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**GOVERNING BODIES OF WIPO
AND THE UNIONS ADMINISTERED BY WIPO**

**Thirty-First Series of Meetings
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OVERVIEW OF ACTIVITIES AND DEVELOPMENTS IN THE YEAR 1996
AND THE FIRST HALF OF THE YEAR 1997

Memorandum by the Director General

Introduction

1. Under the programming biennium (1996-97), the year 1996 and the first half of the year 1997 were marked by a vigorous level of WIPO activities in its three main fields of work: cooperation with developing countries in the strengthening of their intellectual property systems (development cooperation), promotion of the adoption of new, or the revision of existing, norms for the protection of intellectual property at the national, regional and multilateral levels (norm-setting), and facilitating the acquisition of intellectual property protection, through international registration systems (registration activities).

Development Cooperation Activities

2. The resources for development cooperation are double in the Organization's biennial budget of what they were in the 1994-95 budget. This increase considerably facilitated the satisfaction of the ever increasing needs of assistance of developing countries.

3. The main forms in which WIPO provided assistance to developing countries in the fields of industrial property and copyright and neighboring rights continued to be the development of human resources, the provision of legal advice and technical assistance for the automation of administrative procedures and the retrieval of technological information.

4. Many of the development cooperation activities were carried out by WIPO with particular attention to the new needs of developing countries in the context of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). Thus, the training programs organized by WIPO during the period under review (training courses, seminars, workshops and similar meetings at national, regional and global levels) systematically covered the TRIPS Agreement, and so did the terms of reference of WIPO officials and consultants undertaking advisory missions to developing countries.

5. During the 18 month period under review, WIPO organized nine regional mega-symposiums entirely devoted to the subject of the implications of the TRIPS Agreement for developing countries: four in 1996 and five during the first half of 1997: two such symposiums were organized for English-speaking African countries, respectively in Pretoria and in Arusha (United Republic of Tanzania), two for French-speaking African countries respectively in Abidjan and Cotonou, one for Arab countries in Amman (a similar mega-symposium for Arab countries had been organized by WIPO in December 1995 in Cairo), two for countries of Asia and the Pacific in Jakarta and Kuala Lumpur, and two for Latin American and Caribbean countries in Caracas and Cartagena de Indias (Colombia). The travel costs of some 446 persons at these meetings were borne by WIPO. Furthermore, WIPO organized (i) in September 1996, in Geneva, in cooperation with the World Trade Organization (WTO), a workshop on "TRIPS and Border Enforcement" which was attended by 120 participants from government departments concerned with intellectual property enforcement issues in various countries and Permanent Missions in Geneva; (ii) in the first half of 1997, in Daeduk, in cooperation with the Government of the Republic of Korea, an international forum fully devoted to the subject of the implications of the TRIPS Agreement, which was attended by 43 participants from 21 countries; and (iii) also in the first half of 1997, in Singapore, in

cooperation with the governments of Singapore and Japan, a round table on the implementation of the TRIPS Agreement for the countries of the Asia and Pacific region.

6. In 1996, a total of 120 developing countries, one territory and nine intergovernmental organizations of developing countries benefited from WIPO's development cooperation program. The corresponding figure for the period between January and June 1997, were 65 developing countries and five intergovernmental organizations.

7. As concerns training activities, a total of 230 courses, seminars or other meetings were held during the period under review at the global, regional or national levels, giving training or information to some 19,000 persons coming from the government and private sectors of 123 developing countries. The travel and living expenses were borne by WIPO for some 1,900 persons. Individual training was organized for 185 nationals of developing countries, in the form of study visits and attachments to industrial property and copyright offices abroad. In addition, long-term fellowships were granted by WIPO to 23 government officials of developing countries for academic training in institutions of higher learning. The costs of the said visits and fellowships were borne by WIPO.

8. The subjects covered by the said training activities included the implications of the TRIPS Agreement and legislative, enforcement, administrative, economic and technological aspects of intellectual property. Special training programs were designed for specific groups of persons, such as policy makers and law makers, government officials in charge of the administration of intellectual property, legal practitioners, the judiciary, law enforcement officials, scientists, researchers, academics and entrepreneurs. The subject of the valuation of intellectual property assets was also addressed for the first time in a seminar organized by WIPO in November 1996 in Beijing, and was further addressed in a symposium organized by WIPO in March 1997 in Ho Chi Minh City.

9. A special feature of WIPO's activities for developing countries continued to be the holding of sessions of the "WIPO Academy." In 1996, there were two two-week sessions for middle- and senior-level government officials coming from 28 countries, and during the first six months of 1997, there were again two such sessions for government officials coming from 26 developing countries. The aim of each session was to present, for reflection and discussion, current intellectual property issues in such a way as to highlight the policy considerations behind them and thereby enable the participants in the Academy, on their return to their countries, to better formulate appropriate policies for their governments.

10. As concerns provision of legal and technical advice to developing countries, a total of 330 advisory missions were undertaken to 73 developing countries, in a variety of fields including the implications of the TRIPS Agreement, the enactment of laws or the revision of existing ones (particularly to comply with the obligations arising from the said Agreement), the modernization of national industrial property and copyright administrative infrastructure, including streamlining and computerization of administrative procedures, strengthening of links between national industrial property administrations and the private sector, promotion of invention and innovation, collective copyright management, the establishment of industrial property information services, and the creation of national facilities for intellectual property teaching. A number of such advisory missions also gave on-the-job training to staff of national administrations on specialized industrial property

areas such as patent and trademark examination and classification, and assisted in the installation of computer equipment and software. In total, 515 consultants were engaged, in the period under review, either for advisory missions or as lecturers in courses and seminars.

11. As concerns the provision of computer software and hardware, a total of 88 developing countries received CD-ROM workstations, personal computers or other modern office equipment and CD-ROMs containing legislative and patent information.

12. In carrying out its development cooperation program, WIPO received funds-in-trust from France and Japan, and executed projects financed by the United Nations Development Programme (UNDP), the European Patent Office (EPO) and the Commission of the European Communities (CEC). WIPO also received funds in trust of different amounts from developing countries, the largest being the WIPO-Brazil funds in trust, concluded in May 1997 and amounting to some 10 million US dollars.

13. Cooperation with developing countries at the regional or subregional level was further strengthened by the continued cooperation with the African Intellectual Property Organization (OAPI), the African Regional Industrial Property Organization (ARIPO), the Association of South East Asian Nations (ASEAN), the Board of the Cartagena Agreement (JUNAC), the Islamic Educational, Scientific and Cultural Organization (ISESCO), the Latin American Economic System (SELA), the Organization of African Unity (OAU), the Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA) and the Southern Common Market (MERCOSUR).

14. A special new feature of the development cooperation program was the planning and implementation of WIPO-financed country projects for a number of developing countries. For each project, the assistance needs of a given developing country in the field of intellectual property are identified jointly by WIPO and the authorities of the country. A plan of action is then prepared, on a pluri-annual basis by those authorities and WIPO, and implemented. On June 30, 1997, there were WIPO-financed country projects in Bangladesh, Bhutan, Bolivia, Burkina Faso, Chad, Cuba, Democratic People's Republic of Korea, Dominican Republic, Equatorial Guinea, Guatemala, Guyana, Haïti, India, Indonesia, Jamaica, Jordan, Kenya, Laos, Lebanon, Madagascar, Mongolia, Mozambique, Nepal, Niger, Pakistan, Panama, Senegal, Sri Lanka, Sudan, Syria, Togo, Uruguay, Yemen.

15. In July 1996, at WIPO's initiative, cooperation between WIPO and the World Customs Organization (WCO) was formalized through an exchange of letters. Such cooperation consists of an exchange of information, as well as periodic consultations between the two Organizations, to establish a schedule of activities of common interest.

16. The activities undertaken by WIPO in the development cooperation area were reviewed by the WIPO Permanent Committee for Development Cooperation Related to Industrial Property (PC/IP), which held its seventeenth session in June 1996, and by the WIPO Governing Bodies, which held their 29th session in September and October 1996.

17. During the latter, particular satisfaction was expressed for the volume and quality of the development cooperation activities carried out by the International Bureau, with particular

reference to the activities that assisted developing countries in analyzing the implications of the TRIPS Agreement for them, and in adapting their national legislation to the obligations established under that Agreement. The delegations of the recipient developing countries expressed the hope that WIPO's development cooperation program would expand in the future and that there would be a significant increase in financial resources allocated to it.

Norm-Setting Activities

18. In the norm-setting area, the period under review was marked by the entry into force of the Trademark Law Treaty (on August 1, 1996) and the adoption of two new treaties in the field of copyright and neighboring rights in December 1996 (see below). Also, there was progress in the work of the Committee of Experts for the planned Patent Law Treaty and in respect of a more effective protection of well-known marks, and the commencement of new work on, *inter alia*, recordal of trademark licenses and on questions concerning trademarks and Internet domain names. Finally, the period witnessed decisions on future work relating to the development of the Hague Agreement Concerning the International Deposit of Industrial Designs and the draft Treaty on the Settlement of Intellectual Property Disputes between States.

19. The WIPO Diplomatic Conference on Certain Copyright and Neighboring Rights Questions, convened by the Director General of WIPO, took place in Geneva from December 2 to 20, 1996. It adopted two treaties, namely, the WIPO Copyright Treaty (WCT), and the WIPO Performances and Phonograms Treaty (WPPT). One hundred and thirty countries and 83 organizations, represented by some 762 delegates participated. The new treaties clarify existing rights or establish new rights for authors, performing artists (mainly in the aural fixations of their performances) and producers of sound recordings, specially when their works, fixed sound performances or phonograms are used by digital means, as in the Internet.

20. The Diplomatic Conference urged the continuation of WIPO's efforts for the conclusion of an "Audiovisual Protocol" to complement the WPPT in respect of the rights of performers in the audiovisual fixations of their performance, and a "Database Treaty" for providing a *sui generis* protection for databases even if they do not qualify for copyright protection. At their extraordinary session in March 1997, the Governing Bodies decided that a Committee of Experts on the protocol concerning audiovisual performances would be convened in September 1997, and an Information Meeting concerning intellectual property in databases would be convened also in September 1997; for each of the two subjects, the International Bureau received the mandate to prepare a document on the existing national and regional laws and regulations.

21. Also, norm-setting activities in the field of copyright and neighboring rights were marked by three major meetings organized by WIPO, in April and May 1997, respectively in Phuket (Thailand), Manila and Sevilla (Spain).

22. The *UNESCO-WIPO World Forum on the Protection of Folklore*, held in Phuket, examined preservation and conservation of folklore in the various regions of the world; legal

means of protection of expressions of folklore in national legislation; economic exploitation of expressions of folklore; and international protection of expressions of folklore.

23. The *WIPO World Symposium on Broadcasting, New Communication Technologies and Intellectual Property*, held in Manila, examined the issue of broadcasters as owners of neighboring rights; the legal status of broadcast programs at the borderline of copyright and neighboring rights; broadcasters as “users”; convergence of communication technologies; terrestrial broadcasting, satellite broadcasting and communication to the public by cable; and digital transmissions in the Internet and similar networks.

24. The *WIPO International Forum on the Exercise and Management of Copyright and Neighboring Rights in the Face of the Challenges of Digital Technology*, held in Sevilla, offered an opportunity for the representatives of different groups interested in the protection, exercise and management of copyright and neighboring rights to come together, identify their common interests, exchange information and outline the areas where cooperation and joint action were needed.

25. In the patent area, the Committee of Experts on the Patent Law Treaty (PLT) held three sessions, in June and November 1996 and June 1997, respectively. The Committee considered draft provisions for the proposed PLT and its Regulations and, at its session in November 1996, agreed that, with respect to application formalities, the PLT should follow, to the maximum extent possible, the solutions provided for in the Patent Cooperation Treaty (PCT) and the PCT Regulations. Draft provisions were accordingly prepared by the International Bureau for the review of a further session of the Committee in June 1997. A (fifth) session of the Committee is planned to take place in December 1997. Proposals for decisions on the date and agenda of the diplomatic conference for the adoption of the Patent Law Treaty and on the convening of a preparatory meeting with procedural aspects of the diplomatic conference would be submitted to the General Assembly of WIPO after the said fifth session of the Committee of Experts, on the basis of the results of that session and taking into account the possible need for a sixth session of the Committee of Experts.

26. Concerning the settlement of intellectual property disputes between States, following a session of a Committee of Experts in July 1996, the WIPO General Assembly decided in September/October 1996 that the draft program and budget for the 1998-99 biennium would contain an item for the holding of a diplomatic conference in the first half of 1998, and that the said item of the draft program and budget for the 1998-99 biennium would be examined by the September/October 1997 session of the WIPO General Assembly also in the light of the experience of the WTO international dispute settlement mechanisms. Also, as requested by the WIPO General Assembly, the International Bureau issued, in April 1997, revised draft treaty and draft regulations to serve as the basic proposal for a diplomatic conference.

27. As regards trademarks, draft provisions for improved protection of well-known marks were examined in October 1996, by the second session of a Committee of Experts; the Committee’s work will continue in October 1997. Concerning trademark licenses, draft Articles aimed at the simplification and harmonization of procedures relating to the recordal of licenses for the use of marks, and a model international request form for the recordal of licenses were examined by the Committee of Experts on Trademark Licenses, which met for the first time in February 1997. The draft Articles had been drafted in the same treaty language

as the Trademark Law Treaty (TLT), and it is proposed that they become the substantive part of a Protocol to the TLT. A new draft of the Articles will be prepared for a second session of the Committee of Experts.

28. As concerns the exploration of new areas of concern for the protection of intellectual property, the September/October 1996 session of the Governing Bodies requested the International Bureau to: (i) study the feasibility of an “international deposit” system for nucleotide and/or amino acid sequence listings; (ii) study the need for, and feasibility of, the establishment of an international centralized system for the recording of assignments of patent applications and of patents; (iii) conduct a preliminary study concerning a possible new treaty on intellectual property in respect of integrated circuits, which treaty should be in conformity with the provisions of the TRIPS Agreement; and (iv) study international intellectual property issues arising from the new global information infrastructure, including the Internet. As regards the latter point, and more specifically trademarks and Internet domain names, a meeting of consultants was organized in February 1997 to review a full range of issues on the matter, and a consultative meeting was convened in May 1997, to further examine them. It was agreed that a second consultative meeting would be convened in September 1997. Also, consultants from space agencies met at WIPO in March 1997 to discuss the possibility and desirability of adopting special rules or recommending principles which could be used by all interested States for the protection of inventions made or used in outer space. Finally, in June 1997, a WIPO consultative meeting reviewed the need for, and feasibility of, the establishment of an international centralized system for the recording of assignments of patent applications and of patents.

29. Several new publications were prepared and issued by WIPO during the period under review. They included a study on the implications of the TRIPS Agreement on treaties administered by WIPO (WIPO publication No. 464) and model provisions on protection against unfair competition (WIPO publication No. 832). A special brochure was also published containing the text of the WIPO/WTO Cooperation Agreement, accompanied by the text of the TRIPS Agreement and the texts of the provisions mentioned in the TRIPS Agreement of the Paris Convention (1967), the Berne Convention (1971), the Rome Convention (1961), the Treaty on Intellectual Property in Respect of Integrated Circuits (1989), the General Agreement on Tariffs and Trade 1994 (GATT 1994) and the WTO Dispute Settlement Understanding (1994) (WIPO publication No. 223). Special brochures were also issued containing the text of the newly-adopted (i) WIPO Copyright Treaty (WCT) (1996), with the agreed statements of the Diplomatic Conference that adopted the Treaty and the provisions of the Berne Convention (1971) referred to in the Treaty, and (ii) WIPO Performances and Phonograms Treaty (WPPT) (1996), with the agreed statements of the Diplomatic Conference that adopted the Treaty and the provisions of the Berne Convention (1971) and of the Rome Convention (1961) referred to in the Treaty (WIPO publications Nos. 226 and 227, respectively).

International Registration Activities

30. As far as the Patent Cooperation Treaty (PCT) is concerned, the increase in the number of international applications filed under the PCT continued in 1996, with a record number of 47,291 international applications filed in 1996, representing a 21.6% increase over 1995 and

the equivalent of some 2.5 million national applications. In the first six months of 1997, a record number of 26,482 international applications was filed, representing an increase of 12.6% over the corresponding period of 1996 and the equivalent of some 1.6 million national applications.

31. Training seminars and other information meetings on the advantages of the PCT system and its use were organized in 1996 by WIPO in 40 different countries and 10 different languages, for an audience of some 7,700 actual and potential PCT users, and, during the first six months of 1997, in 12 different countries and six different languages, for an audience of some 1,550 actual and potential PCT users.

32. The weekly publication of the *PCT Gazette*, in separate English and French editions, continued. In May 1996, two special issues of the *PCT Gazette* were published, one containing the amended list of PCT minimum documentation (list of periodicals), and another containing the consolidated text of the *Administrative Instructions under the PCT*, as in force from May 6, 1996. In January and July 1996, and in January 1997, special issues of the *PCT Gazette* were published, containing consolidated general information relating to contracting States, national and regional offices and international authorities. The *PCT Applicant's Guide*, which contains information on the filing of international applications and the procedure during the international phase as well as information on the national phase and the procedure before the designated (or elected) Offices, was updated twice in 1996 and once in 1997 to include the many changes that had occurred during the period under review in respect of the PCT.

33. In February 1997, the Meeting of International Authorities under the PCT (PCT/MIA) held its sixth session in Canberra and discussed, among others, possible modifications of the PCT Search Guidelines; proposed modifications of the PCT Preliminary Examination Guidelines; establishment of a uniform standard for the presentation of nucleotide and/or amino acid sequence listings in international applications; and certain aspects of international preliminary examination and impact of electronic transmission of documents (including international applications and international search reports) on the PCT procedure. In April and June 1997, an *ad hoc* PCT Advisory Group on proposed amendments of the PCT Regulations met to give advice on possible amendments to the said regulations to be considered by the PCT Assembly in September 1997.

34. As far as the Madrid system is concerned, the total number of international trademark registrations recorded in the International Register in 1996 was 18,485 and the combined total of international trademark registrations and renewals was 22,995, which represented an increase of 1.5% compared to 1995; the total number of international trademark registrations recorded in the International Register during the first six months of 1997 was 9,553 and the combined total of international trademark registrations and renewals was 12,039, which represented an increase of 1.7% over the corresponding period of 1996. In 1996, as an average of 10.79 countries were designated by registration, the 18,485 registrations were equivalent to some 200,000 national registrations, whereas during the first six months of 1997, as an average of 11.40 countries were designated by registration, the 9,553 registrations were equivalent to some 109,000 national registrations.

35. Operations under the Madrid Protocol started on April 1, 1996. That was also the date of entry into force of the Common Regulations under the Madrid Agreement and Protocol

including the Schedule of Fees, which had been adopted by an extraordinary session of the Madrid Assembly in January 1996. The April 1, 1996, date, it is observed, coincided with the date of entry into operation of the Community Trade Mark system.

36. In connection with the entry into force of the Madrid Protocol and of the said Common Regulations, WIPO undertook a considerable program of awareness promotion which included seminars and training for its potential users as well as for national administrations in different countries. WIPO officials gave presentations on the Madrid system at 32 seminars and training courses in 15 countries in 1996, and at 11 seminars and training courses in seven countries during the first six months of 1997. Furthermore, WIPO organized two seminars entirely devoted to the subject of the Madrid system in June 1996, and four other such seminars in January and June 1997. Also, study visits to the International Register of Marks were organized by WIPO for officials from 57 countries in 1996 and from 42 countries during the first six months of 1997. A new guide to the international registration of marks under the Madrid Agreement and the Madrid Protocol was published by WIPO in April 1996 for the benefit for the said users and administrations. In June 1996, WIPO started to publish, on a bi-weekly basis, the bilingual publication *Gazette OMPI des marques internationales/WIPO Gazette of International Marks*, which covers the registrations, renewals and modifications received by the International Bureau under the new Madrid system.

37. In June 1997, an informal meeting was organized to examine proposals to adjust the Common Regulations under the Madrid Agreement and Protocol to the combined use of the Madrid system and the Community Trade Mark system. The said proposals would be submitted to the Governing Bodies at their September/October 1997 session.

38. As far as the Hague system is concerned, in 1996, the total of international industrial design deposits, renewals and prolongations was 5,830, representing an increase of 3.9% compared to 1995, and during the first six months of 1997, the total of international industrial design deposits, renewals and prolongations was 3,156, representing an increase of 10% compared to the corresponding period in 1996.

39. Work continued in order to make the Hague system accessible to more countries. The Committee of Experts on the Development of the Hague Agreement Concerning the International Deposit of Industrial Designs reviewed, in October 1996, the drafts of the International Bureau for a new Act of the Hague Agreement. A further session of the Committee is planned to be held in November 1997.

Countries in Transition to a Market-Economy System

40. Since its entry into force, on January 1, 1996, the Eurasian Patent Convention allows an individual, irrespective of nationality or domicile, to obtain a Eurasian patent, which has effect in all the Contracting States, by filing a single application with, and making a single payment to, the Eurasian Patent Office, which is located in Moscow. By June 30, 1997, nine States (Armenia, Azerbaijan, Belarus, Kazakstan, Kyrgyzstan, the Republic of Moldova, the Russian Federation, Tajikistan and Turkmenistan) had deposited with the Director General of WIPO, who is the depositary of the Convention, their instruments of adherence to the Eurasian Patent

Convention. It is to be noted that only countries party to the Paris Convention and the PCT may adhere to the Eurasian Patent Convention.

41. Technical cooperation with countries in transition to a market-economy system and with the Eurasian Patent Office (EAPO) continued. In 1996, nine national and regional seminars and other meetings in the fields of industrial property and copyright and neighboring rights were organized by WIPO in or for those countries for 960 individuals from government and other interested circles. The corresponding figures for the first six months of 1997 were three national and regional seminars and other meetings for 300 individuals. During the reporting period, governmental leaders and officials from most of those countries held consultations in Geneva with WIPO officials, and WIPO officials and consultants undertook a total of 10 missions to nine of those countries, to give advice, in particular, on the revision of existing, or the drafting of new, intellectual property legislation (including the implications of the TRIPS Agreement on national legislation), the advantages of adherence to WIPO-administered treaties and the establishment or strengthening of national infrastructure for the administration of intellectual property rights, as well as to provide on-the-job training in various specialized fields of intellectual property. In several instances, following those missions, WIPO prepared and sent to the governments concerned draft laws and/or regulations, with commentaries.

42. For the first time, a session of the "WIPO Academy" was organized, in February 1997, for middle- and senior-level government officials from the Commonwealth of Independent States (CIS) countries. It took place in Geneva and was attended by 32 government officials from 12 countries and one official from the EAPO. Also, new features of the program were the organization, in May 1997, of a *WIPO Regional Seminar on the Valuation of Industrial Property Assets* in Kishinev, and of a *WIPO Seminar for Central Asian Countries on Computer Technology and Intellectual Property*, in Tashkent.

Cooperation with the World Trade Organization

43. The period under review was marked by the entry into force, on January 1, 1996, of the Cooperation Agreement between WIPO and the WTO. The Agreement establishes arrangements for cooperation between WIPO and the WTO in respect of the following three areas: (i) as far as the texts of the intellectual property laws and regulations of WTO Members notified to the WTO are concerned, the collection of such texts, assistance in their translation where translation is required, furnishing of copies of such texts and translations, and making them accessible through WIPO's computerized database of the said texts and translations; (ii) as far as the State emblems of WTO Members notified to the WTO are concerned, their notification and publication (also in CD-ROM form); (iii) as far as legal-technical assistance to developing countries that are WTO Members is concerned, organizing meetings and missions for the promotion of the implementation of the TRIPS Agreement.

44. Many of the development cooperation activities linked to the implementation of the TRIPS Agreement or under the WIPO-WTO Agreement are highlighted in the earlier part of this document under Development Cooperation Activities (paragraphs 2 to 17 above).

45. During the period under review, WIPO gave to the WTO copies of over 400 intellectual property laws, regulations and/or translations, which a WTO Member had stated to be

available in the collection of WIPO. During the same period, WIPO received from the WTO the text of over 700 intellectual property laws and regulations which had been notified to the WTO, and integrated these into WIPO's collection. During the same period, WIPO designed and developed a computerized bibliographic and a computerized full-text database of intellectual property legislative texts and started to integrate into the said databases, as a priority, the intellectual property laws and regulations exchanged between WIPO and the WTO under the Agreement. It is expected that the bibliographic records and text of over 1,100 of the said laws and regulations will be made available to users before the end of 1997, online and via the Internet. An increasing number of intellectual property texts were published by WIPO in paper and electronic format, including numerous translations of the said texts which were also carried out by WIPO.

WIPO Arbitration and Mediation Center

46. During the period under review, the WIPO Arbitration and Mediation Center continued to undertake a number of promotional activities on the features and advantages of this new service, including two conferences on mediation in March 1996 and March 1997 respectively, two training programs on mediation in intellectual property disputes in May 1996 and again two such programs in May 1997, two workshops for arbitrators in November 1996 and June 1997, respectively, and an advanced mediation workshop in May 1997. The third meeting of the WIPO Arbitration and Mediation Council, held in November 1996, reviewed the activities of the Center over the 12 preceding months, and examined proposed WIPO Emergency Relief Rules prepared by the International Bureau, with the assistance of a group of experts.

47. As regards Internet Domain Name disputes, further to the signature by 56 entities of a Memorandum of Understanding on the generic Top Level Domain Name Space of the Internet Domain Name System (gTLD-MoU) on May 1, 1997, the Director General declared that the WIPO Arbitration and Mediation Center was available for administering procedures for the settlement of disputes concerning second level domains registered in the gTLDs covered by the gTLD-MoU.

New Adherences to Treaties

48. The growing importance given to the effective protection of intellectual property was evidenced by the growing membership in WIPO-administered treaties.

49. During the period under review, the following States became party to or deposited an instrument of ratification of or accession to the following treaties (the figures in brackets indicate the total number of States party to the treaty): *WIPO Convention*: Cape Verde, Equatorial Guinea, Mozambique, Papua New Guinea (164); *Paris Convention*: Colombia, Equatorial Guinea, Nicaragua, Panama, Sierra Leone, United Arab Emirates (142); *Berne Convention*: Cape Verde, Equatorial Guinea, Guatemala, Haiti, Indonesia, Panama, Republic of Korea, Turkey (125); *Budapest Treaty*: Canada, Estonia, Israel, South Africa, Ukraine (40); *Rome Convention*: Cape Verde, Lebanon, Poland, Saint Lucia, Slovenia, Venezuela (55); *Geneva (Phonograms) Convention*: Latvia, Slovenia (55); *Brussels (Satellites) Convention*: Portugal, Trinidad and Tobago (21); *Nairobi Treaty*: Poland (37); *Strasbourg Agreement*: Canada, Cuba, Malawi, Trinidad and Tobago, Turkey (38); *Nice Agreement*: Democratic People's Republic of Korea, Estonia, Guinea, Trinidad and Tobago, Turkey (51); *Locarno Agreement*: China, Democratic People's Republic of Korea, Estonia, Guinea, Trinidad and Tobago (29); *Vienna Agreement*: Cuba, Guinea (10); *Patent Cooperation Treaty (PCT)*: Bosnia and Herzegovina, Cuba, Indonesia, Israel, Saint Lucia, Sierra Leone, Turkey, Zimbabwe (92); *Madrid Agreement (Marks)*: Sierra Leone (47); *Madrid Protocol*: Czech Republic, Democratic People's Republic of Korea, Denmark, Finland, Germany, Iceland, Monaco, Norway, Russian Federation, Slovakia, Switzerland (18); *Hague Agreement*: Bulgaria, Greece, Mongolia, The former Yugoslav Republic of Macedonia (29); *Lisbon Agreement*: Costa Rica (18); *Trademark Law Treaty*: Cyprus, Czech Republic, Indonesia, Japan, Monaco, Republic of Moldova, Slovakia, Sri Lanka, Switzerland, Ukraine, United Kingdom (11); *Eurasian Patent Convention*: Armenia, Kyrgyzstan, Republic of Moldova (9); *WIPO Copyright Treaty* (Treaty not yet in force): Indonesia (1).

Information Technologies

50. In September 1996, WIPO opened its own Web site on the Internet. The site was continuously developed. It contains, among others, general information on WIPO and on the PCT and Madrid systems, the WIPO catalogue of publications, the status of membership of WIPO and the treaties administered by it and selected conference documents, lists of meetings and press releases.

51. In March 1997, the WIPO General Assembly considered a proposal from the United States of America concerning the establishment of an *ad hoc* information technologies committee to guide efforts related to the use of modern information technologies across WIPO's work program and with respect to the operations of the International Bureau: it decided that a Working Group would meet in July 1997, which should make recommendations as to whether there should be a new committee or should the task be entrusted to existing WIPO bodies, what should be the program in this field for the rest of 1997 and for the next biennium, and the general objectives beyond 1999. In preparation of the said meeting of the Working Group, a memorandum on current information technology activities of the International Bureau of WIPO was issued in June 1997.

Premises

52. The construction of a temporary extension of the BIRPI building—called BIRPI II—was completed in September 1996. It provided some 150 work places, all assigned to PCT operations. In addition, WIPO and the World Meteorological Organization (WMO) signed, in March 1996, an agreement whereby WMO undertook to sell to WIPO its headquarters building, which is next to WIPO's headquarters. The actual transfer is expected to take place late in 1998 or in 1999. Since the above measures are not sufficient to remedy space shortage in the coming years, further solutions were proposed by the International Bureau and reviewed by two joint sessions of the Budget Committee and the Premises Committee, in May and September 1996. As a result of the above Committees' recommendation in September 1996, the WIPO General Assembly unanimously decided, on October 1, 1996, that the International Bureau should organize an international architectural competition for the construction of a building on the "Steiner lot" (adjacent to the WIPO headquarters building in Geneva), and that a parallel study should be undertaken by a consultant to examine the various options available in Geneva, including the option to construct a building on the "Steiner lot."

53. In April 1997, the Budget Committee and the Premises Committee reviewed in a joint session the above-mentioned study, made by an independent consultant, and a memorandum by the Director General on the international architectural competition for constructing a building on the "Steiner lot." Following a thorough discussion of the two documents and lengthy informal consultations, the Committees were unable to reach a consensus on whether or not to continue the international architectural competition for constructing a building on the "Steiner lot" and therefore referred the matter back to the WIPO General Assembly for a decision, at its meeting in September/October 1997, as to the future procedure.

Budget Matters

54. In April 1997, the Budget Committee reviewed a proposal of the International Bureau to freeze the pre-1994 arrears of contributions of developing countries, but was not in a position to adopt it. It also examined the draft program and budget for the 1998-99 biennium, prepared by the International Bureau, but recommended to the Governing Bodies that, the program and budget be adopted as soon as possible after the new Director General takes office, on the basis of a draft to be presented by him; that the Governing Bodies decide at their September/October 1997 sessions that the contributions for the 1998-99 biennium be maintained at the same level as for the 1996-97 biennium; and that the Assembly of the PCT Union examine, at its September/October 1997 session, the fee reduction as proposed by the International Bureau.

Procedural Steps for the Appointment of a New Director General in 1997

55. In October 1996, the WIPO Coordination Committee decided to invite nominations for the post of Director General of WIPO, since the present incumbent's mandate expires on November 30, 1997. In March 1997, the WIPO Coordination Committee decided to nominate Mr. Kamil Idris for appointment to the post of Director General by the General Assembly of WIPO. Mr. Idris is a national of Sudan. He is, since 1994, Deputy Director General of WIPO. The appointment itself is expected to be made by the General Assembly in September/October 1997.

56. The Governing Bodies of WIPO are invited, each as far as it is concerned, to note the content of this document.

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