

BUREAUX INTERNATIONAUX  
RÉUNIS POUR LA PROTECTION  
DE LA PROPRIÉTÉ INTELLECTUELLE  
GENÈVE, SUISSE

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UNITED INTERNATIONAL  
BUREAUX FOR THE PROTECTION  
OF INTELLECTUAL PROPERTY  
GENEVA, SWITZERLAND

**COMMITTEE OF EXPERTS ON THE ADMINISTRATIVE STRUCTURE  
OF INTERNATIONAL COOPERATION  
IN THE FIELD OF INTELLECTUAL PROPERTY**

**COMITÉ D'EXPERTS CONCERNANT LA STRUCTURE ADMINISTRATIVE  
DE LA COOPÉRATION INTERNATIONALE DANS LE DOMAINE DE LA  
PROPRIÉTÉ INTELLECTUELLE**

Geneva, March 22 - April 2, 1965

Genève, 22 mars - 2 avril 1965

PROPOSITIONS OF THE DELEGATIONS OF  
THE FEDERAL REPUBLIC OF GERMANY, ISRAEL, SWEDEN,  
AND THE UNITED STATES OF AMERICA

(1) The present propositions are based on the Puget proposal as contained in document AA/II/12 and deal only with points arising from the changes proposed by Mr. Puget.

(2) Their aims are the following:

- (a) The Conference, which would include also the so called Third States--but in which the Union States will certainly be a majority since the majority of the States of the world are already members of Unions--would establish the technical assistance program of the Organization.
- (b) For this program, as well as for the expenses of the Conference, there would be a "Conference budget" to which Third States would contribute. (Union States would contribute indirectly because in the Union budgets some amounts among the common expenses would be earmarked for the Conference budget.)
- (c) Consequently, Third States would not be exempt from paying contributions.

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(d) In order to allow Third States to have their word when their financial interests are at stake, they would have a representation on the Coordination Committee but only when the allocation of the common expenses between the Union budgets and the Conference budget is discussed.

(e) The Director General would be appointed by the General Assembly (only Union countries) but the Conference could ask for reconsideration. It will depend on the General Assembly whether or not to maintain the appointment.

(3) The Annex to this document contains, in a provisional form, the amendments to the Puget Draft reflecting the above principles.



ANNEX

Proposed amendments to the Puget proposal as contained in document AA/II/12.

ARTICLE 2

In paragraph (2), omit the words "through the Assemblies of the various Unions, each as far as it is concerned," and, instead, add to Article 2 the following provision as paragraph (3):

"(3) All decisions concerning the functions referred to in the preceding paragraph shall be made by the Assembly of the interested Union, provided that:

(i) the General Assembly shall confirm the arrangements for the administration of the conventions, agreements and treaties referred to under point (iii) of that paragraph [Cf. Art. 5(2)(ix)],

(ii) the Conference shall establish the program of technical assistance referred to under point (vii) of that paragraph [Cf. Art. 5bis, para.2bis].

ARTICLE 3

No change in the Puget proposal.

ARTICLE 4

No change in the Puget proposal.

ARTICLE 5

Omit point (v) of paragraph (2).



ARTICLE 5BIS

Add two new provisions (paragraphs (2bis) and (3bis)) and replace paragraph (5):

"(2bis) The Conference shall establish the triennial program of technical assistance in the field of intellectual property [Cf. Art. 2(2)(vii)], including in particular fellowships, information, model laws, and advice in connection with the establishment and operation of national and regional industrial property offices."

"(3bis) The Conference shall adopt the triennial budget providing for funds to cover the expenses of the Conference and the technical assistance program (hereinafter referred to as "Conference budget")."

"(5) The Conference shall meet in ordinary session upon the convocation by the Director General during the same period and at the same place as the General Assembly. The Conference shall meet in extraordinary session upon convocation by the Director General at the request of one fourth of the Member States of the Organization."

ARTICLE 6

Add the following words to point (i) of paragraph (2):  
"except the functions referred to in points (iii) and (vii) of paragraph (2) of Article 2."

ARTICLE 7

No change in the Puget proposal.

ARTICLE 8

No change in the Puget proposal.

ARTICLE 9

No change in the Puget proposal.

ARTICLE 10

No change in the Puget proposal.



ARTICLE 11

Add the following provision to paragraph (1) as subparagraph (c):

"(c) Whenever the Coordination Committee considers the Conference budget (Art. 5bis, para. 3bis), one fourth of the Member States which are members of the Organization without being members of any of the Unions shall participate in the Coordination Committee with the same rights as the members of that Committee. This one-fourth shall be elected by and at each ordinary session of the Conference."

Add the words "the Conference" after the words "General Assembly" in para. (3)(i).

ARTICLE 12

Add the following provision as para.(1bis):

"The Director General shall be appointed by the General Assembly. The Conference may request reconsideration by the General Assembly. If the appointment is confirmed upon reconsideration it shall be conclusive."

ARTICLE 13

Add the words here underlined in paragraphs (1) and (2):

"(1)(a) There shall be separate budgets of the Unions and a Conference budget.

(c) In the budget of each Union there shall appear the proper expenses of the Union itself and its share in the common expenses. In the Conference budget there shall appear the proper expenses of the Conference and of the technical assistance program and their share in the common expenses.

(d) Expenses not attributable exclusively to any given Union alone, or to the Conference budget alone, shall be considered as common expenses. Common expenses shall be assessed among the various Unions and the Conference budget in proportion to the interest each of them has in such expenses.



(2) The budgets of the Unions and the Conference budget shall be established with due regards to the requirements of coordination."

Add the following provision as paragraph (3bis):

"(3bis) The Conference budget shall be financed from sums allocated to that budget in the budgets of the interested Unions and from contributions of States members of the Organization without being members of any of the Unions."

Add the following provision as paragraph (4bis):

"(4bis) The provisions of the preceding paragraph para.(4) shall apply also in connection with the contributions of the States members of the Organization without being members of any of the Unions towards the Conference budget see para. (3bis)."