

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

BIRPI

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

SECOND COMMITTEE OF GOVERNMENTAL EXPERTS
ON ADMINISTRATION AND STRUCTURE

DEUXIEME COMITE D'EXPERTS GOUVERNEMENTAUX
CONCERNANT DES QUESTIONS D'ORDRE STRUCTUREL
ET ADMINISTRATIF

Geneva, May 16 to 27, 1966 — Genève, 16 - 27 mai 1966

OPENING ADDRESS
BY PROFESSOR G.H.C. BODENHAUSEN,
DIRECTOR OF BIRPI

Ladies and Gentlemen,

The first Committee of Governmental Experts, which met in March 1965 to consider the problems of the administrative structure of our Unions, was unable to find solutions entirely satisfactory to all, nor did it exhaust the study of all the problems. That is why this second Committee has been convened, to continue the work in the light of the experience gained and on the basis of amended and detailed proposals. It gives me great pleasure to welcome here the members of this second Committee and the observers from international intergovernmental and non-governmental organizations.

The new proposals submitted to you take account of the experience gained at the first Committee of Experts. The main aspects of these proposals can be outlined as follows:

- (1) First, the independence of the existing Unions is further accentuated by the transfer of all the so-called final clauses into the

revision proposals of the Conventions themselves. Thus, only the purely administrative clauses would be reserved for the additional Protocols, while the rule of unanimity for each amendment would remain applicable to all the final clauses.

(2) The main points of dissension, such as the role of the Conference of States - including States not members of the Unions - in connection with the appointment of the Director General, the jurisdictional clause, and certain alternatives regarding the accessibility of the new Organization, have been eliminated.

(3) The system of organization proposed is very flexible, permitting States, according to their desires, to accept only the amendments to the substantive clauses and not to the administrative provisions, or vice versa, and even to accept the amendments to the administrative provisions of the Conventions without acceding to the new Organization which would complete them.

We believe that these new proposals are suitable as a basis for profitable discussion by the Committee and, ultimately, for the final proposals to be submitted to the Diplomatic Conference of Stockholm.

We hope, at the same time, that certain fears which have been manifested by international organizations whose cooperation we appreciate will have disappeared. These organizations are, first and foremost, the United Nations and Unesco.

We have already had some years' experience of cooperation with the United Nations. This experience has been very favorable and there is no reason that cooperation should not continue, as before, after the proposed structural reform of our Organization. Indeed, there is ample work for both Organizations. The United Nations is now concentrating particularly on the vast problem of the transfer of technology - protected or unprotected by patents - to the developing countries, with due consideration for the competence and experience of our Organization as regards the legal framework of this transfer in the form of international regulations concerning industrial property. In such conditions, there is no fear of conflicts regarding competence.

We have also established a most valuable cooperation with Unesco, which it will be possible to pursue without difficulty after the structural reform of our Organization. This reform will not prejudice the historical facts which led Unesco to assume the administration of the Universal Copyright Convention and led Unesco, the International Labour Office, and our own Organization, to assume the joint administration of the Rome Convention on neighboring rights.

I now invite you to commence your work, and to start by electing your Officers. We had thought that, in view of the complexity of the problems, the Committee might sit, possibly after a discussion of the general principles, in three Working Groups, meeting consecutively, to study respectively: (1) the proposed Administrative Protocols; (2) the proposals concerning the International Intellectual Property Organization; and (3) the Final Clauses of the existing Conventions. If you are in agreement with this procedure, I would invite you to elect a Chairman and, in view of the composition of the Committee, four Vice-Chairmen, as well as a Chairman for each of the three Working Groups.