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### WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

#### I. ACTIVITIES LEADING TO THE ADOPTION OF TREATIES OR AMENDMENTS THERETO

##### *Adoption of new treaties*

1. *Scientific discoveries.* At its session in September/October 1976, the WIPO General Assembly agreed that the institution of a system for the international recording of scientific discoveries at the International Bureau of WIPO for those countries which favor such a system should be effected by means of a treaty. The draft of such a treaty was prepared by the Working Group on Scientific Discoveries at its fourth session in May 1976. The Director General of WIPO was asked to make proposals to the next session of the WIPO Co-ordination Committee (September/October 1977) for the convening of the Diplomatic Conference for the adoption of the said treaty.

2. *Deposit of micro-organisms for the purpose of patent procedure.* A Diplomatic Conference for the adoption of a Treaty on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure will be held at Budapest in April 1977. The Diplomatic Conference will have

before it a draft Treaty and draft Regulations on the International Recognition of the Deposit of Micro-organisms for the Purposes of Patent Procedure, prepared by the International Bureau of WIPO in accordance with the recommendations made by a Working Group which met in April 1975 and in April 1976. The proposed draft Treaty would have the effect that where, for the purposes of patent procedure, a micro-organism is deposited in one of the institutions internationally recognized for such a deposit, that deposit would satisfy the deposit requirement of all the Contracting Parties.

3. *Double taxation of copyright royalties.* A second Committee of Governmental Experts on the Double Taxation of Copyright Royalties Remitted from One Country to Another was convened by WIPO and UNESCO in December 1976. The Committee expressed the view that the solution of the problems in question may be found in the adoption of a multilateral instrument limited to general principles fitting a wide variety of cases, accompanied by a model bilateral agreement, certain provisions of which might be drawn up in several alternative versions, so as to govern the measures taken to give practical effect to the principles contained in the said Convention. The Committee asked the secretariats of WIPO and UNESCO to prepare new texts for this solution, together with a commentary, which should be submitted to governments and interested organizations for comments. A third Committee of Experts will

\* 23 May 1977.

meet during 1977-1978 to prepare proposals for submission to an international conference of States to be held in 1979.

#### *Revision of treaties or regulations*

4. *Industrial property in general: revision of the Paris Convention.* Work concerning the revision of the Paris Convention for the Protection of Industrial Property will continue in 1977 and 1978. The *Ad Hoc* Committee of Governmental Experts held its third session in June 1976 and continued its examination of a number of the questions dealt with in a study prepared by the Director General of WIPO. At its session in September/October 1976, the Assembly of the Paris Union decided that a Diplomatic Conference for the Revision of the Paris Convention should be convened (at present the date is expected to be during the first half of 1978). The Assembly of the Paris Union established the Preparatory Intergovernmental Committee on the Revision of that Convention. That Committee met in November 1976. After a discussion of the questions concerning article 5A (compulsory licenses, etc.) of the Paris Convention and of the questions concerning inventors' certificates, the Committee decided that those questions should be considered again by it at its next session (June 1977) after preparation in two separate Working Groups. These Working Groups met in February and March 1977, respectively. As to the third item on its agenda—concerning preferential treatment without reciprocity and the priority period—the Committee asked the Director General of WIPO to propose a draft text for a possible article which, in essence, would allow any developing country to charge, where the owner was a national of that country, half the amount of the fees which it would charge if the owner were a national of another country. Due to lack of time, the Committee was not able to consider the fourth item on its agenda, namely, the question of unanimity or qualified majorities for the Diplomatic Conference.

5. The second session of the Committee is scheduled for June/July 1977 when it will consider the four items referred to, as well as article 5 *quater* and article 4 *bis* of the Paris Convention.

6. *Classification of goods and services for the purposes of the registration of marks: revision of the Nice Agreement.* On the basis of the recommendations of an *Ad Hoc* Committee of Experts for the Revision of the Nice Agreement which met in March 1976, and in the light of studies which that Committee asked the International Bureau of WIPO to undertake, proposals concerning the revision of the Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks will be submitted to a Diplomatic Conference convened to meet in May 1977. The proposals relate to the procedure for the adoption by the Committee of Experts of amendments to the International Classification.

7. *Appellations of origin: revision of the Lisbon Agreement.* The study of the revision of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration or the conclusion of a new treaty on the same and related subjects (including those covered by the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, if that Agreement is not to be revised) will be continued. A revised draft Treaty on the Protection of Geographical Indications will be examined by a Committee of Experts in 1977 and 1978. A Diplomatic Conference on the subject may be convened to meet in 1979.

8. *Appellations of origin: regulations under the Lisbon Agreement.* At their sessions in September/October 1976, the Assembly and the Council of the Lisbon Union modified the Regulations for carrying out the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, principally to take into account the situation by the entry into force on October 31, 1973, of the Stockholm Act (1967) of the Lisbon Agreement. The Regulations as modified also provide for the possibility of renouncing protection in one or some of the countries party to the Lisbon Agreement and for treating a

subsequent request for protection in a given country as a modification rather than as a new international registration.

9. *Industrial designs: regulations under the Hague Agreement.* A Working Group on the regulations under the Hague Agreement concerning the International Deposit of Industrial Designs met in February 1976 and adopted the text of new draft Regulations under the Hague Agreement. The draft regulations are intended to replace, after the entry into force of the Protocol of Geneva of 1975 to the Hague Agreement, the Regulations for carrying out the Hague Agreement as revised at London in 1934 and at The Hague in 1960. In the event of the entry into force of the Protocol of Geneva of 1975 to the Hague Agreement, the Assembly and Conference of Representatives of the Hague Union will be convened to adopt the regulations based on that Protocol and to consider the administrative instruction based on that Protocol.

10. *New varieties of plants: revision of the UPOV Convention.* A Diplomatic Conference for the revision of the International (UPOV) Convention for the Protection of New Varieties of Plants will be held in October 1978. The Committee of Experts on the Interpretation and Revision of the UPOV Convention held two sessions in 1976 and will hold two sessions in 1977 and another in 1978 to discuss proposals for amendments to the UPOV Convention. The Working Group on Variety Designations will also hold sessions in 1977 and possibly in 1978 to consider proposals concerning the amendment of article 13 of the UPOV Convention.

#### II. MEASURES TAKEN WITH A VIEW TO THE IMPLEMENTATION OF MORE EFFECTIVE APPLICATION OF TREATIES

11. Committees of Experts and Working Groups, assisted by the International Bureau of WIPO, continued during 1976, and will continue in 1977, their work in adopting or recommending measures for the implementation and more effective application of international treaties in force, or about to enter into force, in the field of industrial property, in particular those concerning patents and trademarks. These measures concern both procedural and substantive matters under the said treaties and arrangements for servicing the intergovernmental bodies established by the treaties.

##### *Procedural matters*

12. Draft forms and administrative instructions to be employed by international authorities to be established under the Patent Co-operation Treaty (PCT) and the Trademark Registration Treaty (TRT) have been prepared or are under preparation. Draft guidelines setting forth the duties of offices receiving applications under the PCT and draft guidelines for applicants using the PCT have also been prepared. Draft guidelines for publication and for drawings under the PCT are being prepared. In addition, a draft model agreement between the International Bureau of WIPO and the International Searching Authorities under the PCT has been prepared.

13. As concerns international co-operation to resolve problems of organization, storage and retrieval of technical information contained in patent documents, particularly in connection with the searching or examination of applications for patents, inventors' certificates, or similar titles, a number of activities continued to be undertaken including, in particular, the standardization of the form of documents, the processing, communication and exchange of documents, abstracting, indexing, classification and the development of other search tools.

14. With respect to patent documents, studies were carried out on problems relating to the size and other physical characteristics of published patent documents, on the characteristics pertaining to the layout and presentation and the production and reproduction as well as the identification of patent documents. Draft recommendations were prepared, or are in preparation, including a standard code for the representation of names of independent States and other entities which issue patent documents and international organizations in the field of industrial property, or concerning bibliographic data, and the

identification of different kinds of patent documents. Draft guidelines are in preparation concerning the titles of inventions in patent documents, the inclusion of references cited in patent documents, the numbering of patent and like applications, the layout and the presentation of the first page of patent documents, the size of margins, the physical characteristics of patent documents, the standardization of computer output microforms (COM), photo-optically generated microfiches, and official gazettes and journals.

15. Work will continue on the revision of the international classifications established under existing international treaties as well as the preparation for the convening of committees of experts to review the international classifications established under international treaties which will come into force. These classifications are provided for under the Strasbourg Agreement Concerning the International Patent Classification of March 24, 1971, the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of June 15, 1957, as revised at Stockholm on July 14, 1967, and the Vienna Agreement establishing an International Classification of the Figurative Elements of Marks of June 12, 1973.

16. As concerns patent documents, the International Patent Classification (IPC) provides for a system according to which each patent document is assigned a classification symbol corresponding to specified fields of technology to which the invention description in the document pertains. This system facilitates, in turn, the physical storage and retrieval of patent documents and narrows the search for relevant references. As to marks, the classification according to goods and services and the classification according to figurative elements facilitates the search for identical or similar marks by those interested in knowing whether any mark (already deposited or expected to be deposited) may be in conflict with another mark and thus limits the scope of the search and enable the search to be undertaken in a faster and cheaper way.

17. Studies will also be undertaken to improve the procedures for the furnishing by national and regional patent offices to the International Patent Documentation Centre (INPADOC), established under an agreement between WIPO and the Government of Austria, of bibliographic data concerning patent documents in machine-readable form, as well as the arrangements for the dissemination of information by INPADOC to such offices, to industry and to information, research and development centres, particularly in developing countries.

#### *Substantive measures*

18. Reference should be made to the continuation of work in the field of trademarks and in the protection of plant varieties concerning denominations and the examination of the criteria for the grant of rights.

19. As concerns common denominations, searches will be made in the International Registry of Marks, established at the International Bureau of WIPO, in accordance with a procedure for the conduct of trademark searches by the International Bureau of WIPO with respect to common names for pesticides proposed by the Technical Committee of the International Organization for Standardization (ISO) which is responsible for adopting internationally recognized names for pesticides and related products. Under the procedure, ISO is informed of conflicting trademarks for the same or similar products. In addition, the International Bureau of WIPO draws the attention of national or regional industrial property offices to the list of common names adopted by ISO and procedures for their choice with a view to safeguarding rights of present holders and enquires as to the protection which could be given to prevent such names from being subsequently appropriated as trademarks.

20. Within the framework of the administration of the International Convention for the Protection of New Varieties of Plants which prescribes that each new variety, if protected, shall be given a denomination, guidelines for variety denominations are being established and recommended for application

by the authorities of the states party to the Convention. These guidelines contain provisions on the nature or character which the denominations must meet in order to be approved by the said authorities.

21. Also within the framework of the administration of the International Convention for the Protection of New Varieties of Plants, guidelines are being prepared for the conduct of tests for distinctness, homogeneity and stability for each species of crops. In addition, the possibilities are being studied for introducing co-operation between authorities of member States, on the results of the examination. The measures for co-operation which are under study include centralizing the testing of varieties in the initial stage and an examination on the national level in later stages, the exchange of test results and test reports, particularly through the conclusion of bilateral agreements (for which a draft model agreement has been prepared), and the harmonization of application forms, technical questionnaires, test reports and fees.

*Servicing, in co-operation with other specialized agencies, of meetings of intergovernmental bodies established under international treaties*

22. Joint, parallel or other co-operative efforts are planned for the servicing of the meetings of intergovernmental bodies established under international treaties in the field of copyright and neighboring rights.

23. The Intergovernmental Committee, established under article 32 of the International Convention for the Protection of Performers, Producers of Phonogrammes and Broadcasting Organizations (Rome Convention) will be convened jointly with the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) in December 1977. Officials of the secretariats of the three organizations, designated by the Directors General thereof, constitute the secretariat of the Committee.

24. The Executive Committee set up under the Berne Convention for the Protection of Literary and Artistic Works (Stockholm Act, 1967 and Paris Act, 1971) will meet in extraordinary session in December 1977 in conjunction with a meeting of the Intergovernmental Copyright Committee established under the Universal Copyright Convention. The International Bureau of WIPO provides the secretariat for the former Committee and the secretariat of UNESCO provides the secretariat for the latter.

#### III. ACTIVITIES POSSIBLY LEADING TO THE ADOPTION OF NORMATIVE TEXTS, THE FINAL FORM OF WHICH HAS NOT YET BEEN DECIDED UPON

25. *Computer programmes.* On the basis of the guiding principles formulated by, and the discussions of, an Advisory Group of Non-Governmental Experts on the Protection of Computer Programs, including those of its third session in May 1976, the International Bureau of WIPO is preparing a new draft of model provisions for national laws relating to the legal protection of computer software, accompanied by notes explaining certain choices, giving alternative solutions and indicating the arguments for and against the solutions suggested. The model provisions will be followed by an account of the arguments for and against the establishment of a system for the deposit or registration of computer software.

26. The International Bureau of WIPO will also prepare a draft Agreement for the Protection of Computer Software and its International Deposit reflecting the solutions adopted in the model provisions.

27. *Protection of consumers.* During 1977, the International Bureau of WIPO will undertake a study with a view to exploring the possibilities of international co-operation for preventing and repressing unfair competition with particular regard to the interests of consumers. A committee of experts dealing with this question will meet in 1978 and 1979.

28. *Surveys and studies on copyright matters.* The International Bureau of WIPO, in co-operation with the secretariat of UNESCO, continued the work called for by the Executive

Committee of the Berne Union and the Intergovernmental Copyright Committee established under the Universal Copyright Convention, namely, the survey on problems arising from the use of audiovisual cassettes and discs, on problems arising from the transmission by cable of television programs, on problems arising from the use of electronic computers and related facilities for access to or the creation of works, and on the application of the revised Paris texts of 1971 of the Berne and Universal Convention.

29. *Surveys and studies on neighboring rights.* The International Bureau of WIPO, jointly with secretariats of ILO and UNESCO, will complete, in 1977, the inquiries called for by the Intergovernmental Committee of the International (Rome) Convention for the Protection of Performing Artists, Producers of Phonogrammes and Broadcasting Organizations as regards experience in the administration of the rights provided for by the Convention, moneys collected and distributed, the incidence of piracy and relevant case law and regarding copyright royalties.

#### IV. PREPARATION OF MODEL LAWS AND MODEL PROVISIONS

30. *New model law for developing countries on inventions and know-how.* On the basis of drafts prepared by the International Bureau, a Working Group has been working since November, 1974, on the preparation of a new model law for developing countries on inventions and know-how.

31. The Working Group will hold one session in 1977 and one final session in 1978. After the 1977 session, the complete draft texts will be sent for comments to the Governments of the States members of the Permanent Committee. The 1978 session will, on the basis of the comments received, review the texts once more. The texts will be published in Arabic, English, French and Spanish in 1979 and 1980.

32. *New model law for developing countries on trademarks and related matters.* The International Bureau will revise the 1967 BIRPI Model Law for Developing Countries on Marks, Trade Names, and Acts of Unfair Competition and will prepare the draft of a new model law on the same subject, accompanied, in part, by model regulations and explanatory notes (commentary). A working group, to be established on the recommendation of the Permanent Committee, will review these drafts and advise the International Bureau; it will hold one session in 1977, two sessions in 1978 and one session in 1979.

33. *Model Law for Arab States on trademarks.* In accordance with the decision of the Committee of Experts which had met in Tunis in June, 1975, to study the draft of a Model Law for Arab States on Trademarks, the secretariat of the Industrial Development Centre for Arab States (IDCAS) and the International Bureau, in co-operation with the Chairman of the Committee, prepared in October, 1975, a revised draft on the basis of the observations and proposals submitted during that meeting.

34. The revised draft was submitted to a Drafting Committee which met at Doha, Qatar, in November, 1975, at the invitation of the Government of Qatar. The Drafting Committee completed the revised draft and adopted the final text of the Model Law. The Model Law, which was prepared in Arabic, has been translated into English and French and was printed by the International Bureau in these three languages in one volume.

35. *Model laws for English-speaking African countries.* Within the framework of the Conference on Industrial Property Laws of English-Speaking Africa ("The Industrial Property Conference") and its two Committees (for patent matters and for trademark and industrial design matters), the secretariat of which is provided by WIPO and the United Nations Economic Commission for Africa (ECA), model laws for English-speaking African countries on industrial property subjects are being prepared.

36. A draft model law for English-speaking African countries on patents, utility certificates and innovations, together with a commentary, was prepared by the International Bureau of WIPO in consultation with the ECA and with the assistance of

consultants from the patent offices of English-speaking African countries. The draft was reviewed by the Committee for Patent Matters at its meeting in December 1976. A revised draft will be prepared by the secretariat in the light of the suggestions and observations of the Committee, as well as further developments in the work of the WIPO Working Group on the Model Law for Developing Countries on Inventions and Know-how.

37. The Committee for Trademark and Industrial Design Matters, which also met in December 1976, examined a report on the results of a trademark questionnaire sent to the trademark offices of all English-speaking African countries, prepared by the Secretariat of the ECA, and an outline of provisions on marks, prepared by the International Bureau of WIPO. The Committee gave guidance to the interim secretariat concerning the drafting of a model law on marks for English-speaking African countries. In addition, the Committee requested the interim secretariat to carry out a survey on the desirability of establishing independent industrial design systems in the region and to prepare an outline of possible model provisions on industrial designs.

38. *Model law on copyright.* A committee of governmental experts to prepare a model law on copyright for the developing countries was convened by the Government of Tunisia with the assistance of WIPO and UNESCO in Tunis in February/March 1976. Delegations from 27 developing countries took part in the work of the Committee. The Palestine Liberation Organization, four intergovernmental organizations and 16 international non-governmental organizations sent observers.

39. The discussions were based on a draft model law, finalized by the International Bureau and the secretariat of UNESCO following the meeting of a committee of African experts in Abidjan in October 1973, and a commentary on that draft prepared by the two secretariats, as well as on the comments received from States and from interested international organizations. After a general discussion, the Committee adopted the text of the Model Law on Copyright for Developing Countries, and asked the two secretariats to revise the text of the commentary which accompanied the draft model law in the light of its discussions and decisions.

40. The publication of the Model Law for Developing Countries on Copyright in four languages will be continued and completed, jointly with UNESCO, in 1977.

41. *Model provisions for the implementation of the Brussels Convention Relating to the Distribution of Programme-Carrying Signals by Satellite (1974).* The International Bureau of WIPO, in conjunction with the secretariat of UNESCO, will prepare model provisions, taking into account the different needs of different countries, for the implementation of the Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (1974).

#### V. GUIDELINES AND MODEL AGREEMENTS

42. *Guidelines on industrial property licensing in developing countries.* A Working Group on Guidelines for Industrial Property Licensing in Developing Countries met in June 1976. The Working Group examined the draft text of a guide on the legal aspects of the negotiation and preparation of industrial property licenses and technology transfer agreements appropriate to the needs of developing countries, prepared by the International Bureau taking into account the advice of consultants. The Working Group made a number of suggestions to improve the scope, content and presentation of the guide.

43. The final version of the guide is being prepared by the International Bureau on the basis of the discussions in the Working Group and with the assistance of consultants. The guide will be published in the second half of 1977. The guide will be used as a working text for seminars and training courses. In 1979, a working group will be convened to revise the guide in the light of experience and on the basis of proposals to be made by the International Bureau.

44. *Access to and dissemination of works and performances of foreign origin protected by copyright and neighboring rights.*

The International Bureau, in co-operation with national copyright authorities, will undertake in 1977 a study of practical problems, and means of solving them, in securing access to and national publication and dissemination of works of foreign origin, particularly for educational, instructional and scientific purposes. Among the possible means of solving such problems to be included in the study will be the preparation of guidelines on the negotiation of agreements for the dissemination of such works and of standard or model agreements to that effect. The study will also include an examination of the steps taken so far for the implementation of the special provisions regarding developing countries of the Paris Act of the Berne Convention, of any obstacles to such implementation and of practical arrangements which could assist it. A working group will meet in 1978 and 1979 to review the study and to make recommendations to the WIPO Permanent Committee for Development Co-operation Related to Copyright and Neighboring Rights concerning action, including the possible preparation and publication of such guidelines, which could be taken in the field of copyright and neighboring rights, nationally and internationally, in order to promote access to works of foreign origin.

45. *Guide to the Berne Convention.* The International Bureau of WIPO, with the assistance of specialists in international copyright law, will prepare during 1977 the draft of a guide to the Berne Convention on the Protection of Literary and Artistic Works in the form of a commentary on that Convention.

#### VI. GLOSSARIES AND MANUALS

46. *Industrial property glossary and manual for developing countries.* The manuscripts for an industrial property glossary and manual for developing countries will be prepared by the International Bureau of WIPO in 1977 and 1978. Such a glossary and manual would define the terms most frequently used in industrial property laws and would give general information, for the use of readers in developing countries, on the characteristic aims and essence of industrial property systems, their administration, the procedures to secure industrial property rights in various countries, the typical contractual relations under them, their effect in respect of the disclosure and dissemination of information and international aspects of industrial property relations.

47. *Copyright glossary and manual for developing countries.* The manuscripts for a copyright glossary and manual for developing Countries will be prepared by the secretariats of WIPO and UNESCO, in 1977 and 1978, and printed and published in 1979. Such a glossary and manual would define the terms most frequently used in copyright laws and give general information, for the use of readers in developing countries, on the characteristic aims and essence of copyright laws, their administration, typical contractual relations under them and international aspects of copyright relations.

#### VII. STUDIES OF LEGISLATIVE AND INSTITUTIONAL ARRANGEMENTS FOR THE PROMOTION OF CREATIVE INTELLECTUAL ACTIVITY

48. *Promotion of domestic inventive and innovative capacity.* The International Bureau will undertake in 1977 a study of the legislative and institutional, both governmental and private, arrangements which exist in the field of industrial property in developing and developed countries for the promotion of invention, innovation, rationalization and adaptation of technology. A working group will meet in 1978 and 1979 to review the study and to make recommendations to the WIPO Permanent Committee for Development Co-operation Related to Industrial Property concerning action which could be taken in the field of industrial property nationally, regionally and internationally for the strengthening of capabilities for the creation of suitable indigenous technology. A report on this item, prepared by the International Bureau, was submitted to the Permanent Committee at its session in March 1977.

49. *Support of national authors and performers.* The International Bureau will undertake in 1977 a study of the legislative and institutional, both governmental and private, arrangements

which exist in the field of copyright and neighboring rights in developing and developed countries for the support of national authors of literary and artistic works (including musical works), performers and other creative artists, including statutory provisions affecting contractual relationships in the absence of specific agreement, standard contractual provisions, advisory boards, fee-collecting societies, etc. A working group will meet in 1978 and 1979 to review the study and to make recommendations to the WIPO Permanent Committee for Development Co-operation Related to Copyright and Neighboring Rights concerning action which could be taken in the field of copyright and neighboring rights nationally and internationally in order to encourage creativity in developing countries.

#### VIII. PUBLICATION OF THE RECORDS OF DIPLOMATIC CONFERENCES AND THE COLLECTION AND PUBLICATION OF LEGISLATIVE TEXTS

50. *Records of diplomatic conferences.* The French editions of the *Records of the Washington Diplomatic Conference on the Patent Co-operation Treaty* and the French edition of the *Records of the Vienna Diplomatic Conference on the Trade-mark Registration Treaty 1973* were published during 1976.

51. Work will continue on the preparation and publication of the records of other diplomatic conferences held in 1974 and 1975, including the records of the International Conference of States on the Distribution of Programme-Carrying Signals Transmitted by Satellite, held at Brussels in 1974.

##### *Legislative texts*

52. *Industrial Property Laws and Treaties.* The new legislative series entitled "Industrial Property Laws and Treaties," which began in the February 1976 issue of the monthly review *Industrial Property/La Propriété industrielle*, became available as a separate publication in September 1976. As a complementary service to that monthly review, it consists of a special binder, with contents pages and assembling instructions, in which the detachable legislative texts published in that review may be stored. The service may also be purchased separately. *Industrial Property Laws and Treaties* is divided into three main subject areas—national laws, multinational treaties and bilateral treaties—and the legislative texts are classified accordingly and then subclassified according to country and subject-matter.

53. *Legislation on trademarks.* The International Bureau of WIPO is preparing, according to standard criteria, a summary of selected legislations in the field of trademarks which will be published in the third quarter of 1977. The summary will also serve as background information in the preparatory work for the revision of the Paris Convention (see paragraph 4 above).

54. *Laws and treaties on copyright and neighboring rights.* The collection of laws and treaties on copyright, published in co-operation with UNESCO, and the collection of laws and treaties on neighboring rights, published in co-operation with ILO and UNESCO, will be kept up to date, possibly taking into account the recommendations of a working group on rationalization.

55. *Summary of national legislation in the field of copyright.* The International Bureau will prepare, according to standard criteria, a summary of all national legislation in the field of copyright which will be published in 1977 in tabular form. A report of that summary, together with a comparative study of national legislation prepared by UNESCO, will be published jointly with UNESCO in 1978.

##### *Other legal publications*

56. *Periodic reviews.* The International Bureau of WIPO will continue the publication of the periodic reviews *Industrial Property*, *Copyright* and *Le Propriété Intellectuelle* which contain texts of legislative treaties and legal studies as well as notifications on the status of international treaties administered by WIPO.

57. *Authentic and official texts.* In addition, the International Bureau will continue to publish the authentic or official texts

in various languages of the international treaties and the international classifications administered by WIPO, either in the form of brochures or as supplements to the manuals of industrial property conventions and copyright conventions.

#### IX. ADVISORY SERVICES AND TRAINING OR OTHER ASSISTANCE IN THE ESTABLISHMENT OR STRENGTHENING OF NATIONAL OR REGIONAL INSTITUTIONS

##### *National institutions*

58. During 1976, WIPO also received requests from several developing countries for technical co-operation relating to:

(i) the revision of their industrial property legislation or copyright legislation, or specific aspects of it: Algeria (trademarks); Madagascar (industrial property); Mauritius (industrial property and copyright); Niger (copyright); Philippines (industrial property and copyright); Togo (copyright); Tunisia (industrial property); Zaire (industrial property);

(ii) the modernization of their industrial property or copyright administration, or the reorganization of some of their branches: Brazil (UNDP-financed project for the modernization of the patent system); Ecuador (reorganization of the industrial property office); Iraq (trademark system); Madagascar (industrial property administration); Mali (establishment of an industrial property office); Nigeria (industrial property, modernization of the administration); Rwanda (industrial property administration); Sudan (industrial property administration); Togo (copyright administration); Tunisia (industrial property administration); Zaire (industrial property administration);

(iii) training of staff: Cuba (use of the International Patent Classification (IPC)); Senegal (patent licensing questions); Venezuela (industrial property).

59. In most cases, these requests were fulfilled by sending WIPO officials to discuss with the competent authorities of the interested countries the exact scope of their needs and the most suitable manner in which to provide the assistance. In many cases the co-operation that followed consisted in sending experts to assist the competent officials of the country concerned in the implementation of the reorganization or training project which may have been set up for that purpose. Often, some of the responsible officials of the developing country concerned were also offered the opportunity of being trained abroad in the tasks that they would be required to perform as a consequence of the reorganization project, or to see, in practice, how certain situations were solved in other countries.

##### *Regional institutions*

60. *African Intellectual Property Organization (OAPI)*. At the request of the Director General of OAPI, the International Bureau prepared in January 1976, preliminary draft proposals for the revision of the Libreville Agreement of September 13, 1962, establishing OAPI, including its existing annexes on patents and trademarks, and for the introduction of annexes on utility models, trade names, protection against unfair competition, copyright, and the establishment of a patent documentation and information service. The draft proposals were revised by a Drafting Committee in 1976. The Administrative Council of OAPI, at its session in February 1977, approved the proposals and recommended their acceptance by the member States of OAPI.

61. *Industrial Property Organization for English-Speaking Africa*. A diplomatic conference, convened jointly by the United Nations Economic Commission for Africa (ECA) and WIPO at Lusaka, Zambia, in December 1976, adopted the *Agreement on the Creation of an Industrial Property Organization for English-Speaking Africa*. A draft of that agreement had been prepared by the Conference on Industrial Property Laws of English-speaking Africa at its meeting in Addis Ababa in 1974. The Agreement establishes a regional industrial property organization (hereinafter referred to as "the Organization") for the study and promotion of the co-operation in industrial property matters, including the harmonization and development of industrial property laws, the establishment of common services

or organs for the co-ordination, harmonization and development of industrial property activities, and assistance in the acquisition and development of technology relating to industrial property matters. The Agreement calls for the Organization to collaborate with the ECA, WIPO and other appropriate organizations. The organs of the Organization will include a Council, consisting of the heads of offices dealing with the administration of industrial property matters or other persons having requisite knowledge of such matters, and a secretariat. A resolution adopted by the Diplomatic Conference requests the ECA and WIPO, in consultation with the Bureau of the Conference on Industrial Property Laws of English-speaking Africa, to act as the interim secretariat until the secretariat of the Organization is established; it further requests the said Conference to prepare the entry into force of the Agreement.

62. The Agreement, which was unanimously adopted on 9 December 1976, was signed on that day on behalf of the following States: Ghana, Kenya, Mauritius, Somalia, Uganda, Zambia. The Agreement remains open for signature at Lusaka until 31 December 1977. Instruments of ratification or accession are to be deposited with the Government of the Republic of Zambia.

63. Membership of the Organization is open to Botswana, Ethiopia, Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Nigeria, the Seychelles, Sierra Leone, Somalia, the Sudan, Swaziland, Uganda, the United Republic of Tanzania and Zambia; other States members of ECA may become members of the Organization on such conditions as its Council may determine.

64. *Advice and assistance in legislation, institutions, and related matters*. At the request of governments and regional organizations, expert services will continue to be made available by the staff of WIPO, with the aid of consultants if necessary, to assist national or regional authorities or interested private circles in developing countries in formulating, revising or harmonizing their legislation on industrial property, copyright and neighboring rights, in establishing or strengthening national or regional institutions concerned with such matters, and in preparing plans for projects on such matters to be financed by UNDP or from other sources and carried out by WIPO, and, where necessary, in organizing meetings for the said purposes.

65. *Functions, Administration and Role of Industrial Property Offices*. A survey will be undertaken in 1977, of the functions, administration and role in the governmental structure of industrial property offices in selected developing and developed countries. At the request of governments of developing countries, and mainly if external financing can be found, fact-finding missions to explore their difficulties and requirements will be undertaken during 1978 and 1979. A report on this item, prepared by the International Bureau, was submitted to the WIPO Permanent Committee for Development Co-operation Related to Industrial Property at its session in March 1977.

##### *Traineeships*

66. In co-operation with various industrial property and copyright offices, 38 traineeships for a duration of up to two months were arranged in 1976 for officials from the following 33 countries: Algeria, Benin, Bolivia, Chad, Chile, Colombia, Costa Rica, Cuba, Ecuador, Ethiopia, Fiji, Gambia, Guatemala, India, Indonesia, Iraq, Jordan, Kenya, Madagascar, Malaysia, Mexico, Pakistan, Peru, Philippines, Republic of Korea, Rwanda, Sudan, Tanzania, Thailand, Trinidad and Tobago, Venezuela, Zaire, Zambia. Twenty-nine of these traineeships were awarded in the field of industrial property and 9 in the field of copyright.

67. The training took place at the International Bureau of WIPO in Geneva, at the African Intellectual Property Organization (OAPI) and in the following 16 countries, the Governments of some of which covered fully or in part the costs of the training programme of one to four trainees: Australia, Canada, Czechoslovakia, Egypt, France, Germany, Federal Republic of, Israel, Japan, Mexico, Netherlands, Spain, Sweden, Switzerland, USSR, United Kingdom, United States of America.

The remainder of the costs were borne by the budget of the WIPO Permanent Legal-Technical Programme.

68. A symposium on copyright matters for the benefit of seven of the trainees—from Africa, Chad, Chile, India, Mexico, Philippines, Rwanda—was organized in Geneva, in September 1976, by the International Bureau with the participation of the International Publishers Association (IPA).

69. The training programme will continue to be implemented during 1977.

*Regional meetings, seminars, training courses, etc.*

70. At least six meetings, seminars or training courses in developing regions, with limited or wider participation, will be

organized in each of the years 1977 to 1979. Working documents will be prepared by the International Bureau, in some cases with the assistance of consultants mainly from the regions concerned. Discussion, exchange of experience and training will cover such subjects as: (i) promotion of domestic inventive and innovative capacity; (ii) industrial property office functions and administration; (iii) national application of the new Model Law for Developing Countries on Inventions and Know-how; (iv) administration of trademarks; (v) control of license agreements; (vi) negotiation of license agreements (on the basis of the "Licensing Guide" prepared in 1976 and 1977); (vii) results of the revision of the Paris Convention; (viii) copyright and neighboring rights matters.