF THE CONSOLIDATED AGENDA:

ADOPTION OF THE AGENDAS

8. The outgoing Chairman stated that following consultations between the various Groups, it had been unanimously decided that the two matters to be dealt with in addition to the agenda items listed on page 3 of document AB/XXXI/1 Prov.2, namely the proposal by the United Kingdom concerning the term of office of Directors General for WIPO, which had been circulated by the International Bureau, and the proposal by Ghana regarding the issue of folklore, be dealt with later during the meetings. He suggested that the United Kingdom's proposal be considered between agenda items 18 and 20, and the Ghanaian proposal in conjunction with agenda items which involve copyright issues.

9. Taking into consideration the above statement, each of the Governing Bodies, including the Assembly of the PCT Union (whose session opened on September 16, 1997), adopted its agenda as proposed in document AB/XXXI/1 Prov.2 (hereinafter referred to in this document and in the documents listed in paragraph 2, above, as the "Consolidated Agenda").

ITEM 3 OF THE CONSOLIDATED AGENDA:

ELECTION OF THE OFFICERS

10. The officers of the Assembly of the PCT Union were elected by that Assembly on September 16, 1997. Informal consultations among the Group Coordinators were undertaken by the outgoing Chairman of the WIPO General Assembly, Mr. Moses F. Ekpo (Nigeria), in respect of the election of the officers of the WIPO General Assembly. As a result of those consultations, the officers of the WIPO General Assembly were elected by the WIPO General Assembly on September 22, 1997.

11. The informal consultations mentioned in the previous paragraph were continued in respect of the officers of the other 19 Governing Bodies, resulting in a proposal for the election of the officers of those other 19 Governing Bodies that was presented by the newly-elected Chairperson of the WIPO General Assembly, Ms. Sheila Batchelor (Canada). On the basis of the said proposal, each of the other 19 Governing Bodies elected its officers on September 25, 1997.

12. The list of the officers elected for the 21 Governing Bodies appears in document AB/XXXI/INF/4 Rev.2.

ITEM 4 OF THE CONSOLIDATED AGENDA:

APPOINTMENT OF THE NEW DIRECTOR GENERAL

13. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 5 OF THE CONSOLIDATED AGENDA:

ACTIVITIES FROM JULY 1, 1996, TO JUNE 30, 1997;
INTERIM FINANCIAL STATEMENT FOR 1996;
ARREARS IN CONTRIBUTIONS

14. Discussions were based on documents AB/XXXI/4, 5, 6, 10 and 11.

15. Noting the shortage of time, the Chairperson invited the delegations which wished to do so to file with the Secretariat written statements which would be reflected in the report as though they had been given in the plenary. The Chairperson also requested the delegations which wished to file those written statements to ensure that they did not contain anything that would require a response from another member State.

16. Following that invitation, almost all delegations filed written statements with the Secretariat. The majority of delegations took the floor to highlight the salient points of those statements.

17. The delegations of the following 86 States, eight intergovernmental and one international non-governmental organization made statements: Albania, Algeria, Argentina, Australia, Austria, Bangladesh, Belarus, Benin, Bolivia, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Finland, Germany, Ghana, Guatemala, Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mexico, Mongolia, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, African Intellectual Property Organization (OAPI), African Regional Industrial Property Organization (ARIPO), Benelux Trademark Office and Benelux Designs Office (BBM/BDDM), Commission of the European Communities (CEC), European Patent Office (EPO), Organization of African Unity (OAU), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Trade Organization (WTO), European Broadcasting Union (EBU).

18. Almost all the delegations which made statements commended WIPO for the excellent quality and comprehensiveness of the documents submitted.

19. Most of the said delegations expressed their satisfaction with the scope, quality and variety of the activities undertaken by WIPO in the period under review and praised the professionalism and dedication shown by the staff of the International Bureau in that respect. Particular satisfaction was expressed for the assistance rendered by WIPO to developing countries in crucial areas such as the development of human resources, strengthening of the legal and administrative intellectual property infrastructure, computerization of intellectual property operations, promotion of inventions and innovation, and enforcement of intellectual property rights. It was noted with appreciation that WIPO had continued to give the greatest importance to activities that assisted developing countries in adapting their national legislation to the obligations established under the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), and that the volume of the legal technical assistance provided by WIPO under the Agreement between WIPO and the World Trade Organization (WTO) had continued to expand. The implementation of WIPO-funded country projects was mentioned by numerous delegations as an efficient means to meet the specific needs of the developing countries in building effective systems for the protection of intellectual property, and several delegations from developing countries expressed the hope that such projects would soon be implemented also in their country. The delegations of the recipient countries, noting with satisfaction the increase of financial resources for development cooperation in the 1996-97 biennium, requested that those resources continue to increase in the 1998-99 biennium. A number of delegations of industrialized and other donor countries reiterated their readiness to continue supporting WIPO's development cooperation program, with funds and in kind.

20. In respect of norm-setting, most delegations commended WIPO for the adoption by the WIPO Diplomatic Conference on Certain Copyright and Neighboring Rights Questions of December 1996, of two new international instruments in the field of copyright and neighboring rights, namely the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). Several delegations announced that preparations had started in their respective country for ratification of the said treaties. Many delegations urged the early continuation of work in respect of an audiovisual protocol (to complement the WPPT in respect of the rights of performers in the audiovisual fixations of their performances) and a possible treaty for the *sui generis* intellectual property protection of databases (even if they do not qualify for copyright protection).

21. Many delegations noted with appreciation the convening, in the period under review, of the UNESCO-WIPO World Forum on the Protection of Folklore and supported the plan of action that had been adopted by the said Forum (the so-called "Phuket Plan of Action") as a first step towards the adoption of an international instrument for the protection of folklore.

22. Several delegations welcomed the establishment of the WIPO Working Group on Information Technologies for Intellectual Property and supported the role of WIPO as the nerve center of a global network of intellectual property offices which would make the best possible use of the new opportunities offered by information technology.

23. The Delegation of China started by mentioning that on July 1, 1997, the Government of the People's Republic of China had resumed the exercise of sovereignty over Hong Kong and thanked the Director General and the Director General elect for accepting the invitation to attend the handover ceremony in Hong Kong. The Delegation informed that, in 1996, patent applications filed with the Chinese Patent Office (CPO) had risen over 102,000, representing a 24% increase over 1995. In the first half of 1997, over 55,000 patent applications had been filed, representing an increase of 18% over the corresponding period of 1996. The Delegation recalled that, in the period under review, China had acceded to the Locarno Agreement, as of September 19, 1996, and the Strasbourg Agreement, as of June 19, 1997. In November 1996, WIPO and the CPO had jointly organized the WIPO National Seminar on the Valuation of Industrial Property Assets, the first of this kind in WIPO's history. It also informed that the China Intellectual Property Training Center would likely be completed by the end of 1997, and would be fully operational in 1998. As concerns trademarks, the Delegation stated that the Chinese Trademark Office had handled over 150,000 applications for trademark registrations, including over 7,000 requests for territorial extensions under the Madrid system. By August 31, 1997, the total number of registered trademarks in China was over 800,000. In the trademark legislation area, a new ensemble of administrative measures had been introduced in the period under review by the State Administration of Industry and Commerce (SAIC) for the protection of well-known marks in China. Also, a national trademark protection campaign had been launched, and the authorities had dealt with over 14,000 trademark infringement cases. The Chinese version of the 7th edition of the Nice Classification had been published in cooperation with WIPO. With regard to copyright, the Delegation informed the meeting on the activities undertaken by the National Copyright Administration of China during the period under review, in particular to advance work on the amendment of the Copyright Law and to intensify the fight against piracy of copyrighted works. Cooperation with WIPO had continued through, *inter alia*, the organization in September 1996 of a WIPO National Seminar on Copyright Enforcement in Chengdu. Regarding protection of new varieties of plants, new provisions had been adopted in March 1997, in compliance with the 1978 version of the UPOV Convention, and the Delegation stated that it was expected that China would become a member of UPOV by the end of 1997. The Delegation stated that the People's Republic of China notified to WIPO the application to the Hong Kong Special Administrative Region (SAR) of China, with effect from July 1, 1997, of the Berne, the Paris, the Phonograms and the WIPO Conventions, and the Patent Cooperation Treaty (PCT). The representative of the Hong Kong SAR of China took the floor as part of the Delegation of China to inform on the main features of the protection of intellectual protection in the Hong Kong SAR of China. In this context, it was stressed that the Government of the Hong Kong SAR of China, in accordance with the Basic Law of Hong Kong SAR, formulated its own domestic policies, laws and administrative arrangements to protect patents for inventions, trademarks and other industrial property, as well as the creative works of artists. These arrangements had been set out in the intellectual property laws of the Hong Kong SAR of China. Independent trademarks, designs and patent registries were operated, and within the Hong Kong SAR of China the authorities concerned decided on matters relating to the grant, administration or litigation of patents. It was stated that the Hong Kong SAR of China had been a founding member of the WTO and that its laws met the standards set out in the TRIPS Agreement well in advance of the deadline established for developing economies.

24. The Delegation of Ghana expressed its appreciation for the assistance received from WIPO in the intellectual property field, particularly regarding modernization of national

infrastructure, development of human resources and bringing national legislation in line with relevant international legal instruments. In this context, the Delegation mentioned the National Seminar on Copyright and Neighboring Rights for Law Enforcement Agencies which had been organized in Accra in May 1997 in cooperation with WIPO. The Delegation stressed that during the period under review Ghana had acceded to the PCT and expressed the hope that WIPO would organize in the near future a national workshop on the PCT in Ghana. The Delegation recalled that, following the December 1996 Diplomatic Conference, Ghana had signed the WCT and the WPPT in May 1997, and in that context it hoped that progress may soon be made in respect of the protection of rights of performances in audiovisual works. The Delegation stated that it attached the greatest importance to the protection of expressions and works of folklore, and to that end had requested that the Plan of Action adopted by the World Forum on the Protection of Folklore organized by WIPO and UNESCO in Phuket (Thailand) be discussed by the present session of the Governing Bodies to pave the way for the eventual establishment of an appropriate international legal instrument for the protection of folklore. As regards human resource development and the crucial importance that the Director General elect had attached to it in his acceptance speech, the Delegation expressed the wish that further training programs and long-term fellowships in intellectual property be made available to Ghanaian officials. On the other hand, it added that Ghanaian nationals would always be available to contribute to WIPO programs and seminars as resource persons and that, in the same spirit of South-South cooperation, Ghana was willing to share with other developing countries its experience in the fight against piracy in the music industry. In the latter respect, the Delegation expressed the hope that the proposed African Regional Seminar on the "Banderole System" would take place in Accra in due course.

25. The Delegation of Uruguay stated that in the reporting period, the process of modernization of the industrial property system had continued in various areas. As concerns normative activities, it announced that a draft law on distinctive signs meeting current international standards had been submitted to Parliament and a draft law on patents, industrial designs and utility models was being finalized. As regards the modernization of the national administrative infrastructure, it stated that progress had been particularly made in respect of reducing backlogs in the processing of applications for trademark registrations, streamlining administrative procedures, improving services to users and communication with industrial property agents. As regards cooperation with WIPO, the Delegation informed that two technical cooperation projects had continued to be executed to consolidate the above-mentioned modernization process. The Delegation expressed the wish that WIPO finance the participation of government officials to events such as the Symposium on the Protection of Geographical Indications in the Worldwide Context to be held in Eger (Hungary) in October 1997, and the meetings of the WIPO Committee of Experts on Well-Known Marks. Concerning accession to treaties administered by WIPO, the Delegation announced that the industrial property office had recommended to the Government accession to the Locarno, Nice, Strasbourg and Vienna Agreements, as well as to the PCT and the Budapest Treaty. The Delegation also stated that, as of April 1997, Uruguay had become a member of the WIPO Permanent Committee on Industrial Property Information (PCIPI) and its Executive Committee. As regards technological information, the Delegation stated that it attached particular importance to the CD-ROM project DOPALES PRIMERAS as an effective means to disseminate technological information contained in patent documents of Latin American countries. It also stated that cooperation with the other countries of the Common Market of the Southern Cone (MERCOSUR) had been intensified and in April 1997 a Technical

Cooperation Agreement had been signed by the four MERCOSUR countries. Concerning copyright and neighboring rights, the Delegation emphasized the assistance received from WIPO in the elaboration of a new draft law which was now before Parliament for consideration. It also stressed that its country would host, in October and November 1997, three WIPO regional events, namely, the WIPO-SGAE Course on Copyright and Neighboring Rights, the third Ibero-American Congress entitled "One Hundred and Ten Years of International Protection of Copyright: Berne 1886 - Geneva 1996" and the Fourth Meeting of Heads of Copyright Offices from Ibero-American Countries. The Government of Uruguay was particularly pleased that Dr. Bogsch had accepted the invitation to attend the said Ibero-American Congress at the end of his tenure as WIPO Director General. Finally, it supported the inclusion in the next program and budget of the creation of a committee of experts on the rights of broadcasting organizations.

26. The Delegation of Sweden reaffirmed its commitment to the development cooperation activities of WIPO to which it intended to continue to contribute, *inter alia*, through the organization and financing of the two training courses on industrial property and on copyright held each year in Stockholm, and stated that its country would be receptive to raising funds for further such activities as proposed by WIPO. As regards the PCT, it stated that the Swedish Patent and Registration Office had been an International Searching Authority and an International Preliminary Examination Authority since the start of the PCT in 1978, and another 10-year agreement with WIPO would be signed by its Government in this respect during the current meeting. In 1996, 3,791 international applications had been received by the Swedish Office as an International Searching Authority, placing it as the third biggest office in the world with respect to the number of requests for international searches. The same was true as regards the volume of requests for preliminary examination of international patent applications. Concerning information technology, the Delegation stressed the need for uniform solutions for its application to intellectual property. It referred to the WIPO Working Group on Information Technologies for Intellectual Property convened by WIPO and stressed its support of the conclusions and recommendations adopted by its first session in July 1997. With respect to copyright and neighboring rights, the Delegation congratulated the International Bureau on the excellent organization of the Diplomatic Conference that had taken place in December 1996, and had resulted in the adoption of two treaties of great importance for the development of international standards for copyright and neighboring rights in the age of information technology. Those treaties showed the key role played by WIPO in norm-setting in that field, which Sweden would like to see continue in the future. The Delegation also wished to congratulate the International Bureau on its excellently structured and implemented development cooperation program in the copyright field to which its country attached great importance. It appreciated the large and evenly-distributed geographical spread of those activities as well as the extensive coverage given to the TRIPS Agreement and the willingness of the International Bureau to cooperate with the private sector and non-governmental organizations. The Delegation also expressed satisfaction with the progress made in the protection of performers in audiovisual productions and of databases, and looked forward to meetings of committees of experts to further elaborate various aspects of such protection. The Delegation noted that other aspects of copyright and neighboring rights, such as the protection of broadcasters and folklore, deserved consideration and hoped to be able to comment on those at a later stage in the discussion.

27. The Delegation of Finland underlined the significance of the development cooperation work done by WIPO and reiterated its willingness to continue supporting it in the future. As regards norm-setting activities, the Delegation reaffirmed its commitment to enhancing and harmonizing the international protection and enforcement of intellectual property rights, and in particular with respect to the proposed Patent Law Treaty. It supported efforts to harmonize requirements as to the form of patents but hoped that harmonization would also be extended to questions of substance. It hoped that work in respect of the settlement of disputes between States would be continued with further consultations and that a diplomatic conference be organized on the issue in 1999. It added that it was also important to continue working on the Internet domain names issue. In the trademark area, the Delegation highlighted the need for more effective protection for so-called non-profitable marks and corporate identifiers as well as their international regulation. With respect to registration activities, the Delegation noted with satisfaction the continued growth in PCT applications. The reduction in the basic and designation fees would benefit the users of the PCT system and further increase the popularity of the system in Finland. In the first half of 1997, the Patents Act had been amended to switch from a pre-grant to a post-grant opposition system. With the coming into force of the European Union Regulation on the grant of supplementary protection certificates for plant products, it was now possible to issue supplementary protection certificates, besides medicinal products, also to plant protection products in Finland. The *Innovative Finland* campaign continued in 1997, the jubilee year for the 80th anniversary of Finnish independence. The theme of the 1997 competition was "Innovations and the Lifespan of Man." In the field of copyright and neighboring rights, the Delegation expressed its satisfaction with the cooperation of all member States before and during the Diplomatic Conference, and with the two treaties that had resulted from that extraordinary effort. Two questions had been left unresolved by the said Diplomatic Conference, namely, the protection of audiovisual performances and of databases and further work on them had been made the previous weeks. In this respect, the Delegation was of the view that the Governing Bodies of WIPO should make the necessary decisions on the continuation of the work, preferably at their March 1998 meetings, in the context of the new program and budget. To conclude, the Delegation said that two other matters deserved consideration in the future, the protection of folklore and of broadcasting organizations, and that the Delegation was ready to give its active contribution to the work on these matters.

28. The Delegation of Hungary informed that, on the domestic level, a new law on the protection of trademarks and geographical indications had entered into force on July 1, 1997, in full compliance with the relevant European Communities Directive, and the provisions of the Trademark Law Treaty (TLT) and the TRIPS Agreement. The Delegation noted that Hungary had deposited its instrument of ratification to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol), which would enter into force with respect to Hungary on October 3, 1997, and that the TLT would also soon be ratified. The Delegation further stated that Hungary had filed a request at the Administrative Council of the EPO for accession to the European Patent Convention. The Delegation was pleased with the decision of the Administrative Council to grant observer status to its country at its future meetings. With regard to norm-setting activities in the field of copyright and neighboring rights, the Delegation expressed its satisfaction with the work of WIPO and in particular with the Diplomatic Conference and the two treaties adopted by it. The Government of Hungary intended to submit both treaties, already signed by it, to Parliament for ratification early in 1998. The Delegation regretted that work had been delayed with regard to the

protection of audiovisual performances. The Delegation expressed its appreciation for the WIPO International Forum on the Exercise and Management of Copyright and Neighboring Rights in the Face of the Challenges of Digital Technology which had been organized by WIPO in Sevilla (Spain) in 1997. Finally, the Delegation referred to the continuous development of the Hungarian copyright legislation, characterized by the fulfillment of international contractual obligations and by harmonization with the law of the European Union (EU). The latest achievements in this respect included new rules on the collective administration of copyright, as well as more effective civil law means of enforcement and new border measures in conformity with the TRIPS Agreement.

29. The Delegation of India referred to the problems faced by its country in the field of intellectual property, *inter alia*, problems relating to the infrastructure for intellectual property rights administration, lack of a well-developed collective administration system in copyright and neighboring rights matters, neglect of intellectual property right studies by academics and absence of a group of articulate and well-informed intellectual property right professionals, as already described in its statement under agenda item 4, and acknowledged once again the generous support received from WIPO in this respect. The Delegation expressed its support of WIPO's proposed study on biotechnical inventions which would also examine the relationship between intellectual property rights and issues on traditional knowledge and genetic resources. It added that the success of the programs depended on the coordination between national governments and international organizations, and commended WIPO's sensitivity to the views of those governments and also its practice of conducting programs with and through national governments. With regard to industrial property, the Delegation stated that its country recognized that an effective system of industrial property protection was essential for the promotion of inventive activity, trade and the transfer of technology, and that those factors had been fully integrated into the process of economic reforms which had been launched by the country as of 1991. The Delegation also stated that national industrial property legislation had started to be reviewed to bring it into line with the TRIPS Agreement and new legislation was being developed in respect of geographical indications, layout designs of integrated circuits, trade secrets and plant variety protection. It added that the number of applications for patents and trademark registration had increased steadily during the reporting period as an indicator of the increasing level of scientific, technological and trade activity in the country. The Delegation also informed that following the successful conclusion, in 1996, of two technical cooperation projects funded by UNDP and executed by WIPO to modernize the patent information system (PIS) and the trademark system, a new project was being designed to further modernize the national patent office, with focus on computerization of administrative procedures, staff training, reduction of patent applications backlog, online linkages with domestic and international databases and the creation of a full-text database of Indian patents. It also mentioned that expertise was planned to be developed in emerging areas of technology such as biotechnology, microbiology and integrated circuits. Finally, the Delegation announced that an Institute for Intellectual Property Development had been recently established and would host, in October 1997, in New Delhi, in cooperation with WIPO, an Asian Subregional Symposium of the Implications of the TRIPS Agreement. With respect to development cooperation activities, the Delegation hoped that the delivery cost of programs would be kept at the minimum and was confident that such issues would be kept in mind by the Director General elect in an effort to bridge the gap between the developed and the developing worlds.

30. The Delegation of Chile commended WIPO on the scope and variety of its work in the area of development cooperation. In respect of normative activities, the Delegation stressed the importance of protection of folklore, mentioned the UNESCO-WIPO World Forum on the Protection of Folklore held in April 1997, and supported the proposal to convene a committee of experts on the matter. It also supported the convocation of a committee of experts on the rights of broadcasting organizations. With respect to WIPO development cooperation activities in general, the Delegation reiterated the need to establish evaluation criteria which would enable one to define the impact and follow-up of those activities, and stated that, although very factual, the activities report submitted by WIPO did not always enable one to evaluate the outcome of the said activities. The Delegation stated that development cooperation should continue to be a priority for WIPO and endorsed the increase in funding for this area, particularly to assist developing countries in complying with obligations under the TRIPS Agreement. It added that such cooperation should be national and regional in focus, to reflect the specific needs of countries and regions in question. It requested that a new draft program and budget for 1998-99 should be presented by the new Director General. Furthermore, it endorsed the proposal that the level of contributions should remain the same as in 1996-97. Concerning premises for WIPO, it supported the position that no decisions should be taken before the new Director General took up his functions. Regarding information technology, it fully supported the establishment of a modern network for the exchange of information among all intellectual property offices and hoped that the new Director General would allocate to this priority area the necessary resources. In respect of the proposed Treaty for the Settlement of Intellectual Property Disputes Between States, the Delegation stated its general support and said that, based on the information provided on the subject by the CEC in August 1997, it endorsed the proposal of a new round of consultations to possibly lead to the convening of a diplomatic conference in 1999.

31. The Delegation of Israel expressed its appreciation to the Director General and the International Bureau for the excellent work and reports prepared for this session of the Governing Bodies. It informed the meeting that, following the entry into force of the PCT in Israel on June 1, 1996, a total of 427 international applications had been filed at the Israel Patent Office as of May 31, 1997, and Israel was now 14th in the list of PCT members in terms of PCT applications processed by the Office. The Delegation expressed its gratitude to WIPO for the visit to Israel of two WIPO senior PCT officers and a national PCT seminar which had been successfully organized by WIPO for over 100 practitioners and for the PCT training provided in Geneva to Israeli officials. As concerns the WIPO training program for developing countries, in 1996, the Office had trained two developing country officials and would receive another two in 1997. As regards domestic legislation, the Delegation reported that good progress had been made by Israel's law revision committees in the areas of copyright, patents, trademarks, integrated circuits and semi-conductor chips. All statutory enactments, where relevant, would take into account the provisions of the TRIPS Agreement.

32. The Delegation of Colombia expressed its gratitude to WIPO for the support received during the period under review, particularly through training activities related to different aspects of copyright and neighboring rights, especially with regard to activities related to reprography. It cited the organization of a Book Fair in Colombia in 1997, as an example of successful cooperation with WIPO, noting that the first-time presence of a WIPO stand at the 1997 Fair had gone far to demonstrate the importance of the Organization's role in promoting awareness of copyright and neighboring rights in Latin America. The Delegation hoped that

WIPO's support would continue, especially in the dissemination of information on copyright to children and young people, and in the fight against piracy of copyrighted works. Awareness-building was also a key point in this respect. The Delegation requested WIPO to keep supporting the work of Colombian universities, in particular by financing the missions of foreign teachers.

33. The Delegation of Pakistan expressed its country's appreciation of WIPO's contribution to the strengthening of its intellectual property institutions and laws and looked forward to an intensification of that cooperation, especially within the framework of the WIPO country projects that had been referred to by the Director General elect. With respect to WIPO's activities, the Delegation mentioned that, from a developing country perspective, consensus-building for initiatives in norm-setting was an area that needed strengthening. In its opinion, a limited legal approach was insufficient when work was initiated on strengthening existing norms or introducing new ones. Rather, WIPO should seek to provide information and analyses regarding the broader economic and developmental implications of new normative initiatives. Such an approach would help all WIPO member States to construct national regimes that would have the greatest positive effect on development. It would also result in the adoption of international legal instruments that member States would ratify rapidly.

34. The Delegation of Madagascar declared itself pleased with the present collaboration with WIPO, which had to do with the fields of staff training, modernization of the Malagasy Industrial Property Office (OMAPI) and the updating of national legislation in line with the TRIPS Agreement. The Delegation mentioned the activities that had been discussed with the Government recently in the course of the WIPO mission to Madagascar, and in particular the holding of a national seminar in November 1997, the awareness campaign for the benefit of intellectual property operatives in the provinces, the organization of training activities in 1998, the preparation of a project for the modernization of OMAPI, the preparatory work on certain law and treaty texts to be submitted to Parliament for ratification, the forthcoming creation of a National Association for the Promotion of Inventions and the continuing supply of computer hardware intended for OMAPI. The Delegation finally expressed the wish that the cooperation with WIPO and the latter's assistance might be further increased in the future and also extended to other areas.

35. The Delegation of the former Yugoslav Republic of Macedonia noted the intensification of its country's activities in the promotion and protection of intellectual property which had resulted, *inter alia*, in the country's ratification of the Agreement on the Extension of the European Patent. Its country had started to benefit from the RIPP program, which was part of the European Union's PHARE program, and two seminars on European patent law and trademarks, respectively, had been organized within its framework. As regards multilateral agreements in the field of intellectual property, The former Yugoslav Republic of Macedonia had, during the reporting period, ratified the European Convention Relating to the Formalities Required for Patent Applications, the Convention on the Unification of Certain Points of Substantive Law on Patents for Invention, the Hague Agreement, the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome Convention) and the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (Phonograms Convention). Turning to the WIPO World Symposium on Broadcasting, New Communication Technologies and Intellectual Property, held in Manila in April 1997, the Delegation expressed its country's

support for the proposal that funds be included in the budget for the next biennium sufficient to enable the recommendations of that Symposium to be realized. With regard to technical cooperation, it underlined the ongoing cooperation with the national industrial property offices of Croatia, Hungary and Slovenia and expressed its gratitude for the assistance received from the EPO, the United States Patent and Trademark Office (USPTO), the Hungarian Bureau for the Protection of Authors' Rights and the German Patent Office. As concerns domestic legislation, it noted that revised Regulations for the Recognition of Patent and Industrial Designs Rights had been adopted and amendments to the Law on Topographies of Integrated Circuits were before Parliament. The ongoing modernization of the national Industrial Property Protection Office had contributed to an increase in the number of industrial property titles granted by that Office. Inventors from countries in transition had an important contribution to make, and the Grand Prix at the World Invention Exhibition "Brussels EUREKA '96" had been awarded to a Macedonian inventor. With respect to copyright and neighboring rights, the Ministry of Culture had established a special unit to oversee the implementation of legislation in that area and improve coordination with, *inter alia*, judicial and customs authorities.

36. The Delegation of Senegal highlighted the cooperation activities that had benefited its Government in the course of the period under review, especially the seminar organized by WIPO in March 1997 for more than 150 people on the protection of intellectual property and more specifically on procedure and sanctions for intellectual property offenses. In the field of industrial property, the Delegation mentioned that a number of Senegalese nationals had taken part in training sessions organized at the regional level by WIPO. It also described briefly the national project devised by WIPO for the supply of computer hardware, the training of officials and teaching staff in the field of intellectual property and inventor support, among other things. The Delegation mentioned that in December 1997 Senegal would be acting as host to the first African Invention and Technological Innovation Fair, an event organized by OAPI in cooperation with the Senegalese Government and with WIPO assistance. With regard to normative activity, the Delegation of Senegal expressed pleasure at the adoption in December 1996 of the WCT and the WPPT. As for the matter of the adoption of a treaty on the settlement of disputes in the field of intellectual property, the Delegation emphasized the need for additional study in order that all the legal implications and possible relations with WTO machinery might be covered. The Delegation of Senegal underlined its great interest in the protection of expressions of folklore, and announced its full support for the Phuket Plan of Action. Recalling that the position of performers in relation to audiovisual performances had not been reconsidered since 1961, and that in the meantime new technology had made new forms of use available, it pointed out that the distinction between sound performances and audiovisual performances was of no interest to the owners of rights.

37. The Delegation of Egypt expressed its gratitude for the activities that WIPO had undertaken for Arab countries in the period under review, which had included a number of national and regional seminars held in Cairo in the areas of the implications of the TRIPS Agreement for developing countries, the teaching of intellectual property laws, and trademark administration. As certain intellectual property issues were rather new to some Arab countries, the continuation of such support was vital, especially in the areas of training, modernization of national intellectual property offices and the drafting of national legislation. Such activities, by contributing to strengthening intellectual property protection in Arab countries would help speed up social, cultural and economic development by creating an environment attractive to

investment and foreign capital and the transfer of modern technology. Egypt supported increasing the funds for development cooperation allocated in the budget for the next biennium. Such an increase in resources was especially important at a time when developing countries were in the process of fulfilling their obligations under the provisions of the TRIPS Agreement. In that respect, the area of enforcement was of particular importance for which Egypt had requested the organization of a seminar in Cairo. Other areas that would benefit from additional funding included development of human resources, modernization of national offices and the provision of new technologies to enable developing countries to deal with the increasing number of patent and trademark registrations. The Delegation suggested that the establishment of a “follow-up” system with respect to technical cooperation would help to maximize results.

38. The Delegation of the Philippines expressed its satisfaction at the intensification of WIPO’s activities in development cooperation, norm-setting and international registration areas. The fact that the Organization’s budget for development cooperation for the current biennium had doubled was of particular importance, and it was to be hoped that a significant portion of the budget for the next biennium would be earmarked for such cooperation, especially in the light of the Director General elect’s reference to its importance as a means of tempering the disadvantageous effects of rapid technological change in developing countries. With respect to norm-setting activities, the Delegation stated that the WIPO World Symposium on Broadcasting, New Communication Technologies and Intellectual Property held, in 1997, in Manila, and at which the President of the Philippines delivered a keynote speech, was illustrative of the country’s commitment in that area. Regarding the protection of the rights of broadcasting organizations, its Government supported the convening, by WIPO, of a committee of experts, with the object of achieving international harmonization, and hoped to see the necessary resources for such an initiative reflected in the budget for the next biennium. Finally, the Delegation stated that its Government looked forward to the proposals of the Director General elect for the said budget that would allow the Organization to continue to adapt to changing circumstances.

39. The Delegation of Malaysia expressed its gratitude to WIPO for the assistance received in the past year, particularly with respect to the development of human resources and the modernization of the national intellectual property administration. It also thanked the EPO, the Japanese Patent Office and the Swiss Federal Institute of Intellectual Property for the training of Malaysian officials in various areas, and expressed its appreciation for the training and advisory missions from which Malaysia had benefited under the WIPO-Japan funds-in-trust arrangement. The Delegation also thanked WIPO for its assistance in respect of the computerization of the national patent and trademark systems. That computerization was due to be completed in November 1997, and included the installation of a computerized search system for figurative marks, which Malaysia would be the first country in the world to receive from WIPO. Also Malaysia would be the first non-European country to use the so-called “common software” for the administration and management of patent and trademark applications developed by the EPO.

40. The Delegation of Mexico expressed its gratitude for the assistance it had received from WIPO during the period under consideration. It reiterated its country’s interest that in the future, specific national, regional and international programs be developed that correspond to a global strategy. WIPO was called upon to make additional efforts in the modernizing and

consolidating of national intellectual property systems enabling developing countries to make the best use of the benefits offered by intellectual property in the context of globalization. The Delegation expressed its strong support for the continuation of the norm-setting activities exclusively under the umbrella of this Organization and for the early adoption of new international provisions for the protection of performers in audiovisual works, of databases, folklore in the widest definition of the concept, and broadcasting organizations, and informed the other Delegations that a law providing protection for all these matters had been adopted by Mexico in December 1996. Noting that the second point for consideration under item 5 was the interim financial statement for 1996, the Delegation noted the information provided by WIPO in that report and stated that it considered it appropriate that the outgoing Director General should submit before December 1, 1997, an advanced performance report of activities and a general financial statement for 1996-97 of the Organization. Finally, the Delegation noted the content of the document on arrears in contributions.

41. The Delegation of Venezuela expressed its gratitude for the assistance received from WIPO for the continued modernization of its intellectual property system. It mentioned that its Government had requested the Secretariat of the Andean Community to start negotiations among Andean countries to amend Decision 344 of the Commission of the Cartagena Agreement. It added that a draft industrial property law had been submitted to Parliament to complement Andean legislation on matters of enforcement, and that the Parliament was also considering a draft law to reform the customs system, with a specific chapter on enforcement of intellectual property rights. It also stated that, in March 1997, a new autonomous service of intellectual property had been established under the Ministry of Commerce to cover both industrial property and copyright matters. The Delegation further expressed its gratitude for the support received from WIPO in respect of the postgraduate program in intellectual property conducted by the University de Los Andes, the first of its kind in Latin America. It also stressed the creation of a special antipiracy unit under an agreement between the national copyright authority and the judiciary police of Venezuela. Finally, it supported the proposal of the Delegation of Uruguay to continue the project for the production of the DOPALES PRIMERAS CD-ROM.

42. The Delegation of Denmark noted with appreciation the work carried out by WIPO in respect of norm-setting activities (particularly in respect of the proposed Patent Law Treaty), issues concerning the Internet and domain names, and within the framework of the WIPO-WTO Agreement. As concerns the Danish Patent Office, the Delegation mentioned that it was undergoing a major process of modernization, taking full advantage of the new opportunities offered by information technology to better meet users' needs. In that context, legislative amendments were being prepared by the Government in different areas to make it possible for the Office to receive applications electronically, and a bill would be introduced and, it was hoped, adopted next fall. The Delegation also expressed its satisfaction with the fact that WIPO also focused on the use of information technology, stated that it would follow its work for establishing a global network with interest, and referred to the proposals contained on the subject in the European Commission's Green Paper on the Community Patent and the Patent System in Europe, as well as to the resolution that the World Congress of the International Federation of Industrial Property Attorneys (FICPI), held in early September in Copenhagen, had adopted regarding the exploitation of the new electronic possibilities for decentralizing patent operations. The Delegation recommended that these possibilities be further analyzed.

43. The Delegation of Bangladesh expressed its appreciation for the support given by WIPO in improving human resources, developing the infrastructure and in the drafting and revision of its legislation. It confirmed that it had made considerable efforts to promote awareness of intellectual property rights and comply with its obligations under the TRIPS Agreement. It informed that its Government was considering accession to the Berne Convention and that it was prepared to host a regional seminar on copyright in 1998, with the assistance of WIPO. The Delegation requested that least developed countries be targeted for additional assistance, and that WIPO prepare a special program that would provide for human resource development, infrastructure building, the drafting and revision of legislation, the heightening of public awareness about intellectual property rights, and the creation of societies and organizations to effectively protect such rights. It stressed the importance of building a good technological base, and requested the new Director General to devise ways and means to encourage developed countries to transfer technology to the least developed countries under WIPO's development cooperation program. Finally, the Delegation requested that WIPO organize a session of the WIPO Academy on Intellectual Property for officials of least developed countries.

44. The Delegation of Cuba expressed its appreciation to WIPO for the cooperation received during the reporting period. It stated that, as regards industrial property, Cuba had acceded to the PCT (a national PCT seminar had been held with WIPO's assistance) and was considering accession to the Hague and Locarno Agreements. A draft law on marks and distinctive signs was under examination. The Delegation supported the statement by the Delegation of Uruguay on the importance of continuing the project for the production of the DOPALES PRIMERAS CD-ROM. It added that Cuban inventors had been awarded medals in both the Brussels and Geneva Convention fairs, a graduate program on industrial property was being established in coordination with the University of Alicante (Spain), and several national workshops had been organized, including for the judiciary, industrial property attorneys and enforcement officials. Also, a CD-ROM on inventions by Cuban women had been issued and the Cuban Industrial Property Office had established, as of July 1997, its homepage on the Internet. On the international level, the Delegation stressed that its country attached the greatest importance to the conclusion of the proposed Treaty on the Settlement of Intellectual Property Disputes Between States and the proposed Patent Law Treaty. In the copyright area, it recalled that Cuba had acceded to the Berne Convention in February 1997, and was also working on the modernization of national legislation on copyright to bring it into conformity with international standards. Regarding the protection of folklore, the Delegation expressed its support of the Phuket Plan of Action and invited WIPO to convene a committee of experts on the matter. Regarding future activities, it solicited the continuation of projects for the modernization and computerization of national legislative and administrative infrastructure, the development of human resources and the provision of financial support for the participation of developing country officials in relevant WIPO meetings and committees of experts.

45. The Delegation of Nigeria expressed its satisfaction with the activities carried out by WIPO during the last two years. Regarding the forthcoming biennium, it requested WIPO's increased assistance in staff training, particularly through the attachment of police, customs and copyright inspectors to intellectual property organizations in countries where enforcement of property rights was known to be effective. The Delegation also requested WIPO to increase the number of long-term fellowships for developing country officials. Regarding institution building, the Delegation stated that an intellectual property institute was being established in

Nigeria, to provide research, conference and other facilities for the development of intellectual property in the country, as well as to serve as a possible WIPO training center for the West Africa region. The Delegation stated its desire to see this initiative covered under a WIPO country project in the next biennium. In respect of the collective administration of rights of authors, it requested the increased support of WIPO to authors' societies in the music and reprography industries through further training, provision of equipment, office modernization and computerization, and the establishment of a computer network system connecting authors' societies with the police, customs and antipiracy committees. In that connection, the Delegation recommended the inclusion of a copyright component in the WIPO country project for the modernization of its Registry of Trade Marks, Patents and Designs. Finally, the Delegation expressed its full support of the Phuket Plan of Action as well as the continuation of work on the protection of performances of audiovisual works and databases.

46. After having thanked the International Bureau for the backing and assistance given to its country in the course of recent years, the Delegation of Côte d'Ivoire expressed the wish for the establishment of proper structures for the evaluation of WIPO activities which would make it possible to manage its human and financial resources better. Referring to the project for the creation of a World Intellectual Property Academy, mentioned by the Director General elect, the Delegation wished that the Academy might be a place for policy-making in the field of intellectual property cooperation. Referring to the question of folklore, the Delegation said that its country wanted the General Assembly to adopt the Plan of Action drawn up at Phuket, which should make it possible to bring about a treaty to ensure the effective protection of African folklore. Finally it expressed the wish that the audiovisual question might be taken up by the General Assembly.

47. The Delegation of the European Patent Office (EPO) recalled that from its very beginning, the EPO had implemented a technical cooperation program aiming at making available to developing countries its expertise in patent granting procedures and patent office administration. That program had been implemented in close cooperation with WIPO. In that context, it also recalled that a bilateral agreement had been signed between the EPO and WIPO in 1987, and that in 1993, the Administrative Council of the EPO had decided to reduce fees for the international search and preliminary examination of PCT applications in favor of nationals from developing countries or countries in transition. It noted that over the 20 years of its existence, EPO's technical cooperation activities, jointly implemented with WIPO, had increased steadily, and that the EPO and WIPO met each year to set up an integrated program of joint activities, including training seminars in Europe and in recipient countries, study visits, expert advisory missions, on-the-job training, provision of CD-ROM products and computer hardware, and assistance in the field of computerization. By the end of 1997, the two Organizations would have jointly organized five training seminars and more than 20 expert missions in order to assist developing countries in the modernization of their industrial property systems. It added that the EC-ASEAN Patents and Trademarks Program which had just terminated in July 1997, was a major example of WIPO-EPO cooperation for the benefit of developing countries, and the same applied to programs jointly implemented for Central and Eastern Europe. In conclusion, the Delegation expressed the hope that the EPO development cooperation program would continue to increase and that, as in the past, WIPO would jointly implement part of this program.

48. The Delegation of Kyrgyzstan recalled that it was a new independent country in Central Asia, and that it had only had a system of intellectual property protection for four years.

A modern office for intellectual property protection had been set up in 1993, but in the area of copyright and neighboring rights, a number of tasks remained unsettled. Regarding national legislation, the Delegation informed that the Parliament was examining six bills on intellectual property (in the fields of patents, trademarks and copyright) and that it was hoped that they would be adopted by the end of the year. All the bills, it was stressed, complied with modern requirements, particularly the provisions of the TRIPS Agreement. The Delegation further recalled that its country had joined four WIPO-administered treaties, had signed the WCT and was preparing to join the Berne Union and certain classification treaties administered by WIPO. As regards particularly copyright and neighboring rights, it solicited WIPO's further assistance within the framework of the program and budget for the next biennium. It also expressed the wish that work continue to be made to improve the protection of well-known marks.

49. The Delegation of Yemen expressed its country's gratitude for the assistance provided by WIPO during the period under review in developing its intellectual property system, and noted that a national seminar on industrial property organized by WIPO would take place in the country in the near future. The Delegation expressed the wish that WIPO activities for Yemen in particular, and for Arab countries in general, be intensified. Such increased support would be crucial in improving the protection of intellectual property rights in Yemen and in encouraging the country's accession to international instruments in that field. The Delegation stressed the need to enhance the educational and public information role of WIPO, *inter alia*, through the holding of seminars and in preparing brochures explaining the benefits of adhering to various WIPO treaties. In order to encourage the participation of developing countries in international conferences, seminars and training courses, the Delegation proposed that WIPO should aim at covering the costs of travel and accommodation for at least one representative from each country.

50. The Delegation of Italy gave an account of the main legislative activity undertaken by the Italian Government in the intellectual property field during the period under review. In the field of patents, Italy had designated two international depositary authorities under the Budapest Treaty, namely the Advanced Biotechnology Center in Genoa and the Collection of Industrial Yeasts in Perugia. With regard to company marks, the Delegation mentioned the approval by Parliament of the law ratifying the Madrid Protocol, and announced that the approval required for the Regulations had been delegated to the Government. In 1996 Italy had tabled a draft legislative decree that would allow the owner of prior rights conflicting with a national trademark application or with an international registration to file opposition with the national Office. Italy had also embarked on preparatory studies for the draft legislation ratifying the Trademark Law Treaty in order that the instrument of ratification of the Treaty might be deposited at the same time as that of the Madrid Protocol. In the field of industrial designs, a law approved in December 1996 provided that they were protected either by copyright by virtue of their creation or by design registration. Moreover, a law approved in August 1997 had set the term of copyright for an industrial design at 15 years, in other words the same term as for design registration. As for copyright, the Delegation mentioned the recent amendments in Italian legislation, notably in the field of the harmonization of national provisions with EU directives on satellite broadcasting and cable distribution and on the term of protection of copyright and certain neighboring rights. The Delegation stated that Italy had been extremely pleased with the conclusion of the WCT and WPPT. Both treaties had already been signed, and their ratification was expected to occur within a very short time, subject to

possible EU commitments. Italy had also noted with pleasure the resumption of the work on the conclusion of two new treaties on the protection of performers in the audiovisual field and databases. In that connection Italy said that it was willing to cooperate in order to bring the work already undertaken to a rapid and satisfactory conclusion, and expressed the wish that the dates for the forthcoming meetings of the Committees of Experts on the subject might be set at the present session of the Governing Bodies. The Delegation of Italy finally announced that the Italian Government would place an associate expert at the disposal of WIPO for a two-year period at its own expense; the expert would be integrated in the structure of the Organization in Geneva, and the move was to be looked upon as further evidence of the Italian Government's determination to cooperate with WIPO.

51. The Delegation of Algeria remarked that the activities conducted by WIPO during the period under review concentrated on three areas concerned with normative activities, the exploitation of human resources and the international registration of marks respectively. With regard to normative activities, the Delegation pointed to its Government's participation in the work that had resulted in the adoption of the WCT and WPPT in December 1996, and informed the participants that its Government was going to complete the procedure of ratification of the treaties by the end of the current year. It mentioned also that its country was following with interest the progress of the debate on audiovisual performances with a view to correcting the content of those provisions that were particularly unfavorable to performers whose performances were incorporated in audiovisual works. In that connection, its country had taken part in the work of the Committee of Experts dealing with the question, and supported the effort to deal comprehensively with matter such as the nature of the rights, their scope, the duration of protection, sanctions for the violation of rights and national treatment. In that connection also, the Delegation considered that the conclusions adopted by the Committee of Experts regarding the establishment of a calendar that would allow all States and the EEC to submit proposals on the above questions before January 15, 1998, the presentation by the International Bureau of an improved document containing the proposals made by the various States, and the convening of a second session of the Committee of Experts by June 8, 1998, at the latest, were a sufficient base on which to achieve the widest possible consensus in favor of considering the drafting of a Protocol to the WPPT. With regard to the *sui generis* protection of non-original databases, the Delegation recalled its country's stance at the last meeting on the subject, which was that, before an international instrument was drawn up on the *sui generis* protection of databases, it would be advisable to consider further the opportuneness of broadening the field of intellectual property to accommodate the protection of concepts such as the human and financial investment in databases. In this respect the Delegation reaffirmed its country's support for the opening of an internal debate in the countries concerned that would allow outstanding questions to mature before the International Bureau drew up another consolidated document in September 1988. As for the drafting of a treaty on the settlement of disputes between States in the field of intellectual property, the Delegation announced that its country was in favor of the adoption of a treaty under the auspices of WIPO, and said in that connection that it would be a good idea if WIPO were to undertake a study to identify possible links between the new dispute-settlement machinery that WIPO proposed to administer and the machinery already in operation within the WTO. The Delegation also mentioned that, like other countries, Algeria was not yet a member of the WTO, and that intellectual property disputes could not be confined to trade-related aspects alone; it observed moreover that the treaties adopted in the course of the Diplomatic Conference in December 1996 covered aspects that did not figure in the TRIPS Agreement.

Finally, it said that the drafting of a treaty under the auspices of WIPO would enable the latter to remain fully competent both in the matter of norm-setting and in contentious matters. With regard to the protection of expressions of folklore, the Delegation endorsed the resolution of the Phuket World Forum that called upon WIPO to consider engaging in consultations at the regional level and advocated the appointment of a Committee of Experts. With regard to the exploitation of human resources, the Delegation noted the substantial effort made by WIPO, notably in the form of national and regional training work, and expressed the wish that a still greater effort might be made in the course of the next biennium. As for the international registration of marks, the Delegation showed increased interest in the international system for the classification of marks in that it would bring about a simplification of registration procedures. In that respect Algeria supported the proposal to reformulate the amendments to Rules 9, 18 and 20 of the Regulations under the Madrid Agreement. In conclusion, the Delegation gave its support to the International Bureau recommendation that the new Director General be given sufficient time to prepare his draft program and budget for the 1998-1999 biennium, and endorsed the proposal according to which the contributions of States for the 1998-1999 biennium should be kept at the same level as for the 1996-1997 biennium. It also subscribed to the proposal that consideration of the premises question be deferred to allow the new Director General to reconsider the whole range of the Organization's needs in that respect, and to submit appropriate solutions to the next session of the Governing Bodies.

52. The Delegation of Belarus reported that, with the support of WIPO, its country had set up a national patent system and that basic legislation was in place to provide for the protection of industrial property and copyright and neighboring rights. This included a recently adopted Utility Models Law, the Integrated Circuits Law and the Trade Names Law which were being examined by Parliament, and the preparation of two draft laws on the protection of appellations of origin, denominations of origin and protection of computer programs and databases. In addition, the introduction of one set of fees for both foreign and domestic applicants was under consideration. The Delegation also pointed out that a new Civil Code had been adopted in Belarus, and that under it everyone was guaranteed the right to own property and could use such property for private enterprise. The Delegation stressed that this legislation created new opportunities for productivity and creativity in Belarus. The Delegation emphasized that there had been a growth in applications for patents, a third of which had been submitted by independent inventors. The Delegation reported that computerizing the patent processing procedures had been started with the assistance of WIPO and the EPO. The Delegation thanked the Governments of Austria, France, Germany, Japan, the Russian Federation and the United States of America for responding to their request for information on CD-ROMs. The Delegation reported that Belarus had acceded to the Berne Convention with effect as of December 19, 1997. The Delegation also announced the intention of Belarus to accede to the Locarno, Nice and Strasbourg Agreements, whilst preparations had already advanced for accession to the Madrid Protocol. The Delegation confirmed that Belarus was one of the countries that would benefit from a study by WIPO on the consequences of countries in transition joining the WTO. The Delegation specifically requested help from WIPO for the training of senior personnel and hoped that a seminar on intellectual property rights might take place in Minsk next year. The Delegation also requested that increased financial help be given to former Soviet States with economies in transition.

53. The Delegation of the Republic of Korea expressed its satisfaction with WIPO's development cooperation activities and their contribution to the harmonization of intellectual

property systems of developing and developed countries, with special emphasis on the adoption of the WCT and the WPPT, and the preparation of new international standards in the field of industrial property. The Delegation reported that the Korean Industrial Property Office (KIPO) had been appointed as an International Searching Authority and International Preliminary Examining Authority under the PCT at the 24th session of the PCT Union Assembly held the previous week, and expressed its gratitude for the support received from WIPO and the various countries involved in that respect. The Delegation noted that, in August 1996, its country had acceded to the Berne Convention. It also drew attention to the WIPO Asian Regional Seminar on the Implications of the TRIPS Agreement for Enterprises held in November 1996 at the International Intellectual Property Training Institute (IIPTI), a sub-organization of KIPO, and the WIPO International Forum on the Implications of the TRIPS Agreement for Intellectual Property Systems held in May 1997, also at IIPTI, to celebrate the 10th anniversary of the Institute. It also noted that a WIPO National Seminar on Digital Technology and the New WIPO Treaties was scheduled to take place in Seoul in October 1997. It stressed that in hosting the WIPO regional meetings, KIPO shouldered about 40% of the total costs, and that its country wished to continue to expand the role of the IIPTI as one of the leading intellectual property training institutes in the Asian-Pacific region. On the domestic front, the Delegation noted that, due to the rapid increase in industrial property applications, the reduction of the time taken for examination had become one of KIPO's priorities, and described in detail the various measures adopted by KIPO in that context, including increasing the number of examiners, improving their training, reforming the examination system and developing computer-aided search systems. It stated, in particular, that KIPO would introduce such reforms as the non-substantive examination system for utility models, as well as the electronic filing system which would permit an applicant to file an application on a floppy-disk or online with a view to reducing the examination period. It announced that the Republic of Korea planned to introduce a three-dimensional trademark system as well as a multiple classification system. With respect to industrial designs, a non-examination system for some kinds of goods that had a short life-cycle would be introduced, and a multiple application system permitting an applicant to file up to 20 designs per application was also foreseen, as well as the extension of the term of protection for design rights from 10 to 15 years. The Delegation finally mentioned that the Korean Patent Court would be established in March 1998 under the Supreme Court, and that at the same time KIPO's present Trial Board and Appellate Trial Board would be merged into the Patent Trial Tribunal within KIPO.

54. The Delegation of the United Kingdom congratulated WIPO for its organization of the Diplomatic Conference in December 1996, and said that it was grateful to have been involved in the successful negotiation of the two new treaties adopted by it. It also thanked the International Bureau and host countries for the successful forums on folklore and broadcasters rights held in 1997. Furthermore, the Delegation stressed that additional work in the area of copyright, and notably the protection of databases, had to be maintained. As regards the PCT, the Delegation emphasized that the continued increase in applications for international registration was an indication of the value of the system and that its Government was pleased to contribute to the revision of its Regulations. The Delegation noted with satisfaction the progress made toward a new patent law treaty and that it looked forward to the discussions moving swiftly toward a diplomatic conference. Concerning the Patent Office, the Delegation emphasized the latter's dedication to customer care, with special training of its staff to achieve this end, and the hope that the Office would become a member of a United Kingdom scheme

for excellence in this area during 1998. It added that the good financial situation of the Patent Office had enabled it to reduce its fees significantly. Record levels of trademark applications in the United Kingdom fell by around 12 per cent when the European Community Trade Mark Office opened, but these had since recovered to reach new records once again. The Delegation reported that the Patent Office had introduced a new fast-track system that allowed applicants seeking a rapid grant of patent rights to opt for search and examination to be performed at the same time. This had proved successful and patent rights in the United Kingdom could be granted within one year of applying. Standard applicants usually received the results of examination within eight weeks of filing. The Delegation underlined the United Kingdom's commitment to information technology as a means of increasing efficiency. Some of the Patent Office's customers paid renewal fees electronically and an automated inquiry service had been introduced. The Patent Office's web site was successfully launched in May. The Delegation announced that progress had been maintained in the MIPEX (*Message Based Industrial Property EXchange*) project. It stated that it expected that this project would develop standards on the secure exchange of electronic information between patent offices, and between offices and applicants. It also stated that discussions in the EU had progressed, and that rules and procedures that would enable the Community Trade Mark Office to join the Madrid Protocol were underway. It noted with pleasure that a number of other delegations had, in their interventions, declared that they were about to become members of the Protocol. It stated that the Madrid system, now augmented by the Protocol, had the potential of the PCT, and urged member States to join it as soon as possible so as to provide industry with the international registration system it deserved. In addition, the Delegation stated that in the EU, discussions were underway to harmonize patent laws with regard to biotechnological inventions. In the same vein, the European Parliament was considering a final draft of a directive to harmonize design laws in member States. The Delegation stressed that the Patent Office had cooperated closely with WIPO in 1997, in particular when it hosted the ARIPO Conference in March. On the bilateral level, it reported that a cooperation agreement had been signed with the Chinese Patent Office, experts from the Patent Office had visited Pakistan to assist in the introduction of new computer systems, and another group of experts from the Patent Office had visited Malaysia as part of the EC-ASEAN program.

55. The Delegation of Mali expressed pleasure at the effort made by WIPO in connection with training, especially in the form of the holding of seminars on intellectual property subjects. In that respect the Delegation mentioned the proposed organization in Mali in November 1997 of an African regional seminar on distinctive signs. With regard to normative activity, the Delegation expressed its satisfaction with the results achieved at the last WIPO Diplomatic Conference on Copyright and Neighboring Rights. Mali was aware of the place of folklore in African culture in general and Malian culture in particular, and it endorsed the proposal made by Ghana regarding the drafting of international legal provisions for folklore protection, and gave full support to the Plan of Action promulgated by the World Forum on Folklore Protection which took place in Thailand in April 1997. On the subject of development cooperation activities, the Delegation expressed its Government's thanks to WIPO for its contribution to the promotion of intellectual property in Mali. Finally, it expressed the wish that WIPO continue and intensify its development cooperation program, and that additional financial resources be set aside for the purpose.

56. The Delegation of Benin expressed its Government's gratitude to WIPO for the constant material, technical and financial assistance given it, notably in training and awareness activities

and also in the supply of equipment. The Delegation mentioned in particular the African Regional Colloquium organized by WIPO in Cotonou in April 1997 on the implications of the TRIPS Agreement. In the spirit of the recommendations that emerged from the Colloquium, the Government planned to organize a round table shortly on the subject of counterfeiting, which would be addressed to consumers, traders and industrialists and also to economic enforcement agencies, customs officials and magistrates. The Delegation likewise wanted WIPO support for the creation of a special industrial property development program for the benefit of Benin, the organization of a training seminar for industrial property trainers and the acquisition of a facsimile machine. In the field of copyright, the Delegation mentioned that WIPO assistance had been provided in several areas of activity, including the participation of national executives in seminars and training courses held abroad, the organization of a national copyright seminar in Cotonou, the sending to Benin of an expert mission for the computerization of the national copyright management organization. The Delegation pointed to the impact that the assistance had had on the authorities, which were becoming more and more conscious of the concerns of authors. As for the owners of rights, they were understanding better and better the need to have those rights protected and to defend them. With regard to the fight against piracy, Benin had organized a regional meeting of specialists involved in this important field in February 1997. Among the resolutions adopted, the Delegation mentioned the establishment in each participating country of a national action committee against piracy. The Delegation also drew WIPO's attention to the copyright field, so that it might face up to the new challenges of literary and artistic property protection presented by the development of technology. In that connection the Government would like WIPO to act rapidly to adopt a proper program specifically for the development of copyright and neighboring rights in Benin, which would be concerned with such activities as computerization, training and the updating and modernization of national legislation. The Delegation finally underlined the importance to a country of folklore protection, and expressed the wish that, in a forthcoming program, WIPO might give the subject a privileged position with a view to establishing an appropriate legal statute. The Delegation also asked for WIPO assistance for the organization in Cotonou, in the course of 1998, of a national seminar on the rights and obligations of authors, performers and other owners of intellectual property rights.

57. The Delegation of Burkina Faso noted that WIPO cooperation with its country had increased during the period under review. Among the activities that had to do with industrial property, the Delegation mentioned the organization of national awareness and training seminars for the benefit of magistrates, university staff and business people, the holding of an invention and innovation fair and the organization of regional seminars for French-speaking African States. As for copyright and neighboring rights, WIPO's dealings with Burkina Faso concerned mainly the exploitation of human resources, the formulation of a draft law on copyright and neighboring rights to accommodate the protection of the cultural heritage, and the strengthening of the national agency responsible for the collective management of copyright, the structure of which was entirely computerized at present, making for a considerable improvement in the services offered to users and also to counterparts in French-speaking and English-speaking Africa. As for the priorities for WIPO cooperation in the coming biennium, the Delegation mentioned the grant of long-term intellectual property fellowships, the strengthening of the national industrial property service by means of training activities and the supply of equipment, the alerting of economic operators to the TRIPS Agreement, the promotion of invention and innovation, the introduction of evaluation systems to determine the impact of intellectual property law on the national economy, the creation of

a data bank on expressions of folklore, the training of civil servants, support for the implementation of collective management for performers' rights, and support for the fight against the pirating of works. As for action to be taken at the international level, the Delegation recommended the implementation of the Phuket Plan of Action with respect to the need for specific protection of expressions of folklore, the continuation of the debate on broadcasting rights, the continuation of the work of the Committee of Experts on audiovisual performances and databases and the introduction of a system for evaluating action undertaken in the country, in order that available resources might be used in the most rational way possible.

58. The Delegation of Kenya mentioned that, since 1989, its country had embarked on the task of amending its intellectual property legislation with a view to complying with international standards. It expressed its gratitude to WIPO for the assistance received in the revision of the Copyright Act and the Trade Marks Act, which would be now further amended in order to conform fully with the TRIPS Agreement. A new industrial property bill had been drafted in 1997 in full conformity with the provisions of that Agreement. The Delegation also expressed its gratitude to WIPO for the assistance received in the training of staff and requested the Organization to consider increasing the number of long-term fellowships on intellectual property at master and doctorate degree levels for developing country officials. The Delegation informed that during the last biennium the Kenya Industrial Property Office had been modernized in terms of physical facilities and equipment. It also stressed that the WIPO country project for Kenya was being implemented and highly commended the International Bureau for such an initiative. On the domestic level, it mentioned that in the last biennium the Office had started a very active education and outreach program which endeavored to create awareness on issues of industrial property protection and promote inventiveness and innovation in Kenya. Also in this respect, the support of WIPO had been crucial. It added that a Documentation and Information Centre had been established within the Office, also with the assistance of WIPO. Regarding copyright, the Delegation stated that valuable assistance had been received from WIPO to modernize the Copyright Office, the national collective administration office and the Music Copyright Society of Kenya, particularly through training of personnel, and stressed that also judges and magistrates, and police and customs officials needed to be trained for an effective enforcement of copyright within Kenya's borders. Turning to intellectual property norm-setting, the Delegation recalled that Kenya had been one of the first signatories to the WCT and the WPPT, and that amendments to national legislation were being drafted to prepare the accession of the country to the said Treaties, hopefully in 1998. With respect to the proposed Treaty on the Settlement of Intellectual Property Disputes Between States, the Delegation felt that more discussions were needed, as well as clarifications on the implications on the proposed WIPO Treaty of the already existing WTO dispute settlement system.

59. The Delegation of Portugal thanked the Director General for the support given in the form of cooperation activities with Portuguese-speaking African countries. In the course of 1996 and the first six months of 1997, high-level missions had been organized by WIPO in collaboration with the National Institute of Industrial Property (INPI) and the Governments of Angola, Cape Verde, Guinea-Bissau and Mozambique, with a mission to Sao Tome and Principe already scheduled for October. In that connection the joint WIPO-INPI Delegation had had the opportunity to engage in talks with the responsible officials in each of the countries in question. In the course of those missions, round tables or seminars had also been organized

with the participation of representatives of industry, universities and the civil service. The Delegation pointed out that the results of that cooperation, which also reflected the efforts of the countries concerned, were already visible and substantial. The Delegation had for instance been very pleased to note that the budgetary funds set aside by the Organization for development cooperation in the 1996-1997 biennium had been doubled in relation to the 1994-1995 period, and it expressed the wish that the provision might be increased still further in the 1998-1999 budget. Part of the increase could moreover be achieved in the form of specific projects, notably in cooperation with other organizations specialized in industrial property. The Delegation said that Portugal had provided and would continue to provide, free of charge, copies of patent documents to improve access to technological information for developing countries. As far as normative activities were concerned, the Delegation wished to see rapid intervention on the part of WIPO in order that current work might be completed as soon as possible. The Delegation also gave assurances that Portugal would continue to take an active part in the meetings of working groups and committees of experts. Finally, with regard to international registration activities, the Delegation was pleased to note the progressive increase in membership at each meeting, which was a good indicator of the dynamic growth of the Organization. In the course of the period under review, Portugal had ratified the Madrid Protocol and acceded to the Budapest Treaty, which placed it among the States members of the largest number of WIPO-administered Unions.

60. The Delegation of Norway expressed its appreciation for the way in which WIPO's documents and activities had been carried out and expected that these would be further developed under the new Director General. With respect to information technology, the Delegation was looking forward with the highest interest and expectations to the follow-up of the recommendations made by the first session of the WIPO Working Group on Information Technologies for Intellectual Property and stated that this work should be given top priority among WIPO's activities. As regards staff, the Delegation noted with satisfaction that WIPO had stressed the importance of women in professional and higher categories, underlined the significance of pursuing this goal and welcomed further information on the developments in the last year and the expectations for the years to come. The Delegation expressed concern on the lack of a program and budget proposal so close to the next budgetary period. In the copyright field, the Delegation stated that important results had been reached with the adoption, in December 1996, of the WCT and the WPPT, but stressed that further steps would be taken in respect of the rights of audiovisual performers, *sui generis* protection of databases and adjustments to the rights of broadcasters. Concerning development cooperation, the Delegation stated that Norway would continue to carry out a certain number of requests for novelty searches of innovations from residents of developing countries free of charge. With respect to international registrations, the Delegation expressed its satisfaction with the current development of the PCT. Norway had acceded to the Madrid Protocol on April 1, 1996, and already noted that approximately 30% of trademark applications filed were Madrid Protocol designations. The Delegation expressed its satisfaction with the plan to make available the various WIPO classifications in electronic form. The proposal to limit the Nice Classification services was acceptable, more than compensated by a corresponding increase in services in the information technology area. The Delegation noted the success of, and appreciated, WIPO's Internet home page and the ease with which documents could be made available through it. The Delegation also commended the cooperation activities with the WTO resulting in the dissemination of intellectual property laws and regulations and their bibliographic data. To conclude, the Delegation informed the meeting that as intellectual property in Norway moved

toward becoming customer-oriented, they had, in the last few years, made a two-step reduction in patent fees.

61. The Delegation of Romania mentioned the considerable legislative progress achieved by its country during the period under review, including the enactment of a new law on trademarks and geographical indications, the law on the ratification of the Madrid Protocol and the laws on accession to the Trademark Law Treaty and the International Classifications (Nice, Vienna, Strasbourg and Locarno). The Delegation announced also that Romania would shortly be depositing its application for accession to the European Patent Convention. Since October 1996, pursuant to a cooperation agreement with the EPO, Romania had extended the validity of the European patent to its own territory, which had qualified it to take part as an observer in the EPO Administrative Council from December 1996 onwards. The Delegation said also that Romania intended to accede to the Budapest Treaty before the end of 1997. As far as copyright and neighboring rights were concerned, the Delegation mentioned the part played by WIPO in the drafting of a new law on the subject, which had entered into force in June 1996. The Delegation further announced that Romania was in the process of adopting draft legislation on its accession to the Paris Act of the Berne Convention and to the Rome and Geneva Conventions. It went on to say that its country intended to ratify the WCT and WPPT before the end of 1997. Finally, the Delegation gave its support to the holding in 1998 of meetings of committees of experts on the subjects of broadcasting, database protection and audiovisual productions.

62. The Delegation of Argentina stated that its country supported the early convocation, by WIPO, of a committee of experts on the rights of broadcasting organizations. It stated that following the adoption of the WPPT, the protection of performers and producers of phonograms had been satisfactorily revised, but the same was not true for broadcasting organizations, which were now in a disadvantageous position in relation to performers and producers of phonograms. It mentioned that broadcasting emissions are, and can be circulated in the information highways and put at the disposal of the public by "on demand" services, and that in this era of universalization and global diffusion of works, performances and phonograms, the respective rightholders had already obtained a reasonable level of international legal protection, but the same was not true for broadcasting organizations. In this regard, the Delegation pointed out that in the current information age, the most recent international instrument of protection for broadcasting organizations, the Rome Convention, dated back to 1961, and that the provisions of the TRIPS Agreement were virtually repeating the regime established under that Convention. As a consequence, it stressed that for equity reasons, it was necessary to create, as early as possible, a committee of experts to update the protection of broadcasting organizations.

63. The Delegation of Brazil expressed its gratitude to WIPO for the assistance received in the last biennium concerning norm-setting. The Delegation stated that Brazil supported the early negotiation and adoption of the proposed Treaty on the Settlement of Intellectual Property Disputes Between States, and continuing negotiations on the protection of audiovisual works and folklore. In the latter respect, the Delegation proposed to extend the scope of protection of folklore to traditional know-how. Finally, with regard to databases, the Delegation recalled that Brazil had not supported the adoption of a treaty on intellectual property protection of databases which are not original, but that its Government did not object

to the continuation of negotiations on this issue, on the basis of the recommendations of the meeting held the previous week at WIPO on the matter.

64. The Delegation of Democratic People's Republic of Korea commented very favorably on WIPO's policy of development aid in the field of intellectual property. The Delegation considered that the conclusion of new international treaties on intellectual property matters was one of the fundamental activities of WIPO. It expressed the wish that work on the conclusion of new intellectual property agreements might be speeded up. In recent years the Democratic People's Republic of Korea had made remarkable progress in the various field of intellectual property. The Delegation mentioned the importance of developing scientific technique and encouraging initiative and innovation and also the participation of inventors in national and international exhibitions. The Delegation announced moreover that some progress had been achieved, thanks to cooperation with WIPO, in the modernization of the national system for the administration of industrial property, notably with respect to the examination of patent applications and the patent information service. In addition, WIPO had started in 1997 to carry out a project for the modernization of the national trademark and industrial designs system. Finally, the Delegation mentioned that its country had acceded to the Nice and Locarno Agreements in 1997.

65. The Delegation of Tunisia expressed pleasure at the quality of the cooperation that had always existed with WIPO. In the course of the period under review, that cooperation had been strengthened by Tunisia's adherence to the TRIPS Agreement. In that connection, the Delegation mentioned the efforts made by the International Bureau to bring about the implementation of the resolution adopted in Tunis by African trade ministers whereby the various organizations concerned were asked for technical assistance in the completion of the agreements. Tunisia, for its part, had established the Tunisian Copyright Protection Agency as part of the implementation of its new literary and artistic property legislation. At present, therefore, Tunisia had at its disposal the two instruments that were necessary for the successful conduct of its intellectual property work, namely the National Institute for Standardization and Industrial Property and the Copyright Protection Agency mentioned. In addition, Tunisia had initiated discussions with WIPO with a view to allowing the new Agency to benefit from International Bureau cooperation. The Delegation had been pleased to note the reception that the International Bureau had given it regarding the possibility of assistance in normative and training work, logistical support and also the provision of the necessary documentation. Reverting once again to the program address by Dr. Kamil Idris, the Delegation pointed out that its country subscribed totally to the areas of emphasis outlined in the address as a means of enabling the International Bureau to discharge its functions in a world characterized by globalization of the economy, rapid technological change and the importance of information technology, and that it regarded those factors as placing WIPO at the center of the challenges to be taken up by the international community. The Delegation considered that the visionary speech by Dr. Idris was capable of providing WIPO with the means of rising to those challenges and especially to the challenge of enabling developing countries to integrate better in the world economy. The Delegation concluded by emphasizing the Tunisian authorities' commitment to WIPO and to its work, and gave its support to Ghana's proposal on the subject of folklore protection.

66. The Delegation of Jordan expressed its appreciation for the development cooperation activities carried out by WIPO in the period under review and called for the allocation of

increased funds for the implementation of the said activities, particularly in the copyright and neighboring rights field. It stressed that Jordan was striving to give the greatest possible protection to intellectual property rights and that the protection of intellectual property was an incentive for the inventors and artists and it attracted investment. The Delegation informed the meeting that the Cabinet of Ministers had approved draft amendments to the Copyright Law, and forwarded them to the House of Parliament for discussion and approval. The said Amendments were designed to bring national legislation in line with the provisions of the Berne Convention and the TRIPS Agreement, and by bestowing on the Copyright Office the legal capacity to implement the Law, they gave to the said Office a greater role in fighting and eliminating piracy. It added that the University of Jordan in Amman was teaching intellectual property so as to prepare a generation of qualified lawyers in this field and that the concerned authorities had achieved, with WIPO's assistance, the modernization of industrial property laws, such as the Trademarks Law and the Patent Law. It added that Jordan was planning to establish a model office to administer copyright and neighboring rights, to become a regional center for the training of the staff in this field, and the Delegation hoped that WIPO would support this initiative. Regarding the protection of folklore and national heritage, it stated that its country was preparing studies in this field and supported the establishment of an international mechanism to protect that national cultural treasure. The Delegation also informed the meeting that Jordan was taking the necessary steps to accede to the Berne Convention. It concluded that the protection of intellectual property rights required the cooperation of all countries, with the help of WIPO and that, in such a process, due consideration should be taken of the specific interests, capabilities and needs of each country.

67. The Delegation of Malawi expressed its appreciation to WIPO for the provision of, *inter alia*, equipment and training, for having facilitated the attendance of officials at meetings, seminars and missions, as well as for the study carried out by WIPO on the compatibility of Malawi's legislation under the TRIPS Agreement and the TLT. The Delegation reported that an inter-ministerial committee with a sub-committee on the TRIPS Agreement had been formed. The Delegation reported that it had acceded to the Locarno, Nice and Strasbourg Classification Agreements. At the regional level, and within the framework of ARIPO, the Delegation stated that Malawi had ratified the Banjul Protocol. As regards copyright, the Delegation expressed its gratitude to WIPO for assisting Malawi, particularly through training, provision of equipment and advice on collective administration of copyright. Also, three law enforcement officers had been trained by the Copyright Society of Ghana under the auspices of WIPO. The Delegation noted with interest that the agenda of the current session of the Governing Bodies included consideration of conferring observer status to the Southern African Development Community (SADC) and reiterated its request that WIPO undertake a needs assessment survey to elaborate a detailed plan of action for SADC countries. The Delegation requested WIPO's financial and technical assistance in computerization of the industrial property and copyright offices and in the organization of a dynamic information and documentation service which would be responsive to needs of industry. With respect to WIPO-financed country projects, the Delegation requested that WIPO include Malawi in such projects in the near future. The Delegation fully supported WIPO's efforts to develop international instruments on the protection of folklore and audiovisual performances.

68. The Delegation of Trinidad and Tobago underscored the dramatic improvement in the protection and administration of intellectual property rights in its country, which now included all areas covered by the TRIPS Agreement. A project for the modernization of the Intellectual

Property Registry had been successfully completed, with assistance from WIPO and financed by a loan from the Inter-American Development Bank. It had included new industrial property legislation and the computerization of the administration of the intellectual property system. Legislation on the protection of new plant varieties and on copyright had also been enacted and would shortly enter into force. The Delegation expressed its appreciation for the WIPO seminars that had helped foster closer cooperation among the countries of the Caribbean region as well as providing invaluable technical information and looked forward to those continuing in the coming year. The Delegation thanked the many countries and organizations that had contributed to the development of intellectual property in its country through study visits, training programs, seminars and other forms of support. Trinidad and Tobago had, in its turn, and with the assistance of WIPO, hosted a meeting of Ministers responsible for intellectual property from 13 Caribbean countries to discuss technical and policy issues, the first such meeting to be held in the region. The Ministers had recommended, *inter alia*, that WIPO undertake a study on a regional approach to the collective administration of copyright, that it assist in establishing a group of experts to develop mechanisms to coordinate intellectual property systems in the region and that it convene a regional consultation meeting on the protection of folklore. With respect to the latter issue, Trinidad and Tobago, like other countries in the Caribbean region, was particularly rich in folk material, a resource that remained largely untapped, unprotected and at risk of exploitation. New technologies, to which many developing countries had limited access, had made the uncontrolled capture and dissemination of such folk material increasingly easy. The recommendations of the Caribbean Ministers on the question of folklore, therefore, took on a certain urgency. Accordingly, Trinidad and Tobago was prepared to host any international meeting on folklore and, in particular, a regional consultation meeting on the issue in the second half of 1998. Trinidad and Tobago attached great importance to the heightening of awareness of the benefits and obligations of intellectual property rights in all quarters and to that end would conduct, in the week of November 10 to 14, 1997, a national public education and sensitization program in the area of copyright for which it had received much assistance from the International Bureau. The Delegation said that its country looked forward to more States participating in the deliberations on further developments in the intellectual property field and to increasing its own contribution to discussions on technical cooperation within WIPO.

69. The Delegation of Cameroon stated that cooperation with the International Bureau had been intensified during the period under review, notably in the field of human resources. Cameroon experts had participated in several courses and seminars in the African region and the country had, in cooperation with WIPO and OAPI, organized a regional workshop for magistrates from OAPI countries. The Delegation expressed its gratitude for the invaluable contribution made by WIPO in the ongoing revision of the Bangui Agreement and its related instruments. With respect to the Phuket Plan of Action, Cameroon fully endorsed such an initiative, given the importance of folklore for developing countries, and requested the General Assembly of WIPO to adopt it for effective international protection in the domain.

70. The Delegation of Uzbekistan expressed its gratitude to the International Bureau for its help in the setting up of its country's intellectual property system. It noted that measures would be taken over the next few years to strengthen the intellectual property system in Central Asia, including, as a priority, training, the setting up and modernization of the relevant national bodies and the enacting of legislation concerning the collective management of copyright and the protection of industrial property rights. Uzbekistan hoped to receive assistance from WIPO in that respect, especially in relation to training, the organization of the

Patent Office and the introduction of new technology and communications systems, in particular regarding patent information services. It also sought assistance in norm-setting, linked to the further improvement of its intellectual property legislation. The Delegation expressed the hope that WIPO would set up a special program for the development of legal and technological tools geared to the protection of intellectual property rights.

71. The Delegation of Qatar noted that WIPO would hold a seminar in its country in November 1997, for the countries of the Gulf Cooperation Council (GCC) on the implementation of the TRIPS Agreement. Having joined the WTO as a developing country, Qatar would certainly make use of the five-year transition period accorded to those countries to adapt its laws to the provisions of that Agreement. To that end, it requested expert assistance from WIPO in the revision of its intellectual property legislation. Qatar was a relative newcomer to the intellectual property field and the Delegation requested that its legal experts be included in the training courses organized by WIPO within its development cooperation program. With respect to the proposal for an international instrument on the protection of folklore, the Delegation expressed its full support for such an initiative, especially as Qatar was a country rich in folklore. The Delegation ended by expressing the hope that WIPO would undertake a mission to Qatar to explain fully the benefits to the country of ratifying the various treaties adopted or administered by WIPO.

72. The Delegation of the Sudan noted that, with the assistance of WIPO, many improvements had been made to its country's intellectual property system in the period under review. The Industrial Property Office had been relatively modernized and the search systems in both the patent and trademark divisions were on their way to being computerized. Amendments were being drafted to the national industrial property legislation to bring it into line with the TRIPS Agreement and a massive campaign had been launched to inform the public of the benefits of patents, trademarks and industrial designs, particularly for inventors and businessmen. The Sudan supported the call for an increase in the funds allocated for the modernization of industrial property offices in developing countries. The Delegation expressed its country's gratitude for the assistance provided by WIPO in the area of training, which had included a scholarship for a Masters degree in intellectual property, an important step toward building the necessary expertise to enable intellectual property subjects to be taught at graduate level in the country's universities. It was hoped that cooperation with WIPO in the field of training would be intensified in the coming year. In conclusion, the Delegation requested that, the country's needs having now been defined, the implementation of the country project for the Sudan take place before the end of 1997.

73. The Delegation of South Africa informed the meeting that two intellectual property bills vital to its country's compliance with its obligations under the TRIPS Agreement were before Parliament. The Intellectual Property Law Amendments Bill provided for minor amendments to all South Africa's intellectual property statutes, while the Counterfeit Goods Bill proposed far-reaching and essential measures for the enforcement of intellectual property rights in that area. The latter bill would greatly facilitate South Africa's attempts to eliminate the problem of counterfeiting. The amended legislation would be fully in line with the most modern legislative developments in that area. At the international level, South Africa had deposited its instrument of accession to the Budapest Treaty on July 14, 1997, and expected to accede to the PCT at the beginning of 1998, depending on the date on which the intellectual property law amendments bill became law. The Delegation noted the training of four officers from the

Office of the Registrar of Patents, Trade Marks, Designs and Copyright, organized by WIPO, in France, Sweden and the Benelux countries. The South African Office had also cooperated with WIPO in the training of a number of staff from the intellectual property offices of surrounding African countries. The Delegation expressed its gratitude for those activities as well as for the visit made by the Chairman and three members of the South African Parliamentary Sub-Committee on Intellectual Property (an integral part of the Parliamentary Portfolio Committee on Trade and Industry) to WIPO in July 1997. Turning to the question of folklore, it stressed that its country fully recognized the important role appropriate protection could play in preserving the cultural identities of communities around the world, especially in the developing world, particularly in the light of the advancing globalization of markets, goods and services. Accordingly, it stated that South Africa supported the endorsement of the Phuket Plan of Action and requested that WIPO incorporate into the program for the next biennium the study of the conservation and protection of folklore, and indigenous culture and knowledge in general, an important element of which would be extensive national and regional consultations with indigenous communities to ensure that they played a key role in the work. It also requested that WIPO set up a committee of experts in that field to work toward the establishment of appropriate international norms. Finally, turning to the question of the protection of audiovisual works, the Delegation noted its country's support for deliberations that would lead to the conclusion of a treaty in that area.

74. The Delegation of Japan stated that its Government had adopted a Program for Economic Structure Reform in December 1996, and that development of a comprehensive intellectual property strategy constituted a key issue in that Program. With regard to patents, it underlined that the Japanese Patent Office (JPO) attached great importance to expeditious and proper granting, and to this end had been implementing policies to enhance its capacity through, particularly, expansion of the online filing system which was already in place. With regard to the proposed Patent Law Treaty, it urged all countries concerned to resume negotiations to reach an extensive and substantive harmonization of patent systems as soon as possible. In the field of trademarks, it recalled that a drastically revised law had come into effect in Japan in April 1997, at the same time as the entry into force of the TLT with respect to its country. In the field of copyright and neighboring rights, it stated that Japan had amended its copyright law in June 1997, to comply with certain provisions of the WCT and the WPPT, and that its Government was envisaging further amendment of that law with a view to ratifying those treaties. It also commended WIPO for the work carried out in information technology related activities, with special reference to the outcome of the meeting of the PCIPI ad hoc Working Group on the Management of Industrial Property Information, held in Rio de Janeiro in June/July 1997. In this connection, the Delegation of Japan stressed that WIPO was being called upon to adopt a most appropriate approach toward the information age, in response to increasing demand concerning the proposed Digital Libraries and the Information Technologies Committee. It assured that Japan would contribute to WIPO's activities in this area and was pleased that the Director General elect had emphasized the importance for WIPO to keep pace with developments in, and the potential of, information technology, both in its internal operations and in the delivery of the services that it renders. It also expressed appreciation for the meetings on the Internet domain names and intellectual property rights held in 1997, and emphasized the need to establish new criteria of intellectual property protection adapted to the global digital network. The Delegation stressed that Japan had been extending and would continue to expand cooperation to developing countries through its fund-in-trust arrangement with WIPO, and that the WIPO Asian Regional Forum on

Intellectual Property Rights in the 21st Century held in Tokyo in September 1996 under the said arrangement had, among other things, adopted a Joint Statement on the importance of improving access to intellectual property rights through the information network and of developing human resources. The JPO, it noted, was fully committed to implementing that Statement and would also further promote provision of the Patent Abstracts of Japan via the Internet. In conclusion, the Delegation felt that on the eve of the 21st century, the proactive use of information technology, international rule-making and greater cooperation with developing countries should be regarded by WIPO as priority tasks and that, as expressed in the acceptance speech of the Director General elect, WIPO should be oriented by its member States in those tasks.

75. The Delegation of Germany paid tribute to the excellent services rendered by, and noted the considerable achievements of, the International Bureau in the period under review, which had included the adoption of the WCT and the WPPT. Germany had signed both instruments and ratification was expected to follow in due course. With regard to other international instruments in the field of copyright and neighboring rights, it noted with satisfaction the previous week's deliberations on a possible Protocol Concerning Audiovisual Performances and a possible Treaty Concerning Intellectual Property in Databases. The protection of databases had also been taken up by the EU. Germany had already amended its Copyright Act to bring it into line with the relevant EU Directive and would like to see such protection extended outside Europe. In the patent area, the Delegation welcomed the progress being made toward a proposed Patent Law Treaty, but regretted that it had so far proved impossible to agree on a comprehensive harmonization of patent law. It also attached great importance to the proposed WIPO Treaty on the Settlement of Intellectual Property Disputes Between States which it considered had a role to play alongside the existing WTO dispute settlement mechanisms. The continuing cooperation between WIPO and the WTO served to further worldwide protection of intellectual property rights, while avoiding duplication of effort. The Delegation stated that the German Government had prepared a draft bill amending the Patents Act with a new approach to the question of compulsory licenses, the filing of applications in electronic form and the appeal proceedings before the Federal High Court of Justice. Turning to the problems in the area of domain names on the Internet, Germany considered that WIPO was the appropriate forum in which to ensure that intellectual property rights enjoyed the same protection in both electronic and non-electronic environments. The Organization itself made good use of modern information technology, which had ensured, for example, that the PCT had already become a truly global instrument. Turning to the Madrid system, the Delegation stressed its country's belief that a pragmatic solution could be found to possible obstacles to accession arising from the exercise of the ECs' voting right, without the need to amend the Protocol. At the national level, the services rendered by the International Bureau to the business community were highly appreciated in Germany. The activities of the German Patent Office continued to expand and an electronic patent information system (DEPATIS) had been developed to meet its rapidly growing needs. The Office was willing to share its experience and expertise with developing countries and countries in transition. In that context, it referred to the successful organization, jointly by the Office and the International Bureau, of a seminar in Berlin for heads of industrial property offices from countries in transition. It confirmed that the German Government would continue to vigorously support all types of development cooperation.

76. The Delegation of Kazakhstan noted that in the past two years the work of WIPO had been very fruitful and, in particular, that the number of seminars and meetings in Central Asia had significantly increased. Considering that the problems of Kazakhstan were very similar to those encountered in Belarus, Kyrgyzstan and Uzbekistan, the Delegation supported the proposals made by the Delegations of those countries, and requested WIPO's continued financial support in that respect. It also hoped that its country could receive assistance from WIPO in bringing national legislation into conformity with the TRIPS Agreement, in drafting new laws on copyright and neighboring rights, in training staff and officials in charge of enforcement, and in drawing up measures to combat piracy. It felt that the training of experts, including lawyers and customs officers, should continue, in particular in the framework of the WIPO Academy.

77. The Delegation of El Salvador stated that its country had achieved remarkable progress in the industrial property field thanks to the cooperation received by WIPO in the last biennium. It mentioned, in particular, training and assistance in relation to bringing national legislation in conformity with the provisions of the TRIPS Agreement. Regarding the next biennium, the Delegation expressed the wish to benefit from study visits and long-term fellowship on intellectual property with a view to enhancing national human resources in this area.

78. Speaking on behalf of the Presidency of the European Union, the Delegation of Luxembourg wished to acknowledge the interest shown by a number of delegations in the work of the Organization pertaining to folklore, and declared itself willing to join the other delegations in their reflection on the subject with a view to a possible General Assembly decision in the context of the Organization's general program of activities.

79. The Delegation of the United Nations Educational, Scientific and Cultural Organization (UNESCO) recalled that WIPO and UNESCO had been cooperating for a great many years in the field of copyright and neighboring rights protection and also in the field of folklore. As far as folklore was concerned, that cooperation had started in 1973 and culminated in 1982 in the adoption of UNESCO-WIPO model provisions on the legal protection of expressions of folklore. In connection with that cooperation, the Delegation mentioned the UNESCO-WIPO World Forum on the Protection of Folklore, organized in Phuket the previous April, which had restarted the international debate on folklore protection, and noted that UNESCO was willing to continue to work with WIPO on the possible means of achieving a wide international consensus that would ensure effective protection for folklore. In order to achieve that objective, it seemed essential that two conditions be met, namely that national protection be available in the form of suitable legislation (and in that respect the model provisions adopted by UNESCO and WIPO in 1982 could provide a starting point) and that there be a national organization responsible for the recording and identification of expressions of folklore. In that respect the Delegation felt that it would be desirable for the efforts of WIPO and UNESCO to be combined in order to help developing countries bring some order to their national systems for the preservation and protection of folklore. With regard to the program for the protection of the audiovisual productions of performers, the Delegation recalled that WIPO and UNESCO jointly managed the Rome Convention, and pointed out that, as a result of the adoption of the WPPT in December 1996, the protection of performers had improved considerably, but that it was desirable for that improvement to extend also to the protection of audiovisual productions. It pointed out in that connection that UNESCO was in favor of

a particular effort being made to bring about as broad an international consensus as possible in that area. As far as databases were concerned, the Delegation expressed the wish that in future the study of that subject, which had to do with protecting the investment essential to the production of databases, might take place in close collaboration with scientific circles in order that the consensus reached might lend some security to the legitimate investments made by database producers and at the same time ensure the free flow of information.

80. The Delegation of the African Regional Industrial Property Organization (ARIPO) thanked WIPO for the various development cooperation activities it had carried out, especially those related to the fulfilling of its member States' obligations under the TRIPS Agreement, and stated that almost all its member and potential member States had benefited from the four WIPO symposiums on TRIPS that had been organized in Africa in the period under review. The symposiums had complemented the Workshop on TRIPS which ARIPO had organized in December 1996, in Zambia, with the cooperation of the Commonwealth Secretariat. It added that ARIPO planned to organize a follow-up in March 1998, involving the judiciary, customs and police, and that WIPO's assistance in that respect would be requested in due course. The Delegation recalled that the Harare Protocol on Patents and Industrial Designs (1982) and the Banjul Protocol on Marks (1993) had empowered the ARIPO Office to grant patents and register industrial designs and marks on behalf of member States. It stressed that the ARIPO Secretariat had proposed certain amendments to those Protocols to ensure their conformity with the TRIPS Agreement and the TLT, to be considered by the ARIPO Administrative Council in November 1997, and expressed its gratitude for the assistance received from WIPO in that matter. Concerning the linking of the Harare Protocol to the PCT in July 1994, it mentioned that the ARIPO Office had been designated 19,000 times and elected 9,000 times, a result of the number of ARIPO member States party to the Harare Protocol that had joined the PCT having increased from three to nine (the Gambia, Ghana, Kenya, Lesotho, Malawi, the Sudan, Swaziland, Uganda and Zimbabwe). It also noted that the Banjul Protocol had come into force in March 1997, for Malawi, Swaziland and Zimbabwe, that an encouraging number of trademark applications had already been received and that the increase in the workload resulting from those developments had created a need to increase the automation of the ARIPO Secretariat as well as of the offices of ARIPO member States. It commended WIPO for the meeting on industrial property office automation organized in July 1997, and stated that ARIPO intended to seek WIPO's further assistance in that area. In concluding, the Delegation thanked WIPO for all the assistance rendered to ARIPO in the past. It also thanked the EPO for its assistance in providing office equipment and in financing the ARIPO-EPO roving seminars that had taken place since 1992.

81. The Delegation of the European Broadcasting Union (EBU) thanked WIPO and the Government of the Philippines, on behalf of all the broadcasting unions represented at WIPO, for organizing the World Symposium on Broadcasting, New Communication Technologies and Intellectual Property last April in Manila. Following the discussions at that Symposium, the Delegation welcomed the support expressed by governments that the work should continue in the next biennium in a committee of experts. It reiterated that the discussions in Manila showed that the scope of protection of trademarks granted by existing international instruments was not able to cope with the current realities of piracy of broadcasts occurring all over the world. It very much hoped that the forthcoming program and budget of WIPO would enable preparation of an up-to-date treaty for the protection of the neighboring rights of broadcasting organizations.

82. The Delegation of Costa Rica expressed its gratitude to WIPO for the assistance received by its country in the reporting period. It supported the propositions made by the Director General elect in his acceptance speech on the use of information technology as a means to promote the development of modern intellectual property systems, an area of great importance for its country. It requested wider participation of its country in WIPO's cooperation program, including through provision of equipment and training of customs and registry officials. It supported the holding of regional consultations on intellectual property issues, and indicated that new intellectual property knowledge should reach the universities together with equipment and WIPO financial support. The Delegation expressed the wish to continue to be involved in WIPO's activities. It also stressed the importance of training enforcement personnel and supporting the fight against piracy. Finally, it expressed the belief that increased training programs on intellectual property at university level would be particularly beneficial to developing countries.

83. The Delegation of the Organization of African Unity (OAU) welcomed the activities that had characterized the cooperation between the OAU and WIPO in the course of the past year, and declared its certainty that, under the dynamic influence of the new Director General, that cooperation was bound to increase and expand. It mentioned in particular the joint OAU-WIPO project for the award of medals to the best African inventors, which all agreed had had the desired effect on the improvement of creativeness, and also the annual training program for OAU officials and those of its member States, the results of which were highly appreciated. The Delegation emphasized that the OAU was looking forward expectantly to the visit of the new Director General in the course of one of his coming tours, in order that it might share with him some ideas and reflections on his vision of WIPO's future and the promotion of intellectual property throughout the world, especially in Africa. In conclusion, it mentioned once again the interest that the OAU attached to the question of folklore, and its concern to have the matter dealt with by WIPO with all the thoroughness that it deserved, and considered that the Phuket Plan of Action provided a suitable framework for the work not only of WIPO and its Member States but also for all its intellectual property partners.

84. The Delegation of the Islamic Republic of Iran reported that it had, with the support of WIPO, successfully modernized its Registration Office of Industrial Property and improved training of its staff, and also that the project for the development of the administration, protection and effective use of intellectual property in the Islamic Republic of Iran had been successfully implemented by the Registration Office, WIPO and UNDP, one year after completion of the computerization of the Office. The Delegation stated that a WIPO National Seminar on Industrial Property Protection under the Main Treaties Administered by WIPO and the TRIPS Agreement had been held in Tehran in December 1996, to increase national awareness of intellectual property rights. It also mentioned that Iranian government officials had attended various other WIPO workshops, training courses and symposiums, and confirmed that Iran's membership of WIPO was being considered by Parliament and that the country hoped to accede to the Stockholm Act (1967) of the Paris Convention in the near future. The Delegation supported the early completion of the work of the Committee of Experts on the proposed Patent Law Treaty and the Treaty on the Settlement of Intellectual Property Disputes Between States. The Delegation noted that its country and other countries from the region appeared to be underrepresented on the staff of the Secretariat and requested that this be remedied. In concluding, it stressed that more attention should be paid to attract and increase

future cooperation between WIPO and the developing and less-developed countries through extending legal, technical and training activities.

85. The Delegation of Albania reported on the recent industrial property activities that had taken place in Albania, which included a national symposium organized in cooperation with WIPO for local interested circles, the start of a project on the creation of a National Documentation and Information Center, the preparation of amendments to the Industrial Property Law to bring it into conformity with the provisions of the TRIPS Agreement, the preparation of a draft act on semiconductor chip products and integrated circuits, work on new legislation on enforcement rights, and preparatory work for Albania's accession to the Nice Agreement.

86. The Delegation of Australia mentioned that its Government has cooperated with WIPO in a number of development cooperation activities, particularly in the Asia-Pacific region, and looked forward to continuing involvement with it. It understood that consideration was being given by WIPO to use of distance learning techniques and offered Australia's expertise in that respect. It stressed that the PCT continued to be of great assistance to Australian applicants and was particularly pleased with the outcome of the PCT Assembly meeting held the previous week. The Delegation also foresaw considerable scope for information technology to achieve further major advances in simplifying and improving the international patent and trademark systems, and strongly supported the work that WIPO had commenced in that area. Referring to developments at national level, it mentioned that substantial growth in the volume of trademark and patent work had been managed by the Australian Industrial Property Organisation with reduced waiting times and no increase in staff. As concerns legislation, it informed the meeting on a number of planned changes, including the introduction of a utility model system to replace the existing petty patent system, the extension of patent protection to 25 years for human-use pharmaceutical products and amendment of the regulations governing the patent attorney's profession. Its Government was furthermore currently considering a major report on Australia's design law and was expected to decide on some major changes to significantly improve the effectiveness of design protection before the end of the year.

87. The Delegation of Austria noted with appreciation the volume and quality of the activities carried out by WIPO and was deeply satisfied that emphasis was put on intensifying development cooperation activities and the establishment of adequate administrative infrastructures, including computer technology, and also that foremost importance had been given to the TRIPS Agreement. With respect to norm-setting, the Delegation was pleased with many of the new instruments for the protection of intellectual property rights, in particular the TLT and the two new treaties in the field of copyright and neighboring rights. The growing number of States acceding to WIPO-administered treaties showed the growing importance of intellectual property rights. As regards development cooperation, the Delegation reported that Austria jointly organized seminars on patent information and documentation at the Austrian Patent Office, and provided experts for advisory missions to developing countries in the framework of WIPO programs. As in previous years, the Austrian Patent Office prepared state-of-the-art search reports and provided free copies of patent documents to improve developing country access to technological information contained in patent documents. It also stated that the Office had concluded many bilateral cooperation agreements, mainly with intellectual property offices in Central and Eastern Europe as well as in Asia, which formed the basis for different training and support programs. In addition, the

Office had acted, and continued to act, as a PCT International Searching Authority and International Preliminary Examining Authority for several countries. At the national level, work continued on intellectual property legislation, and a new act on supplementary protection certificates for pharmaceuticals had entered into force and an amendment to the Patents Act was being prepared. A general revision to the Trademarks Act had reached the final stage and was expected to be submitted to Parliament by year's end. As a signatory to both the Madrid Protocol and the Vienna Agreement, the Delegation was confident that the ratification processes would be concluded by Austria in the very near future. The Delegation noted that deliberations on possible accession to the Hague Agreement had not yet been completed, and that Austria planned to monitor the recent developments to this treaty with great interest.

88. The Delegation of Bolivia expressed its gratitude to WIPO for the assistance received in the last biennium in the industrial property and copyright and neighboring rights fields. The Delegation stressed, in particular, the WIPO/Bolivia National Seminar on the Implications of the TRIPS Agreement organized in La Paz in September 1996, the legal advice received in respect of the draft law on market regulation (*Código de Ordenación del Mercado*), the provision of equipment, CD-ROM products and documentation, and the training of personnel. Regarding copyright and neighboring rights, it was pleased to mention that sanctions had been provided for the first time by the National Copyright Directorate against infringement of copyright in literary works, thus establishing an important precedent for the protection of copyright and neighboring rights. It also recalled the WIPO Regional Seminar on Copyright for Latin American Publishers held in La Paz in November 1996, the WIPO National Seminar on Collective Administration of Copyright and Neighboring Rights held in Santa Cruz in June 1997, and the implementation of the WIPO country project for copyright and neighboring rights. At the international level, the Delegation noted with appreciation the recent adoption of the WCT and the WPPT, and supported further WIPO work on the protection of folklore. The Delegation requested future WIPO assistance for the adoption of new provisions in the framework of the Andean Community and of its own national legislation, in conformity with the provisions of the TRIPS Agreement. It also emphasized the need for the expertise of WIPO staff through special studies on current intellectual property challenges and perspectives. It reiterated the request for fellowships that its country had made at the last session of the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and looked forward to the implementation of a national seminar on the PCT. It also reiterated the request for a symposium for customs and police officers that Bolivia had made at the last session of the WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights. Recognizing the importance of awareness in matters of intellectual property, it requested WIPO's assistance in organizing a seminar for journalists in La Paz. Finally, it took note of the Interim Financial Statement for 1996.

89. The Delegation of Bulgaria noted that in the period under review, its country's efforts had been directed at harmonizing its industrial property legislation with European and international standards. A new Law on the Protection of New Plant Varieties and Animal Breeds came into force at the beginning of 1997, and in order to comply with requirements under the TRIPS Agreement and certain EU Directives, new legislation was being drafted, with the assistance of WIPO, on trademarks and appellations of origin, industrial designs and the topographies of integrated circuits. The Hague Agreement had entered into force for Bulgaria in December 1996, and under its provisions, some 450 applications had already been

received. With respect to intellectual property information, Bulgaria had 18 million patent documents from 25 countries and two international organizations available for consultation as well as a rich fund of electronic patent documentation from 19 countries. It had made its own documentation available electronically through the ESPACE-PRECES CD-ROM set up and disseminated within the framework of the EU regional industrial property program. In addition, the Patent Office continued to make its Official Patent Bulletin available in English, as it had done for the last six years. Turning to trademarks, the Delegation noted that the automated search system for word and figurative marks had been put into operation that year and had already contributed to the efficiency and quality of trademark examination in the country. That project had been realized, in large part, with assistance provided by WIPO. Bulgaria aimed at extending its participation in the Organization's programs in the future, *inter alia*, through participation in patent searches, by making its own experience and knowledge available to experts from other countries and participating in norm-setting activities.

90. The Delegation of Canada pointed out that with the adoption of the WCT and the WPPT, WIPO had taken a leadership role in addressing copyright and neighboring rights issues in the era of digital technology. It also commended WIPO for its continuing activities in the area of trademarks, where a number of initiatives had been taken to consider issues relating to trademark licensing, well-known marks and Internet domain names; in advancing the draft Patent Law Treaty and continuing the work of enhancing the PCT Regulations; in work on audiovisual performances and intellectual property in databases; also concerning the work of PCIPI and its Working Groups; and provision of technical assistance to developing countries. In the latter context, a specialized training course on the management of trademark operations and information services had been held for the first time in Canada for the benefit of developing countries in cooperation with WIPO in June 1997, and its Government hoped to extend this course, in cooperation with WIPO, to participants from the Asia-Pacific region in 1998. As concerns information technologies, it hoped that WIPO would assume a prominent role in encouraging their enhanced use by intellectual property offices around the world. It was pleased with the establishment of a WIPO Working Group on Information Technologies for Intellectual Property, appreciated the excellent work accomplished by it during its July meeting and strongly supported the establishment of a senior body at WIPO to be responsible for the horizontal management of information technology issues facing the international community. As concerns WIPO-administered treaties, it recalled that on September 21, 1996, Canada had acceded to the Budapest Treaty and that it was also working toward establishing an International Depositary Authority in Canada. In the context of intellectual property activities in regional forums, efforts to achieve enhanced intellectual property rights, enforcement and cooperation were underway, supporting and complementing the activities of WIPO and the WTO in the negotiations for a Free Trade Area of the Americas and in the Asia-Pacific Economic Cooperation group. Regarding national legislation, it mentioned that amendments to the Copyright Act had been approved by Parliament in April 1997, and that substantial portions of the amended Act had come into force on September 1, 1997, providing, among other things, a regime of protection for performers' performances, sound recordings and broadcasters' communication signals, which would enable Canada to become party to the Rome Convention. The Delegation then highlighted the notable developments that had occurred in the Canadian Intellectual Property Office with a view to supporting innovation and the knowledge-based economy in Canada through effective use of information technology. Automation of patent and trademark operations had been a vital component of improving

client service and by June 1997, Canada had reached its goal of a fully deployed electronic patent office, which had also made available the bibliographic data of Canadian patents on its Internet site. The full text and drawings of patent documents were also planned to be made available, free of charge, through the Internet. A trademark automation system had gone into full production in November 1996, and the Trade Marks Office was now able to control electronically the workflow of a trademark application from its initial receipt to its final registration. Filing of trademark applications through the Internet was planned to begin its testing phase in the fall of 1997. During the past year, the Trade Marks Office had continued the international benchmarking project with Australia, New Zealand, Sweden and the United Kingdom. A number of key processes had now been analyzed and benchmarking documentation had been shared with all partners. In conclusion, the Delegation stressed that its country was prepared to continue to cooperate with WIPO in promoting greater awareness, use and protection of intellectual property, and to work with WIPO and member States in capturing the benefits of information technology in the delivery of intellectual property services around the world.

91. The Delegation of Croatia outlined the development and achievements of the State Intellectual Property Office of the Republic of Croatia in the six years of its existence. In this respect, it stated that its intellectual property system had been constructed from the industrial property and copyright legislation of the previous State, appropriately amended, thus ensuring the continuity of intellectual property rights in Croatia, especially industrial property rights granted or applied for in the former State. Similarly, Croatia had continued to be a member of international agreements and treaties acceded to by the former State. It added that the Office attached particular importance to the question of training and had been assisted in this area by many European national offices. The integration of information technology into the work of the Office had been a priority and the major part of its activities, including documentation production, searches and archiving, were now computerized. The first issue of the official gazette, the Croatian Patent Gazette, had appeared at the beginning of 1994. The Delegation expressed its gratitude for the assistance provided by the Austrian Patent Office both in training and in the modalities for examining patent and trademark applications. The national Office had also received help from the German and Hungarian Patent Offices, and various forms of cooperation and contacts had been established with many other national offices. The visit of the Director General of WIPO to the national Office in 1994 had provided much encouragement to Croatia in its endeavors. Since January 1992, some 21,000 patent, trademark and industrial design applications had been received by the Office. With the stabilization of the working environment in the Office, it was hoped, in the course of 1998, to clear the backlog that had built up. Turning to national legislation, the Delegation stated that the revision of the country's intellectual property system was underway and it was hoped that the basic elements of the new system would begin functioning in 1998 and 1999. It stressed that the new system aimed to contribute to the evolution of the country toward a market economy; to aid in the integration of Croatia into Western Europe; to bring national legislation into line with the provisions of the TRIPS Agreement (on the accession of the country to the WTO); to aid progress toward the accession of the country to new international intellectual property treaties; and to ensure that national legislation continued to keep pace with developments at the international level. It noted that, to that end, new legislation on patents, integrated circuits, trademarks, industrial designs, geographical indications, appellations of origin and copyright and neighboring rights was being prepared in compliance with international and European standards. Finally, it announced that Croatia expected to

accede, later in 1997, to the PCT and was according priority to discussions leading to accession to other international treaties.

92. The Delegation of the Czech Republic stated its support for WIPO's activities, in particular in the areas of norm-setting, international registration, development cooperation and information technologies and those of the WIPO Arbitration and Mediation Center. With regard to national developments in the field of intellectual property, the Delegation informed that preparations for accession to the European Patent Convention continued (the Czech Republic had been already granted observer status in the EPO), as well as harmonization of legislation with that of the EU and the TRIPS Agreement. It also mentioned that the Industrial Property Office of the Czech Republic continued to improve its computerized information network with a view to facilitating access to patent and trademark information through electronic means. In the area of copyright and neighboring rights, serious consideration was being given to ratification of the WCT and the WPPT. At the same time, national copyright legislation was under revision to harmonize it with EU and other international standards. The Delegation also informed that an amendment of the Copyright Act to the effect that the general protection period applicable after the death of the author would extend from 50 to 70 years was expected to come into force on January 1, 1998. Finally, the Delegation requested WIPO's advice on the compatibility of the draft Copyright Act which was now under preparation with current international standards and which was expected to be enacted by the year 2000.

93. The Delegation of Guatemala stated that its country had benefited from WIPO technical cooperation activities during the reporting period, particularly by participating in regional meetings and seminars organized by WIPO on intellectual property in Latin American countries. It mentioned the importance attached by its country to WIPO's assistance in relation to the computerization of national intellectual property offices and expressed the wish that WIPO continue to provide such assistance. It also hoped that WIPO continue to increase the volume of its development cooperation activities at international, regional and national levels, and requested WIPO's financial support to enable the participation of developing country officials in relevant regional and international activities. Finally, it was pleased to recall that during the reporting period, Guatemala had acceded to the Berne Convention.

94. The Delegation of Guinea thanked WIPO for the constant support and unfailing attention that it had always given to its country in general, and to its Industrial Property Service in particular, in form of promotional and information activities and activities to train and heighten the awareness of the agents of development. With a view to the preparation of the entry into force of the TRIPS Agreement, a major challenge for the coming millennium, the Delegation expressed the wish that its country might be placed among those that would benefit from WIPO projects for the modernization of national industrial property offices.

95. The Delegation of Indonesia stated that during his tenure as Director General of WIPO, Dr. Bogsch had laid the strong foundations on which to build a more effective intellectual property rights protection, and it was confident that the new Director General would capitalize on those past successes to infuse WIPO with fresh dynamism and inspiration in order to meet the challenges of the new millennium. From an ASEAN perspective, the tasks awaiting the new Director General included formulating the core issues in the new program and budget, restructuring the International Bureau as well as working out the new protocols and copyright

treaties on audiovisual and databases by taking full advantage of the latest information technology. The Delegation stressed that intellectual property had become an increasingly important topic over the years, especially where the improvement of awareness and understanding of its role and function were concerned. Indonesia has benefited tremendously of this improvement through WIPO's development cooperation program. Thanks to WIPO assistance, significant progress had been achieved in training key personnel at all levels of intellectual property, including not only patent, trademark examiners and officials dealing with copyright but also judges, public prosecutors, police officers, academics and teachers in higher education institutions. Concerning efforts for the improvement of human resources and the promotion of public awareness of intellectual property, Indonesia, with WIPO's assistance, had conducted activities within the framework of the EC-ASEAN Patents and Trademarks Program (ECAP), as well as under the cooperation with the Japan International Cooperation Agency and Australia. Those activities had contributed to modernizing and strengthening Indonesia's intellectual property system, making it more compatible with the goals imposed by globalization and improved trade relations. Turning to legislative and enforcement issues, the Delegation recalled that Indonesia was due to begin the application of the TRIPS Agreement by the year 2000, and in that connection, domestic legislation had been adjusted through the enactment of amended copyright, patent and trademark laws, and five instruments of ratification of WIPO-administered treaties had been deposited. Those were a clear sign of the efforts undertaken. As a new member of the PCT, Indonesia had to perform all duties stipulated under the treaty through its patent office and intended to carry out a comprehensive study in that respect. The Delegation added that new laws and regulations on industrial designs, integrated circuits and trade secrets were being completed and relied on WIPO's continued support in that respect. The Delegation announced that a Directorate had been established under the Office of the Attorney General to especially deal with infringement of intellectual property rights, and expressed the hope that this initiative would be perceived as an indication of Indonesia's good faith and good will toward achieving WIPO's objectives and toward its present and future trading partners. The Delegation also mentioned the need of further assistance from WIPO to improve and strengthen its own intellectual property system. Special attention had to be given to enhancing the human resources development program, especially where administration and enforcement were concerned. Finally, the Delegation emphasized that the full implementation of the TRIPS Agreement was under way, and that new laws and accession to other WIPO conventions would follow.

96. The Delegation of Lesotho expressed its satisfaction with the work undertaken by the International Bureau in the past biennium, particularly the assistance given to developing countries to bring their intellectual property systems into conformity with the obligations under the TRIPS Agreement, and the increase in the number of long-term fellowships offered by WIPO to developing country officials for academic training in the intellectual property field. The Delegation also commended the International Bureau for the work done for the promotion of inventive activity and the development of human resources. The impact of rapid technological advances on the protection of intellectual property had increased the responsibilities, particularly in developing countries such as Lesotho, toward an immediate and efficient implementation of intellectual property rights in compliance with international treaties. In this regard, the Delegation requested the International Bureau to intensify development cooperation activities and to introduce programs that are especially tailored on the specific needs of developing countries. The Delegation noted with appreciation that WIPO was advocating a policy of equitable geographical distribution of staff within the International

Bureau and recommended the empowerment of women, especially at the higher levels of the Organization. Appreciation was expressed on the subject of arbitration and mediation of intellectual property disputes, through the organization of appropriate conferences. In this regard, the Delegation requested the International Bureau to ensure the participation of developing countries in those specific forums. The Delegation also congratulated WIPO on its efforts for the promotion of regional economic integration through, for instance, the assistance given to organizations such as ARIPO and OAPI, a means to achieve common goals not only in the protection of intellectual property but also in overall economic growth. The Delegation also expressed its support to the proposal to grant SADC observer status at WIPO. In terms of technical assistance provided by WIPO during the period under review, the Delegation mentioned the development of human resources, the provision of office equipment and the formulation of a country project on strengthening the industrial property office. Regarding copyright, the Delegation said that the Government was currently involved in restructuring the copyright office, and in spreading awareness among both copyright users and owners, and officially requested WIPO to assist in organizing a national seminar in 1998. Finally, the Delegation expressed its hope that the Governing Bodies would come to constructive conclusions on the development of work in respect of the proposed Patent Law Treaty, the Treaty on the Settlement of Disputes, and new international instruments for the protection of databases and folklore.

97. The Delegation of Liberia expressed its thanks and gratitude to WIPO for the assistance it had rendered to Liberia during the past seven years of inactivity due to the civil conflict. It stated that although Liberia was a developing country and had recently joined WIPO, it had received benefits including training assistance and office equipment. In particular, in 1994, WIPO provided Liberia's industrial property office with a computer and it was with regret that the Delegation informed the meeting that the computer had been looted during the April 6, 1996, crisis in Monrovia. During the period under review, Liberia acceded to the Madrid Agreement. Modification to the Trademark and Copyright Law, in order to conform with international standards, was also being considered. The Delegation stated that as a democratically-elected government was now in power, marking the end of the civil conflict, and which had ushered in political, economic and social stability, it reiterated its earlier request for assistance from WIPO. This assistance would include, *inter alia*, the provision of more training facilities, sponsorship of two or more university professors in the field of industrial property, and re-equipping the industrial property office.

98. The Delegation of Mongolia expressed its country's appreciation of the work undertaken by WIPO in the period under review, which had included progress in the adoption and formulation of international norm-setting instruments (in the areas of copyright and neighboring rights, patent harmonization, dispute settlement and international protection of industrial designs), improved cooperation between WIPO and the WTO, and the holding of effective training courses, meetings and seminars dealing with issues such as the development of human resources and the TRIPS Agreement. The Delegation noted that its country continued to develop its Intellectual Property Office and had also, with the assistance of WIPO, amended its patent and copyright laws and enacted new legislation in the trademark field. Revision of its intellectual property legislation would continue with a view to bringing it into line with the country's obligations under the TRIPS Agreement. Discussions were currently underway on the possibility of Mongolia's adhering to the Madrid Protocol and to the TLT. The Delegation stated that its country attached increasing importance to improving

its protection of intellectual property rights, which was a vital element in its transition toward a market economy.

99. The Delegation of the Netherlands expressed its satisfaction with the increase in resources for development cooperation which enabled WIPO to intensify its assistance to developing countries. The entry into force of the TRIPS Agreement was an important external factor that influenced the character of these activities. The Delegation attached great importance to a good synergy between WIPO and the WTO in a number of areas. As regards norm-setting, the Delegation stated that the two new treaties which had been adopted in December 1996, in the field of copyright and neighboring rights were encouraging and expressed the wish that this would also be the case in the future in the field of patents. With respect to information technology, the Delegation noted that the opening of the WIPO web site on the Internet was an important step, and that the availability of WIPO working documents and other information through this source was invaluable. The Delegation was looking forward to the results of the work of the WIPO Working Group on Information Technologies for Intellectual Property and hoped that the work of PCIPI would be continued without duplication with that of the Working Group. In conclusion, the Delegation stated that in this respect, proper attention should be given to those member States which had not yet been able to make full use of modern communication technology.

100. The Delegation of New Zealand noted that, during the period under review, the country's Patent Office had undergone a radical restructuring and business re-engineering exercise. The Office's new structure separated the hearings and related quasi-judicial functions of the Commissioner of Patents and Trade Marks from the core examination function and the Hearings Office had become a stand-alone unit. The increased use of new technologies had made it possible to reduce staff, while at the same time clearing the backlog of unprocessed patent and trademark applications. The Office was now able to examine all applications within five days of receipt. The trademark registry had been placed on the Internet and by late 1998 it was hoped that the registry would be able to provide online registration and searching services. As part of the changes, the Office had been renamed the Intellectual Property Office of New Zealand. The review of the country's patents, designs and trademarks legislation continued and included a recent round of consultations with its indigenous people, the Maoris, regarding their concerns about the registration of trademarks using Maori words and symbols. It was hoped that the Government would be able to consider final proposals for the reform of the Trade Marks Act in 1998. A minor technical amendment had been made to the Copyright Act during the year. A review of patent and trademark regulations was to be completed by the end of 1997. Following a review of the Office's fees, it was hoped to reduce both the number and the amount charged. The Delegation noted that its country's focus on WIPO's activities over the last few years had been on the development of the WCT and the WPPT, and on discussions of the proposed Patent Law Treaty. Its activities with respect to development cooperation had taken place in other forums, for example, the Commonwealth Secretariat and the Asia Pacific Economic Cooperation (APEC).

101. The Delegation of Niger recalled that, in the course of the 1996-1997 biennium, cooperation with WIPO had mainly involved the country's participation in training seminars and short-term training courses. WIPO had also organized two copyright seminars in collaboration with the Government of Niger. In the field of industrial property, a number of seminars and conferences had been organized on the Government's initiative with a view to

improving the awareness of the main sectors concerned. The Delegation wished to see development cooperation activities intensify for the benefit of developing countries, especially in areas such as the exploitation of human resources and the modernization of industrial property offices. In that connection Niger wished to benefit from the organization of a regional seminar on industrial property, the supply of equipment with which to monitor the developments taking place in the field of electronic filing, and training fellowships for its executive staff. The Delegation of Niger also announced that the President of the Republic of Niger had just created a President of the Republic's Award for the promotion of invention and innovation, and requested WIPO support in that venture.

102. The Delegation of Panama announced that work had recently started in its country to establish a national Inter-institutional Commission on Intellectual Property which would be particularly entrusted with the formulation of a plan of action for achieving increasing self-reliance in dealing with intellectual property matters. In the same vein, it supported the adoption of a new strategy for planning development cooperation activities, with a view to better meeting the specific needs of each country, in conformity with the respective legislative and institutional framework. It also referred to the increasing commitments of developing countries in respect of international agreements on intellectual property and expressed the hope that WIPO would continue to support them with this task. The Delegation finally stated its belief that it was the responsibility of each member State to determine the areas in which WIPO's assistance may be beneficial according to the nationals' priorities set in matters of intellectual property. The Delegation welcomed the proposals made by the Director General elect on the establishment of two high-level advisory commissions which would enlarge the debate not only in terms of industrial property but also in terms of other WIPO issues.

103. The Delegation of Poland expressed its appreciation for WIPO's work in advancing intellectual property promotion worldwide, particularly in respect of development cooperation, norm-setting and international registration. Satisfaction was also expressed for the open and constructive manner in which work was carried out by the Organization on certain issues, in spite of the fact that full consensus on matters such as premises for WIPO, dispute settlement and the proposed Patent Law Treaty had not yet been reached. The Delegation noted with appreciation the volume of activities undertaken under the WIPO-WTO Agreement, especially in favor of developing countries. As regards norm-setting activities, it acknowledged with satisfaction the new draft of the proposed Treaty on dispute settlement, hoped for an early conclusion of the efforts made in connection with the proposed Patent Law Treaty and expressed interest in WIPO's work on well-known marks and Internet domain names. It also expressed satisfaction for the activities organized for countries in transition, particularly information and training seminars, and hoped that this would develop into regular, possibly annual, meetings held in turn in each country of the region. The Delegation mentioned that in 1997, Poland had been invited to start, in 1998, negotiations for joining the EU and had been granted observer status with the Administrative Council of the EPO as of July 1997. It also stated that in March 1997, Poland had acceded to the Madrid Protocol and to the Nice and Vienna Agreements, and had become party to the Rome Convention in June; also, the Strasbourg Agreement would come into force in respect of Poland in December 1997. The registration activities of the Patent Office of the Republic of Poland continued to climb, both within the PCT and the Madrid system. It added that computerization of that Office had advanced, thanks to the technical assistance provided, among others, by the EU and the EPO, and that a new Industrial Property Law was likely to be adopted in 1998. With regards to

copyright and neighboring right, the Delegation stressed the action taken by Poland in adjusting its legislation to international standards. It was reflected by the adoption of the new Copyright and Neighboring Rights Act of 1994, as well as in the accession of Poland to the Paris Act of the Berne Convention and to the Rome Convention. Finally, the Delegation stressed the fact that Poland had adapted its legislation to international standards in a particularly short period of time.

104. The Delegation of Singapore, speaking on behalf of the Delegations of the ASEAN countries (Brunei Darussalam, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam), thanked WIPO for its support in organizing a number of successful seminars and conferences in the region, and especially the UNESCO-WIPO World Forum on the Protection of Folklore that had been held in Phuket (Thailand) earlier in 1997. The Delegation also supported the recommendations made by the Delegations of Chile and Ghana to carry out, at the earliest, the Phuket Plan of Action for the Protection of Folklore. The Delegation further recalled WIPO's assistance in the drafting and review of the intellectual property legislation of ASEAN countries, and the help and support received from WIPO in the training of their intellectual property personnel.

105. The Delegation of Slovakia, listing some of the country's latest achievements, stated that it had been granted observer status at the 67th Meeting of the Administrative Council of the EPO in June 1997, and that this was an important step toward Slovakia gaining full membership of the European Patent Organisation. The Delegation added that a revised trademark law had been adopted in 1997, in compliance with the EU "*acquis communautaire*" and the TRIPS Agreement. It also informed that Slovakia had acceded to the TLT (as of July 9, 1997) and the Madrid Protocol (as of September 13, 1997). The Delegation also stated that work was being carried out on their Patent Law in preparation for accession to the European Patent Convention. A revised Copyright Act providing also for the protection of computer programs, databases and satellite broadcasting had been passed to Parliament and was in compliance with the EU "*acquis communautaire*" and the TRIPS Agreement as well.

106. The Delegation of Spain recalled that during the period under review its country had withdrawn its reservation on Chapter II of the PCT and expressed the hope that this would lead in the near future to the establishment of the Spanish Patent and Trademark Office as a PCT International Preliminary Examining Authority. The Delegation also trusted that the Governing Bodies of WIPO would approve the renewal of the Agreement between WIPO and the Spanish Patent and Trademark Office on the latter's acting as a PCT International Searching Authority. On the domestic level, the Delegation mentioned that the modernization of the Spanish Office had been pursued in 1997 and that a new examination system had been established for industrial property attorneys. On the international level, the Spanish Office had continued to cooperate with WIPO and the EPO to provide technical cooperation to Latin American countries, particularly Argentina, Chile, Mexico, Uruguay and Venezuela. In that context, it mentioned the progress made under the project for the production of the DOPALES PRIMERAS CD-ROM. It also added that Spain would provide technical and financial support for the organization of the third Ibero-American Congress on Copyright to be held in November 1997 in Montevideo and was willing to equally support the organization of an Ibero-American meeting of heads of copyright offices, also in Montevideo, before the said Congress. It further announced that in 1998 Spain would host an international symposium for judges on the European patent. Finally, it announced that its Government was working toward

an early ratification of the WCT and the WPPT, of which Spain had been one of the first signatories.

107. The Delegation of Sri Lanka stated its appreciation of WIPO's continued assistance with development cooperation activities in developing countries, and that these countries were becoming increasingly aware of the benefits of an effective, modern, intellectual property system as well as adherence to international conventions in this field. The Delegation noted how WIPO's development cooperation program had become a tool for international cooperation, and stressed the importance that developing countries placed on attaining the objectives set out in the program. The Delegation attributed the growing awareness of intellectual property rights in the developing countries to the International Bureau's success in supporting institution and capacity building. Furthermore, the Delegation emphasized that Sri Lanka had benefited from WIPO's training courses, symposiums, workshops, advice on drafting legislation, promotion of inventive activities and the encouragement of regional and sub-regional cooperation. The Delegation pledged its continued willingness to be a part of WIPO's development cooperation program, and remarked that, apart from one year, it had since 1984, hosted the WIPO Intellectual Property Training Course for Developing Countries in Asia and the Pacific. The Delegation thanked all donor countries and international organizations for their support of WIPO development cooperation activities, and encouraged them to increase such assistance and support.

108. The Delegation of Switzerland drew attention to the very favorable record of activities of an Organization that had been able to adapt rapidly to the changes of a globalizing economy. It mentioned in particular the new treaties concluded in December 1996 in the field of copyright and neighboring rights, expressing the wish that those new treaties, but also the Madrid Protocol and the Trademark Law Treaty, might be as widely adhered to as possible. It added that the work started on database protection and the protection of audiovisual works should continue in order to provide a rapid response to the new rhythm imposed by technology. It emphasized that Switzerland attached very great importance to information technology in that it would facilitate and speed up the process of giving developing countries and countries in transition access to information, thereby revolutionizing the philosophy of international cooperation and technical assistance.

109. The Delegation of Togo noted with approval the efforts made by WIPO to bring about the conclusion of a protocol on audiovisual performances and to establish a treaty on the settlement of disputes between States in the field of intellectual property, and encouraged the Organization to intensify its efforts to introduce texts or provisions for the international protection of folklore and databases. The Delegation was pleased with the depth and quality of the cooperation between its country and WIPO in the field of intellectual property. It said that the three-year program of cooperation agreed upon between WIPO and Togo in the field of copyright and neighboring rights for the period from 1996 to 1998 was proceeding satisfactorily. The Delegation asked for WIPO assistance in the strengthening of its national industrial property structure, and said that Togo had been working for a year on the experimental introduction of intellectual property teaching at university level, which it would like to extend to other schools and institutions in the country, and that it was also considering the introduction of an intellectual property chamber within its judicial system, which would require the training of trainers and magistrates. Training fellowships, documentation and

specialized equipment would be required to that end, and the Delegation consequently requested WIPO assistance for the realization of those projects.

110. The Delegation of Turkey stated that its country's efforts to protect industrial property, in line with international standards, had continued over the past year. The Delegation added that an industrial property attorney system had been put into place and there were now 156 registered trademark attorneys and 97 registered patent attorneys in Turkey. It stated that Turkey had now completed its national procedures for accession to the Madrid Protocol, the Locarno Agreement and the Budapest Treaty, and that accession was expected to take place in the near future. The Delegation added that the Turkish Patent Institute had held several seminars and conferences in 1996 and 1997 to increase awareness of industrial property and to spread information on the new Turkish industrial property system. Furthermore, the Turkish Patent Institute had organized an International Conference in Istanbul entitled "Industrial Property Protection in Turkey, June 24 to 25, 1997" and thanked WIPO, the EU, the EPO, the Community Trademarks and Designs Office (OHIM), and the patent offices of Bulgaria, Germany, Japan and the United States of America for their support in that respect. The Delegation had stated its expectation of WIPO's highest level representation at the opening ceremony of the International Conference in Istanbul and expressed the hope that this would be realized in the near future. The Delegation confirmed that the legislative framework for the protection of industrial property was in place and work had begun on developing the requisite administrative infrastructure. The Delegation thanked the EPO and the Austrian and German patent offices for their help in achieving this. The Delegation finally stated that Turkey would continue to improve and develop industrial property protection, and be available to assist developing countries in that respect.

111. The Delegation of Uganda expressed its country's gratitude for the assistance it had received from WIPO in the period under review, *inter alia*, in the development of human resources, in revising its national legislation to comply with the TRIPS Agreement, and in drafting a new law on industrial designs. It made particular reference to the training provided by WIPO to the staff of its national office in various areas, including that of the PCT, and the WIPO National Workshop for intellectual property practitioners on drafting patent documents and claims that had been organized by WIPO in the country in November 1996. It stressed the continuing demand for workshops of that kind. Turning to the issue of the protection of folklore, the Delegation voiced its support for an international instrument in that field and said that its country's draft law on copyright and neighboring rights would include provisions on such protection. In conclusion, the Delegation requested WIPO's assistance to develop a national project for the modernization of the national intellectual property office and to organize further training activities in the areas of trademarks, drafting of patent claims and general intellectual property practice.

112. The Delegation of the United States of America, in reviewing the activities of WIPO during the period since the 1995 Governing Bodies meetings, was pleased to note the many activities of the Organization that were addressing the protection of intellectual property in the light of the constant stream of communication and technology advances. To mention but a few activities related to these advances, the Delegation mentioned the two new treaties relating to copyright and neighboring rights, the discussions relating to domain name issues and trademarks, and most importantly, the efforts leading up to the formation of the proposed Information Technology Committee. It was also pleased to note the increased use by the

International Bureau of these same communication and technology advances. In particular, the Delegation applauded WIPO for its efforts to create and use its web site to reduce the expensive flow of paper emanating from the Organization and replacing it with a very efficient and low-cost flow of electrons to convey information. This information already included notices and documents for meetings, resource materials for using the PCT or the Madrid Agreement and Protocol, and an ever-increasing volume of materials which were formerly transmitted solely in paper or other fixed media forms. The Delegation also commended WIPO on the increased use of the Internet by the WIPO staff for communicating with member States, which greatly accelerated the interchange of information between WIPO and its member States. The Delegation was also particularly pleased to see WIPO so effectively addressing its conference facility needs by utilizing both technological solutions such as the audiovisual links that broadcast the proceedings in room A and the physical solution of using other facilities in Geneva including the CICG last December for the Diplomatic Conference, and the previous week the Palais des Nations for the PCT Assembly meeting. The Delegation could envisage in the near future the possibility of extending these links to enable individuals in any part of the world to speak and participate in WIPO meetings. While the activities report had an impressive array of activities geared to new technologies, the Delegation believed that this type of activity would become more and more prevalent. Under the leadership of Dr. Idris and based on the excellent foundation already present, the Delegation foresaw more and more activities arising from technological advances. For example, WIPO had not yet taken full advantage of even current technology for its training function and the Delegation expected that WIPO could take advantage of the increased availability of audiovisual communications, including interactive use of the Internet and remote access to WIPO-sponsored training seminars or information meetings, to carry out its essential training and educational programs. It was therefore with great satisfaction that the United States of America noted the significant progress that had been made toward establishing the necessary institutions and resources to enable WIPO to play a central role in improving the use and dissemination of information technologies. It added that the meetings held over the past year had demonstrated the interest and will of the WIPO membership in pursuing the United States of America's initiative on this topic. Turning to activities within the United States of America, the Delegation was pleased to report that earlier this year, the United States of America had signed the WCT and the WPPT. Since then, legislation had been introduced in the Congress to implement those treaties, indicating the intent of the Administration to ratify and implement those treaties as soon as possible. The United States of America, as it had in past years, had engaged in a substantial level of technical assistance programs with foreign governments. It noted that representatives of the United States Patent and Trademark Office (USPTO), the United States Copyright Office and several other government agencies had sponsored or participated in a large number of seminars and training programs for representatives of developing countries and countries in transition. In July 1996, the USPTO had sponsored the Intellectual Property Conference for the Americas, which had drawn senior government officials and business representatives from nearly all countries of North, Central and South America. It added that within the USPTO, there had been increased use of technological advances in the patent granting and trademark registering processes. State-of-the art computers had been deployed to the more than 2000 patent examiners of the USPTO to enable them to participate in an extensive internal network. This network enabled them to access both local and remote databases of prior art and to communicate electronically with each other and with patent applicants. The Delegation also stated that the investments in deployed information technology solutions had been complemented by extensive investments in prototype systems for electronic filing and

management of patent and trademark applications. It hoped that the solutions that had been developed incident to these projects would find a wider application and use within the WIPO membership. In conclusion, the Delegation was pleased with the developments within the International Bureau of WIPO and the United States of America over the past year.

113. The Delegation of Viet Nam expressed its appreciation of the achievements made by WIPO in the period under review. It mentioned that, parallel with economic growth, intellectual property protection had been continuously strengthened in Viet Nam. Following the entry into force, on July 1, 1996, of a Civil Code encompassing general principles on the protection of intellectual property, decrees on the implementation of the said principles had been issued in November and December 1996. It further added that legislation was being drafted, *inter alia*, on administrative procedures against violations of regulations and border control measures in the field of industrial property. The Delegation stressed that those new legal instruments had brought national legislation in line with international standards, especially those of the TRIPS Agreement, and that following the application of Viet Nam to join the WTO, new legislation on the protection of layout designs of integrated circuits, undisclosed information, geographical indications and repression of unfair competition was expected to be enacted before the year 2000. The Delegation also mentioned that, in the last years, its country had strengthened cooperation ties, particularly with ASEAN countries, and that close cooperation in intellectual property was also maintained, in addition to WIPO, with the EPO, Australia, France and Japan.

114. The Delegation of the Benelux Trademark Office and Benelux Designs Office (BBM/BBDM), speaking on behalf of its member States (Belgium, Luxembourg and the Netherlands), said that the two Offices had in recent years doubled their participation in assistance to developing countries in cooperation with WIPO, and that the effort would be kept up in 1998.

115. The Delegation of the Commission of the European Communities (CEC) reported that in July 1995, the Commission had adopted a Green Paper on Copyright and Neighboring Rights in the Information Society, which formed part of the Action Plan on the Information Society. It examined the possible implications of the development of new technologies with a view to any appropriate adjustments to ensure the continuing adequate protection of the rights in question. The Paper had since been discussed amongst interested circles at a Conference organized by the Commission in Florence in June 1996, and had received the support of the European Parliament in September 1996. It added that in November 1996, the Commission had adopted a Communication on the results of the consultation process launched by the Green Paper, and that this Communication confirmed the need for action at the Community level in order to adapt and complete the existing regulatory framework. It mentioned that the services of the Commission were now working on a draft directive on copyright and neighboring rights in the information society which would essentially be directed to, firstly, ensuring the free circulation of new products and services subject to intellectual property rights and, secondly, encouraging creativity and investment in this sector within the EU. It added that this opportunity would also be taken to implement within the EU a certain number of the obligations following from the two recent WIPO treaties adopted in December 1996. The European Communities had already signed those treaties and the proposal for ratification was also in preparation. The Delegation stated that the Commission supported continuing work in WIPO for the conclusion in the near future of a protocol on audiovisual performances and for

the further examination of the interests of broadcasters. It also stated that the Commission was ready to participate in any WIPO meeting to clarify the interest which others had expressed in the protection of folklore. The Delegation then referred to the adoption by the Council of the EU and the European Parliament, in March 1996, of Directive 96/9/EC Concerning the Legal Protection of Databases which harmonized existing copyright protection in the Member States and created a new *sui generis* economic right in databases. It stated that the Commission supported continuing work in WIPO toward the adoption of an international treaty in this area. It also mentioned that in March 1996, the Commission had adopted a proposal for a directive on the artists' resale right (*droit de suite*) for the benefit of an original work of art, that the proposal had already received a favorable opinion from the European Parliament and that it was under discussion with a view to adopting a common position in the Council of the EU.

As far as industrial property was concerned, the Delegation pointed out that substantial progress had been made with the strengthening of industrial property protection at European Community level. First, the examination of the proposed Directive on Biotechnological Inventions was going ahead, and the present text made allowance for the ethical concerns that had brought about the rejection of the 1998 proposal. The Delegation considered that a common position, which was the first step towards final adoption, could be taken by the Council in November 1997. Secondly, the Delegation announced that a common position had been taken in June 1997 on the harmonization of national industrial design legislation, and that it did not feature the "repair clause" that had caused profound differences of opinion. Difficulties were therefore expected in the continuing legislative process. The Commission hoped that final adoption would occur before the end of the current year, however. Thirdly, the Delegation said that the work on European Community's adherence to the Madrid Protocol had progressed less rapidly than the Commission had hoped, and that there was no question of ratification of the Protocol and the necessary legislative amendments being adopted in 1997. Fourthly, the Delegation made a brief mention of future action in the field of patents and utility models. With regard to patents, a Green Paper had been adopted by the Commission on June 24, 1997, as the starting point for a wide-ranging consultation on the protection of innovation in Europe. The central component had to do with the Community Patent (which was still not in force) and with the adjustments that might be made for users to be offered an accessible, reliable and reasonably priced system. Other important matters such as software-related inventions were touched upon. Professional groups would be given a hearing in Luxembourg at the end of November. Appropriate follow-up action would be decided by the Commission at the beginning of 1998. The Delegation added that a proposed Directive harmonizing national utility model laws would be submitted before the end of 1997. Finally, it announced that the Commission was going ahead actively with technical assistance and that its action, financed with Community funds in an amount that since the start had exceeded 20 million Swiss francs, was managed by the EPO, a number of patent and trademark offices of member States and the Alicante Office. Finally, the Delegation mentioned that increased action was planned, both to cover new geographical areas and to extend current action.

Regarding the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM), the Delegation reported that on April 1, 1996, the doors of the Office had been officially opened to the public and community trademark applications had been accepted by it since that date. It further informed that 43,010 applications had been received in 1996, and approximately a further 18,000 during the first eight and a half months of 1997, making

a grand total of 61,082 applications received as of September 17, 1997. Concerning the geographical distribution of applications, it noted that about 36,000 applications (59%) came from Member States of the EC and the remaining 41% from countries outside of the EC. On a country-by-country basis, the United States of America lead with 29%, which corresponded to no less than 17,700 applications; the second place was occupied by Germany, with 16%, followed by the United Kingdom, Spain, Italy and France. The applications were not concentrated on a few countries and came from no less than exactly 100 different countries. Concerning the distribution of applicants, it noted that the applications came from about 28,000 different applicants, which corresponded to about two applications per applicant. Large multinational companies played an important, but not the dominating, role. In conclusion, it stated that the success of the Community trademark system was a truly global one, although some delay and difficulties had arisen in dealing with files. In the latter respect, the Delegation assured that the Commission was making every effort to overcome them. It also emphasized that, since the beginning of the year, publication of Community trademark applications had taken place and at an increased pace, and the first Community trademarks would be registered shortly. The first registration certificates would be issued in a solemn ceremony, on the occasion of the visit of the Director General of WIPO to Alicante. Finally, the Delegation recalled that the Community Trade Mark Regulation complied with the Paris Convention and the TRIPS Agreement, that the Commission accepted priority rights based on filings in countries party to or member of the Paris Convention or the TRIPS Agreement, and that a Community trademark application was equivalent to a national application in each of the Member States of the Community. It added that the Commission would clearly like to see that a Community trademark application and a priority document issued by the Commission would be internationally accepted as the basis for a subsequent application in another country, preferably without any additional requirements. Most countries already proceeded in that manner and the Commission was willing to offer to work bilaterally with any countries still having difficulties to resolve them. In conclusion, the Delegation thanked all delegations and their national offices, but in particular WIPO and its Director General, for the positive feedback and the continuous support given to their Office and stated that the Commission would continue to cooperate with WIPO in the best possible ways.

116. The Delegation of the African Intellectual Property Organization (OAPI) announced that, two months previously, the OAPI Administrative Council had appointed a new management team responsible for greater involvement in the creation of the conditions that were essential for member Countries to have access to technological information, and also for the establishment of systems for the exploitation of research findings. Recalling that in 1992 the OAPI Administrative Council had, in its Abidjan Declaration, entrusted the Organization with a greater role, the Delegation emphasized OAPI's determination to redefine its relations with national liaison structures in order to strengthen its presence in member States. In that connection it emphasized that it would do its utmost to introduce a training system that would give those countries the necessary skills in the intellectual property field, and also to invest in the exploitation of inventions and innovations through the creation of conditions conducive to the establishment of active cooperation between research and business. The Delegation commented appreciatively on the many activities carried on with WIPO assistance in OAPI member Countries in 1996 and 1997, and expressed the wish that they might be diversified more. In that context, it mentioned in particular the holding, among other things, of two seminars for the benefit of the magistrates of member countries in Yaoundé, to general introductory courses on industrial property in Ouagadougou and Conakry, a regional

workshop on industrial property promotion for the benefit of persons responsible for national liaison structures in Libreville, a regional symposium on TRIPS in Cotonou, specialized training for OAPI officials and, more recently, namely at the beginning of September, the organization in Abidjan of a subregional workshop on the teaching of intellectual property. The Delegation also welcomed the fact that, during the period under review, WIPO had provided most of the member Countries of OAPI with appropriate and sustained assistance in the fields of training, the modernization of national liaison structures, the provision of information and office technology hardware and patent documentation and information. As for future activities, it spoke of the importance that OAPI attached to mastery of computer technology and to the revision of the Bangui Agreement with a view to providing member Countries with the legal tool that would serve them best in the context of the TRIPS Agreement.

117. The Delegation of the World Trade Organization (WTO) expressed the satisfaction of its Organization with the implementation of the WIPO-WTO Cooperation Agreement. It also stressed the importance attached by the WTO to WIPO's legal-technical assistance to members of WIPO, also members of the WTO, and other countries members of the WTO, in introducing the changes necessary to comply with the TRIPS Agreement. It concluded that the constructive cooperation of the International Bureau and its staff in the implementation of the above Agreement had been much appreciated by the WTO under the tenure of Dr. Bogsch, and that the WTO looked forward to building on such a constructive cooperation with the Director General elect.

118. The Governing Bodies, each as far as it was concerned, reviewed and approved the reports and activities contained or referred to in documents AB/XXXI/4, 5 and 6; noted the interim financial statement for 1996 as contained in paragraph 1001 of document AB/XXXI/5; noted the status of the payment of contributions on September 15, 1997, as contained in document AB/XXXI/10; and noted the report contained in document AB/XXXI/11.

ITEM 6 OF THE CONSOLIDATED AGENDA:

ACCOUNTS FOR THE 1994-95 BIENNIUM; ARREARS OF CONTRIBUTIONS OF DEVELOPING COUNTRIES; PROGRAM AND BUDGET AND CONTRIBUTIONS FOR THE 1998-99 BIENNIUM

119. Discussions were based on document AB/XXXI/2.

120. The Chairperson said that consideration of this item would be divided into two parts, the first dealing with the decision required in paragraph 4 of document AB/XXXI/2 (Accounts for the 1994-95 biennium) and the second dealing with paragraphs 10 and 12 of that document (Program and budget for the 1998-99 biennium; Contributions for the 1998-99 biennium).

121. The Governing Bodies approved the accounts for the 1994-95 biennium.

122. The Director General stated that the items of the agenda just finished dealt with WIPO's activities and finances in the past. Most of the remaining agenda items dealt with matters which concerned the future, namely, activities that the new Director General, Dr. Kamil Idris, prepares and would prepare himself. The Director General therefore asked the Chairperson and the delegates that he be excused from participating in the discussions of the items concerning the future. His absence would underline what he had already said in connection with the program and budget, namely, that even if he should have the title of Director General for another two months, the International Bureau, its staff, its finances and other human and material resources were as of now directly under the orders of the new Director General, Dr. Kamil Idris, to whatever extent he so wished.

123. The Chairperson thanked the Director General for the gesture.

124. All delegations gave the Director General a standing ovation as he left the room.

125. The Chairperson then turned to the consideration of paragraphs 10 and 12 of document AB/XXXI/2, and noted that, with respect to the authority to continue to pay expenditures up until the point that the new Director General might be ready to present his new draft program and budget, it was her understanding, confirmed by the Legal Counsel, that the last paragraph of the resolution of the Budget Committee gave the legal authority for expenditures from January 1, 1998, until the adoption of the program and budget that would be presented by the new Director General.

126. The Delegation of Ecuador, speaking on behalf of the countries of Latin America and the Caribbean (GRULAC), thanked the Chairperson for that clarification and for the position just adopted by Dr. Arpad Bogsch. The Delegation stated that the members of GRULAC considered it important to highlight that many of the issues subsumed under item 6 of the agenda were covered in the WIPO program and budget, and therefore GRULAC considered that these should be taken up by the new Director General. GRULAC would like very much to receive from the International Bureau in the coming months the financial report of June to November 30, 1997, with a report of the activities completed and those still outstanding within the framework of the mandate to be concluded in December 1997. At the same time, the International Bureau might inform WIPO Member States of the commitments undertaken and activities at present underway that would be pursued beyond the end of 1997. On behalf of GRULAC, the Delegation said how important it considered the question of the establishment of a standard by WIPO of the basic expressions and protections of folklore and to a broad treatment of broadcasting issues.

127. The Delegation of Canada strongly supported the recommendations made by the Budget Committee in April 1997, and invited the new Director General to submit his own program and budget for the upcoming biennium for the consideration of the next session of the Budget Committee. In particular, the Delegation of Canada would like to see Dr. Idris address in his program and budget WIPO's priorities for the upcoming biennium, which the Delegation said should include the institution of effective evaluation mechanisms on its programs and activities, guidelines on the use of the special reserve fund, and a vision and program for the use of information technology in WIPO's activities.

128. The Delegation of Germany, as a member of the Budget Committee, had participated in the meeting in April 1997, when the draft program and budget submitted by the outgoing Director General was discussed. The Delegation referred to its fairly long statement, reflected in an annex of document AB/XXXI/2, which put forward its point of view concerning the future program and budget and how to handle the future of this Organization. The Delegation said that that statement was still valid, apart from the element concerning the reduction of PCT fees by a weighted average of 15%, which had already been decided by the PCT Assembly. The Delegation thanked all who had participated in that decision. And for the rest, he invited the incoming Director General to take note of the points the Delegation had made in April, which were still valid concerning information technology, norm setting and so on.

129. The Delegation of Sri Lanka, speaking on behalf of the Asian Group, supported the Budget Committee's recommendations contained in document AB/XXXI/2. Having given its support for those recommendations, with regard to paragraph 10 of that document—which invited the new Director General to present his draft program and budget by a date to be fixed by the Governing Bodies—the Delegation said it would like to hear from the new Director General as to the preparation of his budget and the time frame for presenting that budget to the Budget Committee.

130. The Delegation of Côte d'Ivoire, speaking on behalf of the African Group, expressed its support of the recommendations made by the Budget Committee, particularly with respect to paragraph 10 of document AB/XXXI/2. It would like the new Director General to give his opinions and introduce the elements that he would like to see in the new budget, which will be managed under him. The Delegation said that it was very interested in having a certain number of items taken into account, in particular, an increase in the budget for development cooperation, especially as a phase was being entered in which the information technology element, as part of the global information network, was something which would affect the majority of the countries of Africa. The African Group also wanted to see a project for the protection of folklore and audio-visual elements to be taken into account in the future budget, particularly in terms of regional consultations that would take place in preparation for the various treaties. The Delegation had stressed at its recent meetings that all these matters should be taken into account in the new budget. As the Delegate of the Asian Group had said, the Delegation of Côte d'Ivoire also awaited information as to when the new Director General planned to present his budget.

131. The Delegation of the United States of America, like the Delegation of Germany, said that it would like the comments that it had provided on the draft budget earlier this year to be factored into the preparations by Dr. Idris of his new budget. It also highlighted its desire to ensure that, in the preparation of that budget, the results and progress on the work in relation to information technologies, as outlined in the recommendation from the meeting held earlier this summer on information technologies for intellectual property, would be factored into the planning and preparation of the program and budget. Like the Delegation of Sri Lanka, the Delegation of the United States of America said that it would like to obtain from Dr. Idris some indication of the schedule that he planned to follow in the preparation of his draft program and budget, as well as the date next year for the meeting to discuss and work on that budget. The Delegation welcomed the views of the new Director General on this draft program and budget, and looked forward to some very productive work in the next few months.

132. The Delegation of France associated itself with what had been said by the Delegations of Germany and the United States of America. At the same time, speaking on behalf of Group B, the Delegation of France said that it welcomed the decisions taken by the Budget Committee, namely, to defer all matters related to the forthcoming biennium until a future date, and very much hoped that Dr. Idris would be ready to propose a budget. Group B was ready to cooperate if necessary in the preparation of this budget, and was ready and willing to assist Dr. Idris, if he wished. The Delegation added that the reduction in PCT fees was welcomed, as that would contribute to an overall reduction in the cost of patents, which was of general interest to everyone; the Delegation noted that the EPO had already taken a similar decision to reduce its fees effective July 1, 1997.

133. The Delegation of Chile supported the recommendations from the Budget Committee. It considered it most suitable that the new Director General should begin work in preparing a new program and budget once the present Governing Bodies meetings had been concluded. In this sense, it also welcomed the decision taken by Dr. Bogsch. The Delegation supported the Budget Committee's recommendation to the effect that the contributions for 1998-99 should be maintained at the same level as for the 1996-97 biennium. In concluding, the Delegation said that it attributed great importance to the establishment of a mechanism for evaluation of cooperation activities, and hoped that the new Director General would bear this in mind in his future considerations.

134. The Delegation of Senegal, which had participated in the Budget Committee meeting, expressed its support for the Budget Committee's recommendation. Since a budget is a political instrument, it was important to hear the views of the Director General elect on it. The Delegation stressed that detailed consideration should be given to the way in which the contributions are distributed, and the Delegation felt that Dr. Idris should make this question a central element in the proposals that he would be presenting shortly.

135. The Delegation of China, as a member of the Budget Committee, fully supported the recommendations of the Budget Committee. The Delegation reaffirmed its full support of the incoming Director General's intention of making his proposals regarding the 1998-99 program and budget. The Delegation said that it would like to maintain very good cooperative links with WIPO.

136. The Delegation of Japan joined other previous speakers who supported the recommendation made by the Budget Committee. The Delegation wished to await a new budget proposal, together with a review of the Organization's structure. The Delegation also expected that, in the course of his preparations, the new Director General, Dr. Kamil Idris, would take into account the use of information technology in the International Bureau's management and activities, in particular, in PCT registration activities.

137. The Director General elect said that he and his colleagues noted with great interest the very useful observations and comments just made by various delegations. On the substance of the draft program and budget, he intended, together with his colleagues, immediately after the present sessions of the Governing Bodies, to proceed with the preparation of the new draft program and budget. And he very much hoped that in the two months ahead, namely, October and November, they would finalize a basic draft program and budget as far as one could see the future direction of this Organization. Then, in December, if everything went as planned, he intended to initiate some consultations with the Regional Groups in Geneva; the modalities of these consultations would be discussed perhaps after the present sessions of the Governing Bodies. At the same time, in December, the proposed draft program and budget would be sent for translation into the various working languages of WIPO. Sometime after Christmas, perhaps towards the end of January, he intended to circulate the draft program and budget to the various missions and capitals of the various member States of this Organization. Then, based on this very initial calendar, he hoped that towards the last week of March next year, the Budget Committee and the General Assembly could be convened, during the same week, for the endorsement of the draft program and budget. The Director General elect hoped that with this general indication, one could proceed accordingly.

138. The Governing Bodies noted what was stated by the Director General elect, and decided to fix the contributions for the 1998-99 biennium at the same level as for the 1996-97 biennium.

139. The Annex 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, 1998.

ITEM 7 OF THE CONSOLIDATED AGENDA:

PREMISES

140. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 8 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE DRAFT TREATY FOR THE SETTLEMENT OF DISPUTES BETWEEN STATES IN THE FIELD OF INTELLECTUAL PROPERTY

141. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 9 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE DRAFT PATENT LAW TREATY

142. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 10 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE PCT UNION

143. See the report of the session of the PCT Union Assembly (document PCT/A/XXIV/10).

ITEM 11 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE MADRID UNION

144. See the report of the session of the Madrid Union Assembly (document MM/A/XXVIII/3).

ITEM 12 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE HAGUE UNION

145. See the report of the session of the Hague Union Assembly (document H/A/XV/3).

ITEM 13 OF THE CONSOLIDATED AGENDA:

MATTERS CONCERNING THE NICE UNION

146. See the report of the session of the Nice Union Assembly (document N/A/XV/2).

ITEM 14 OF THE CONSOLIDATED AGENDA:

AVAILABILITY OF DATA OF THE INTERNATIONAL CLASSIFICATIONS

147. Discussions were based on document AB/XXXI/9.

148. The Delegations of Finland, France and Japan supported the proposals contained in the above-mentioned document. The Delegation of Japan also announced that the Japanese Patent Office cooperated with the Japan Patent Information Organization in the publication of a CD-ROM containing the Japanese version of the IPC.

149. In reply to a question raised by the Delegation of France, relating to the future publication of the International Classifications, and in particular the IPC, in paper form, which, in its opinion, was more suitable for certain categories of users than an electronic version, the International Bureau said that the publication of the International Classifications in paper form would be continued and that no decision to cease that publication would be taken without the approval of the Assemblies of the respective Unions.

150. The Delegation of Germany, while generally supporting the proposals of the International Bureau, expressed concern that the intended decrease of the price of the IPC:CLASS CD-ROM for private users might not reflect the considerable work conducted by the German Patent Office in the preparation of the German version of the IPC. The International Bureau clarified that the proposal concerning the electronic forms of publications other than CD-ROMs applied only to the authentic versions (English and French) of the International Classifications, and that the new price of the IPC:CLASS CD-ROM for private users would be fixed in consultation with the offices which cooperated with the International Bureau in producing the data contained in the said CD-ROM.

151. The Assemblies of the IPC, Nice, Vienna and Locarno Unions approved the proposals set forth in paragraph 8 of document AB/XXXI/9.

ITEM 15 OF THE CONSOLIDATED AGENDA:

AUDIOVISUAL PERFORMANCES AND DATABASES AND FOLKLORE

152. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 16 OF THE CONSOLIDATED AGENDA:

INFORMATION TECHNOLOGIES FOR INTELLECTUAL PROPERTY

153. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 17 OF THE CONSOLIDATED AGENDA:

INTERNET AND THE WIPO ARBITRATION AND MEDIATION CENTER

154. See the report of the session of the WIPO General Assembly (document WO/GA/XXI/13).

ITEM 18 OF THE CONSOLIDATED AGENDA:

STAFF MATTERS

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

ITEM 19 OF THE CONSOLIDATED AGENDA:

APPROVAL OF AN AGREEMENT BETWEEN WIPO AND THE EURASIAN PATENT ORGANIZATION (EAPO)

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

ITEM 20 OF THE CONSOLIDATED AGENDA:

APPOINTMENT OF MEMBERS OF THE WIPO ARBITRATION COUNCIL

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

ITEM 21 OF THE CONSOLIDATED AGENDA:

DESIGNATION OF AUDITORS

158. Discussions were based on document AB/XXXI/3.

159. The Delegation of Côte d'Ivoire asked if it was a rule established in the Convention that it be the host country which should, for all time, be the auditor.

160. The International Bureau stated that there was no such rule.

161. The Delegation of Côte d'Ivoire suggested that it would be a good idea, bearing in mind the phase the Organization was going through now and the sensitive nature of the matter, to perhaps ask the Director General elect to make some proposals whether to continue with Switzerland or not.

162. The Chair said that the Delegation of Côte d'Ivoire had raised an issue that deserved a broader discussion and a fuller consideration, in making the proposal that consideration be given to changing the Auditor designated by the Organization. Discussion of this agenda item was suspended so that the proposal of the Côte d'Ivoire be added to the agenda of Group discussions, following which there would be further discussion of this agenda item.

163. After those discussions in the Groups as to how they wanted to proceed with this agenda item, and after consultations with the Group Coordinators, the Chair advised the General Assembly that the Group Coordinators had reached a consensus whereby Switzerland would be renewed as the 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, up to and including the year 1999, so that would be for the next biennium, and that the General Assembly would request the International Bureau to prepare, for the consideration of the 1999 session of the General Assembly, the options available for decision on the future designation of auditors.

164. 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 adopted the consensus solution given in the preceding paragraph.

ITEMS 22, 23 AND 24 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 BUDGET COMMITTEE

ELECTION OF THE MEMBERS OF THE PREMISES COMMITTEE

165. Discussions were based on documents AB/XXXI/7, WO/GA/XXI/7 and WO/GA/XXI/8.

166. It was noted during the group coordinators' meetings dealing with agenda items 22, 23 and 24 that the allocation of additional seats in the Executive Committees of the Paris and Berne Unions (and in the Budget and Premises Committees) over the years had not necessarily been subject to consistent articulated principles and that, as a result, certain discrepancies inadvertently may have been built into such distribution over the years.

167. It was therefore agreed:

that the additional seats available for the Executive Committees of the Paris and Berne Unions (and the Budget and Premises Committees) would be allocated, without prejudice to future decisions based on a comprehensive review, for a two-year period;

that the International Bureau prepare for the 1999 ordinary session of the General Assembly a paper outlining options of principles which could be used to re-establish overall seat allocations and the implications of each such principle for each group; and

that the paper prepared by the International Bureau be considered by the 1999 ordinary session of the General Assembly.

168. On the basis of the discussions in groups and among group coordinators,

(i) the Paris Union Assembly unanimously elected the following States as *ordinary* members of the *Paris Union Executive Committee*: Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Cameroon, China, Colombia, Czech Republic, Denmark, El Salvador, Finland, Germany, Hungary, Ireland, Italy, Japan, Lesotho, Libya, Malaysia, Panama, Russian Federation, Singapore, South Africa, Spain, Sri Lanka, Sudan, Swaziland, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Venezuela (35);

(ii) the Paris Union Conference of Representatives unanimously elected the Islamic Republic of Iran 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*: Brazil, Burkina Faso, Canada, Chile, Costa Rica, Côte d'Ivoire, Cuba, France, Ghana, Greece, India, Kenya,

Luxembourg, Mexico, Netherlands, Nigeria, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, Senegal, Slovenia, Sweden, Ukraine, United Kingdom, United States of America, Uruguay (31);

(iv) the WIPO Conference unanimously designated the following States as *ad hoc* members of the *WIPO Coordination Committee*: Angola, Brunei Darussalam, Nepal, Yemen (4);

(v) The WIPO Conference and 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: Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Czech Republic, Denmark, El Salvador, Finland, France, Germany, Ghana, Greece, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Kenya, Lesotho, Libya, Luxembourg, Malaysia, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Singapore, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, United States of America, Uruguay, Venezuela, Yemen (72).

169. On the basis of discussions in groups and among group coordinators, the WIPO General Assembly elected the following States as members of the *WIPO Budget Committee* for the period from October 1, 1997 to September 30, 2001: Bulgaria, Canada, Chile, China, Ecuador, Egypt, France, Germany, Hungary, India, Jamaica, Japan, Mexico, Morocco, Netherlands, Norway, Pakistan, Philippines, Republic of Korea, Russian Federation, Senegal, Slovakia, South Africa, United Kingdom, United States of America, Uzbekistan, and noted that Switzerland would continue to be an *ex officio* member of the WIPO Budget Committee (27).

170. On the basis of discussions in groups and among group coordinators, the WIPO General Assembly elected the following States as members of the *WIPO Premises Committee* from October 1, 1997, to September 30, 2001: Algeria, China, Colombia, Croatia, France, Germany, India, Nigeria, Paraguay, Russian Federation, Sri Lanka, Switzerland, United States of America (13).

ITEM 25 OF THE CONSOLIDATED AGENDA:

DESIGNATION OF THE MEMBERS OF THE WORKING GROUP OF THE
PERMANENT COMMITTEE FOR DEVELOPMENT COOPERATION RELATED TO
INDUSTRIAL PROPERTY (PC/IP)

171. See the report of the session of the WIPO Conference (document WO/CF/XIV/3).

ITEM 26 OF THE CONSOLIDATED AGENDA:

DESIGNATION OF THE MEMBERS OF THE WORKING GROUP OF THE
PERMANENT COMMITTEE FOR DEVELOPMENT COOPERATION RELATED TO
COPYRIGHT (PC/CR)

172. See the report of the session of the WIPO Conference (document WO/CF/XIV/3).

ITEM 27 OF THE CONSOLIDATED AGENDA:

UNITED NATIONS RESOLUTIONS

173. See the report of the session of the WIPO General Assembly
(document WO/GA/XXI/13).

ITEM 28 OF THE CONSOLIDATED AGENDA:

ADMISSION OF OBSERVERS

174. The consideration of this item was based on document AB/XXXI/8.

175. The Delegation of Ecuador, speaking on behalf of the Latin American and the Caribbean Group, stated that observers should have an opportunity to participate in WIPO meetings. The Group considered, however, that it was essential that the WIPO General Assembly examine the criteria for admission of observers. The proposal by the Director General elect to set up advisory commissions would be an opportunity to examine those criteria. The Delegation stressed the need to avoid admitting observers in large numbers, and suggested that consideration could be given to the possibility of non-governmental organizations intervening actively through regional representatives.

Admission of Intergovernmental Organizations as Observers

176. The Governing Bodies, each as far as it is concerned, decided to grant observer status to the World Trade Organization (WTO), the Commonwealth of Learning (COL), the Southern African Development Community (SADC) and the *Union douanière et économique de l'Afrique centrale (UDEAC)*.

Admission of International Non-Governmental Organizations as Observers

177. The Governing Bodies, each as far as it is concerned, decided to grant observer status to the following 12 international non-governmental organizations: the ASEAN Intellectual Property Association (ASEAN IPA), the Association of European Performers' Organizations (AEPO), the Commercial Internet eXchange Association (CIX), the Coordination of European Picture Agencies-News and Stock (CEPIC), the European Sound Directors Association (ESDA), the International Centre for Humanitarian Reporting (ICHR), the International Communications Round Table (ICRT), the International Federation of Commercial Arbitration Institutions (IFCAI), the International Federation of the Periodical Press (FIPP), the Latin American Federation of Music Publishers (FLADEM), the Organización Iberoamericana de Derechos de Autor-Latinautor Inc. and the World Association for Small & Medium Enterprises (WASME).

ITEM 29 OF THE CONSOLIDATED AGENDA:

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

178. This General Report was unanimously adopted by the Governing Bodies concerned on October 1, 1997.

179. Each of the 21 Governing Bodies unanimously adopted the separate report concerning its session, at a separate meeting of the Governing Body concerned, on October 1, 1997.

ITEM 30 OF THE CONSOLIDATED AGENDA:

CLOSING OF THE SESSIONS

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

“I am honored to have served as your Chair during this critical juncture in the history of the protection of intellectual property. I thank all of you for your support which has made my responsibilities so much easier. But I personally must give a very special and warm salute to the group coordinators. Theirs is not an easy task and they are critical to the success of our meetings—it is they who must find the fine line between group, and collective Assembly, will. That they have done so much in this Assembly is a tribute to their intelligence, creativity and sense of responsibility. And that they have done so with goodwill and a marvelous sense of humor has been an added benefit.

“When the generations of intellectual property specialists who succeed us look for the roots of their strength and pride, they will undoubtedly recognize the thirty-first series of meetings of the Governing Bodies of the World Intellectual Property Organization and the Unions Administered by WIPO as a watershed in the long and distinguished history of the protection of intellectual property.

“They will see, in our work, over the past ten days an Organization of Member States who confidently set out to respond to a new series of challenges brought about by paradigm shifts in our external environment. For this we have done.

“They will see, in our work, Member States who recognized that to grow and remain credible and relevant with our clients and stakeholders our Organization must base its new dynamics on the strength and stability that it has received from the past. And this we have done.

“They will see, in our work, Member States who had the courage to use new values of openness, transparency, and accountability, however difficult and painful they might be, to rule the conduct of our business. For this we have done.

“They will see, in our work, Member States exhibiting a collective will to put ourselves on the leading edge of the use of technology as a “mission critical” element of the future protection of intellectual property within all Member States. For this we have done.

“And finally, they will see in our work Member States with the foresight to appoint a dynamic, visionary son of Africa to lead them into the next millennium. For this we have done.

“But we are all aware that we are at the beginning of a new era and I look forward to seeing you all again in the not too distant future when we will continue the journey upon which we have now embarked.

“There being no other business, I now declare the thirty-first series of meetings of the Governing Bodies of the World Intellectual Property Organization and the Unions Administered by WIPO closed.”

181. The Group Coordinators and the Representative of China all expressed a warm vote of thanks to the Chair of the WIPO General Assembly for her able and dedicated guidance, to the International Bureau of WIPO for its competent and dedicated secretarial and translation services and to the interpreters for their tireless efforts.

182. After the usual interventions, the thirty-first series of meetings of the Governing Bodies of WIPO and the Unions administered by it were closed by the Chair of the WIPO General Assembly.

[Annex follows]

ANNEX

CONTRIBUTIONS FOR 1998 AND 1999

I. States Members of One or More of the Contribution-financed Unions

1. The contributions for the 1998–99 biennium are fixed for the Contribution-financed Unions (namely, the Paris, Berne, IPC, Nice, Locarno and Vienna Unions) at a total of 43,212,000 francs, with one half (or 21,606,000 francs) payable on January 1, 1998, and the other half on January 1, 1999.
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 for the 1998-99 biennium are payable under that system.
3. The share of each State member of one or more of the Contribution-financed Unions depends on (i) the class to which it belongs for the purpose of contributions and (ii) the number of the other States and the class to which each of them belongs.
4. Following the 1997 Governing Bodies meetings, the said States will, on January 1, 1998, 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 6.51% of the total contributions of 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 3.91% of the total contributions of 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 2.60% of the total contributions of 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 1.95% of the total contributions of the Contribution-financed Unions).

Class V (5 units): Czech Republic, Slovakia (2 countries, totalling 10 units, each country contributing 5 units or approximately 1.30% of the total contributions of 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 0.78% of the total contributions of 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 0.52% of the total contributions of 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 of 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 of the Contribution-financed Unions).

Class IX (1/4 unit): Albania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Iraq, Kazakstan, Kyrgyzstan, Latvia, Lithuania, Republic of Moldova, San Marino, Singapore, Tajikistan, Thailand, Turkmenistan, Ukraine, United Arab Emirates, Uzbekistan, Venezuela (21 countries, totalling 5.25 units, each country contributing 1/4 unit or approximately 0.07% of the total contributions of the Contribution-financed Unions).

Class S (1/8 unit): Bahamas, Bahrain, Chile, Colombia, Cuba, Cyprus, Democratic People's Republic of Korea, Ecuador, Egypt, Guatemala, Morocco, Pakistan, Peru, Philippines, Syria, Trinidad and Tobago, Tunisia, Uruguay (18 countries, totalling 2.25 units, each country contributing 1/8 unit or approximately 0.03% of the total contributions of the Contribution-financed Unions).

Class *Sbis* (1/16 unit): Barbados, Bolivia, Bosnia and Herzegovina, Cameroon, Congo, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Fiji, Gabon, Ghana, Guyana, Honduras, Jamaica, Jordan, Kenya, Lebanon, Malta, Mauritius, Mongolia, Namibia, Nicaragua, Panama, Paraguay, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sri Lanka, Suriname, Swaziland, Viet Nam, Zimbabwe (34 countries, totalling 2.125 units, each country contributing 1/16 unit or approximately 0.016% of the total contributions of the Contribution-financed Unions).

Class *Ster* (1/32 unit): Bangladesh, Benin, Burkina Faso, Burundi, Cape Verde, Central African Republic, Chad, Democratic Republic of the Congo, Equatorial Guinea, Gambia, Guinea, Guinea-Bissau, Haiti, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Niger, Rwanda, Sierra Leone, Sudan, Togo, Uganda, United Republic of Tanzania, Zambia (27 countries, totalling 0.84375 unit, each country contributing 1/32 unit or approximately 0.008% of the total contributions of the Contribution-financed Unions).

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

<u>1997</u> (actual)		<u>1998</u>	<u>1999</u>
1,408,016	Class I	1,406,755	1,406,755
-	Class II	-	-
844,809	Class III	844,053	844,053
563,206	Class IV	562,702	562,702
422,405	Class IV ^{bis}	422,027	422,027
281,604	Class V	281,350	281,350
168,962	Class VI	168,811	168,811
112,641	Class VI ^{bis}	112,540	112,540
56,321	Class VII	56,270	56,270
28,161	Class VIII	28,135	28,135
14,080	Class IX	14,068	14,068
7,040	Class S	7,034	7,034
3,520	Class S ^{bis}	3,517	3,517
1,760	Class S ^{ter}	1,758	1,758

[Total States = 152]

[Total Units = 383.96875]

6. It is to be noted that the actual amount that each State will have to pay on January 1 of the above years may be different from the amounts indicated since each of the said 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

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 with Classes VII to S^{ter} of the unitary contribution system, the share of each such State depends on (i) the class to which it belongs for the purpose of contributions and (ii) the amount of the contributions for that class.

8. Following the 1997 Governing Bodies meetings, the said States will, on January 1, 1998, belong to the following classes:

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

Class VIII (1/2 unit): No country belongs to this class.

Class IX (1/4 unit): Andorra (1 country, contributing 1/4 unit).

Class S (1/8 unit): Brunei Darussalam, Oman, Qatar (3 countries, totalling 0.375 unit, each country contributing 1/8 unit).

Class Sbis (1/16 unit): Papua New Guinea (1 country, contributing 1/16 unit).

Class Ster (1/32 unit): Angola, Bhutan, Cambodia, Eritrea, Laos, Mozambique, Nepal, Samoa, Somalia, Yemen (10 countries, totalling 0.3125 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 of the said States 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 State will have to pay on January 1 of the above years may be different from the amounts indicated, since each of the said State's actual contribution will depend on the factors referred to in paragraph 7, above.

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