

WIPO



AB/II/2

ORIGINAL: English/French

Date: June 30, 1971

WORLD INTELLECTUAL PROPERTY ORGANIZATION

UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY

GENEVA

ADMINISTRATIVE BODIES OF WIPO AND OF THE UNIONS ADMINISTERED BY WIPO AND BIRPI

Second Series of Meetings
Geneva, September 27 to October 2, 1971

ACTIVITIES OF THE
INTERNATIONAL BUREAU

Report presented by the Director General

SUMMARY

This document contains a summary of the activities of the International Bureau since October 1, 1970, the date of the last series of meetings of the administrative bodies.

CONTENTS

	<u>Paragraphs</u>
<u>INTRODUCTION</u>	1 to 3
Period Covered by this Document	1
Composition of this Document	2 and 3
I. <u>WORLD INTELLECTUAL PROPERTY ORGANIZATION</u>	4 to 6
A. <u>MEMBER STATES</u>	
Acceptance	4
Declarations	5
Notifications	6
B. <u>LEGAL-TECHNICAL ASSISTANCE TO DEVELOPING COUNTRIES</u>	7 to 24
Training Program	7 to 13
Establishment of New Patent Documentation Centers	14 and 15
Model Laws for Developing Countries	16 and 17
Seminars	18
Computer Technology for Development	19 and 20
Proposal for a Patent Licensing Convention ..	21 and 22
Status of Developing Countries in the Berne Union	23
Relations with Developing Countries	24
C. <u>COOPERATION BETWEEN THE UNITED NATIONS AND WIPO</u>	25 to 44
Working Agreement	26
Future Cooperation and Coordination	27
Administrative Committee on Coordination (ACC)	28 and 29
Economic and Social Council (ECOSOC)	30 to 32
Advisory Committee on the Application of Science and Technology to Development (ACAST)	33 and 34
Committee on the Peaceful Uses of Outer Space	35
International Law Commission	36
United Nations Commission on International Trade Law (UNCITRAL)	37

	<u>Paragraphs</u>
Economic Commission for Europe (ECE).....	38
United Nations Conference for Trade and Development (UNCTAD)	39
United Nations Industrial Development Organization (UNIDO)	40 to 44
D. <u>WIPO PUBLICATIONS</u>	45 to 47
E. <u>OTHER ACTIVITIES</u>	48 and 49
II. <u>PARIS UNION AND INDUSTRIAL PROPERTY IN GENERAL</u>	50 to 85
Member States	50
Lisbon Act	51
Stockholm Act	52 to 54
Relations with Member States	55
Guide to the Application of the Paris Convention	56
Patent Cooperation Treaty	57 to 65
International Patent Classification	66 to 74
International Registration of Trademarks ..	75 and 76
ICIREPAT	77 to 80
Protection of Type Faces	81 to 83
Proposal for a Patent Licensing Convention.	84
The Monthly Periodical "Industrial Property/La Propriété industrielle"	85
III. <u>MADRID AGREEMENT (INDICATIONS OF SOURCE)</u>	86 to 88
Member States	86
Additional Act of Stockholm	87 and 88
IV. <u>MADRID UNION (REGISTRATION OF MARKS)</u>	89 to 104
Member States	89
Nice Act	90
Stockholm Act	91 to 94
Declarations under Article 3bis (Nice and Stockholm Acts)	95 and 96
Notification under Article 9quater of the Madrid Agreement (Nice and Stockholm Acts)	97
Entry into Force of the New Regulations of the Madrid Agreement	98

	<u>Paragraphs</u>
Guide du déposant	99
Revision of the Madrid Agreement or New Treaty Concerning the International Registration of Marks	100
Statistics	101
Amounts Distributed	102
Publications	103
Trademark Search Service	104
V. <u>THE HAGUE UNION</u>	105 to 109
Member States	105
Additional Act of Monaco	106
Complementary Act of Stockholm	107
Statistics	108
Publications	109
VI. <u>NICE UNION</u>	110 to 115
Member States	110
Accession to the Nice Agreement	111
Stockholm Act	112 to 114
Committee of Experts for the International Classification of Goods and Services for the Purposes of the Registration of Marks	115
VII. <u>LISBON UNION</u>	116 to 125
Member States	116
Stockholm Act	117 to 119
Applications for Registration	120 and 121
Meeting of the Council of the Lisbon Union	122 to 124
Publication	125
VIII. <u>LOCARNO UNION</u>	126 to 131
Member States	126
Ratifications and Accessions	127
Entry into Force	128
Notifications	129
Provisional Committee of Experts	130
Committee of Experts	131

	<u>Paragraphs</u>
IX. <u>BERNE UNION AND COPYRIGHT IN GENERAL</u>	132 to 156
Member States	132
Brussels Act	133
Stockholm Act	134 to 136
Relations with Member States	137
New Revision of the Berne Convention	138 to 142
Diplomatic Conference on the Protection of Phonograms	143 to 150
Communications Satellites	151 to 154
Protection of Type Faces	155
Publications	156
X. <u>ROME CONVENTION (NEIGHBORING RIGHTS)</u>	157 to 159
Member States	157
Intergovernmental Committee	158
Publications	159

INTRODUCTION

Period Covered by this Document

1. This document contains a summary of the activities of the International Bureau since the first series of meetings of the administrative bodies of WIPO and the Unions administered by WIPO and BIRPI, held in Geneva from September 21 to 28, 1970. It covers a period of nine months, from October 1, 1970, to June 30, 1971.

Composition of this Document

2. This document is divided into ten main parts, dealing respectively with the World Intellectual Property Organization (WIPO) (Member States, legal-technical assistance to developing countries, cooperation with the United Nations, publications), the Paris Union, the Madrid Agreement (indications of source), the Special Unions of Madrid (registration of marks), The Hague, Nice, Lisbon and Locarno, the Berne Union and the Rome Convention (neighboring rights).

3. This document is a report on activities: it is concerned with the carrying out of the program. Financial questions are covered in the Management Report for 1970 and in document AB/II/3. The program and budget for 1972 are dealt with in document AB/I/7, and staff matters in document WO/CC/II/4.

I.

WORLD INTELLECTUAL PROPERTY ORGANIZATION
(WIPO)

A. MEMBER STATES

4. Acceptance. At the end of September 1970, the Convention establishing WIPO had been accepted by 21 States (or 20, if the German Democratic Republic is not considered a party).¹ Since that date, two States have deposited their instruments of ratification or accession: Czechoslovakia and Morocco.

5. Declarations. In addition to the six States² mentioned in the previous report, the 23 States mentioned below have filed declarations under Article 21(2)(a), according to which they may, for five years from the date of entry into force of the WIPO Convention (that is, until April 26, 1975), exercise, if they so desire, the same rights as if they had become party to that Convention: Algeria, Argentina, Cameroon, Dahomey, Gabon, Greece, Holy See, Ivory Coast, Japan, Malta, Netherlands, Nigeria, Norway, Poland, Portugal, South Africa, Syria, Thailand, Tunisia, Turkey, United Arab Republic, Upper Volta, Yugoslavia.

6. Notifications. The Director General notified the States concerned (that is, those States which were invited to the 1967 Stockholm Conference) of the deposit of instruments of ratification or accession and the filing of declarations. A total of 32 such notifications were sent concerning WIPO.

B. LEGAL-TECHNICAL ASSISTANCE TO DEVELOPING COUNTRIESTraining Program

7. Training courses continue to be organized with the co-operation of several Industrial Property Offices, for the benefit of persons who have assumed, or will be called upon to assume, responsibilities within the Industrial Property Administrations of developing countries. These persons--nationals

¹ Bulgaria, Byelorussian SSR, Canada, Chad, Denmark, Finland, German Democratic Republic, Germany (Federal Republic), Hungary, Ireland, Israel, Malawi, Romania, Senegal, Soviet Union, Spain, Sweden, Switzerland, Ukrainian SSR, United Kingdom, United States of America.

² Belgium, Brazil, Cuba, France, Italy, Luxembourg.

of the countries in question--are generally officials appointed by their governments, or officials of regional organizations in which such countries are grouped, like the Industrial Development Centre for Arab States (IDCAS) and the African and Malagasy Industrial Property Office (OAMPI).

8. The previous report (document AB/I/3, paragraphs 45 to 49) referred only to what had been done in this field during 1968 and 1969.

9. Thirty-four applications for training courses were received by WIPO in 1970. Of the Industrial Property Offices in member countries of the Paris Union usually approached by WIPO, the following 15 replied that they were willing to accept trainees for two or three months: Australia, Austria, Canada, Czechoslovakia, Germany (Federal Republic), Israel, Italy, Japan, Netherlands, Soviet Union, Spain, Switzerland, United Kingdom, United States of America, Yugoslavia.

10. Twenty-three applications for training courses were submitted to WIPO in 1971. The Industrial Property Offices of the member countries of the Paris Union indicated below announced their willingness to receive trainees: Australia, Canada, Czechoslovakia, France, Germany (Federal Republic), Ireland, Israel, Japan, Netherlands, Soviet Union, Spain, Switzerland, United Kingdom, United States of America, Yugoslavia.

11. The award of fellowships has been limited by the amounts available in the budget. Moreover, such awards must take account of candidates' linguistic abilities in relation to the offers received from national Industrial Property Offices, as well as the conditions specified by those Offices concerning the subjects of the training courses (patents, marks, etc.). On the other hand, the fact that certain host countries have agreed to meet all or part of the expenses has made it possible to increase the number of training courses slightly.

12. These conditions being taken into account, 15 fellowships were awarded during the course of the two years under review (seven in 1970 and eight in 1971) to trainees from the following countries: Burundi, Colombia, Costa Rica, Cyprus, Ethiopia, Jordan, Malawi, Nepal, Philippines, Republic of Korea, Togo, Trinidad and Tobago, United Arab Republic, and also to an official of IDCAS and an official of OAMPI (with regard to the latter, see also paragraph 65 below).

13. The training courses took place (or are taking place, since the 1971 program is still being carried out) in the following countries: Australia, Ireland, Israel, Japan, Soviet Union, Spain, Switzerland, United Kingdom.

Establishment of New Patent Documentation Centers

14. A request for technical assistance has been submitted to WIPO by the Government of Brazil, for the purpose of setting up a documentation center in that country. Talks on the subject were held in Rio de Janeiro in February 1971 between officers of WIPO and the competent Brazilian authorities, in particular the National Institute of Industrial Property. A plan was drafted and the United Nations Development Programme (UNDP) consulted. To date the latter has not communicated its views.

15. At the meetings of the PCT Interim Committee for Technical Assistance in February 1971, a request for technical assistance was submitted by the Industrial Development Centre for Arab States (IDCAS). The request concerned studies to be carried out with a view to the creation of a regional patent documentation center for Arab countries. Talks were subsequently held with representatives of IDCAS; they have not yet resulted in any conclusion.

Model Laws for Developing Countries

16. At the end of 1970 and in early 1971, the English, French and Spanish versions of a Model Law for Developing Countries on Industrial Designs were published. The text of the Model Law and its commentary were drafted in the light of opinions expressed by a Committee of Experts which met in October 1969. This third Model Law joins the two already published, the first on inventions and the second on marks, trade names and acts of unfair competition. A fourth Model Law on appellations of origin is in preparation.

17. Officers of WIPO took part in the Industrial Legislation Committee of the Industrial Development Centre for Arab States (IDCAS), which met in Cairo in November 1970. In particular, the Committee examined proposals for the drafting of a Model Law for Arab States on Patents. With a view to drawing up such a Model Law, a Committee of Arab Experts, composed of representatives of Algeria, Jordan, Lebanon, the United Arab Republic and IDCAS, will meet at the headquarters of WIPO from August 30 to September 4, 1971.

Seminars

18. During the period covered by this document preparations have been made for the holding of a Latin-American Symposium on Intellectual Property in Bogota from November 24 to 27,

1971, and an Arab Seminar on International Treaties concerning Industrial Property in Cairo from December 13 to 18, 1971.

Computer Technology for Development

19. The report of the Secretary-General of the United Nations on the application of computer technology for development contains a recommendation that WIPO should, with the assistance of governmental experts, study the most appropriate form of legal protection of computer programs, from the point of view both of the developing countries and of the producers of software. In response to this recommendation, the Director General of WIPO convened, in Geneva, from March 8 to 12, 1971, an Advisory Group of Governmental Experts on the Protection of Computer Programs.

20. The purpose of this Group was to advise the International Bureau on the preparation of the study referred to in the preceding paragraph. Seventeen experts, nominated at the request of the Director General by ten governments, made specific recommendations on the preparatory work to be undertaken for the convening of a future committee of governmental experts, with the participation of representatives of the private circles concerned. The report of the meeting (document AGCP/6) is published in the March 1971 issues of "Industrial Property" and "Copyright."

Proposal for a Patent Licensing Convention

21. In accordance with the decision adopted by the General Assembly of WIPO in September 1970, the International Bureau prepared a questionnaire on the proposal, made by the Government of Sweden, for a patent licensing convention. The questionnaire was submitted to member States of the Paris Union and to certain other States. The results of this inquiry will appear in document P/EC/VII/8, which will be published in July 1971.

22. The purpose of the proposal is twofold: to promote the dissemination among developing countries of technology originating in industrialized countries, and to facilitate the conclusion of license contracts between industrialized and developing countries. The basic question it raises is that of deciding what means could be instituted within WIPO to enable developing countries and persons residing therein to communicate more readily with foreign owners of patents and unpatented technology with a view to the conclusion of license contracts.

Status of Developing Countries in the Berne Union

23. When the Berne Convention for the Protection of Literary and Artistic Works was revised at Stockholm in 1967, special provisions in favor of developing countries were incorporated in the Stockholm Act in a Protocol forming an integral part of the Act. It became evident, however, that the solutions contained in the Protocol were not likely to meet with wide approval on the part of member States, and that it was advisable to revise the conditions under which the needs of developing countries could be met, particularly with respect to the translation and reproduction of works. To this end a new revision conference will take place in July 1971, for the purpose of inserting special provisions in the Berne Convention for the benefit of developing countries which would enable them, in certain cases and under certain conditions, to depart from the protection minima prescribed by the Convention, in order to have more rapid access to educational works and works in the field of scientific or instructional research.

Relations with Developing Countries

24. The Director General or other officers of WIPO visited the Governments or the competent authorities of developing countries, or had contacts with the latter at international meetings. Thus WIPO was represented at the 10th session of the Administrative Council of the African and Malagasy Industrial Property Office (OAMPI), which was held in Abidjan (Ivory Coast) from May 10 to 15, 1971. Thus also a tour was made in May/June 1971, for the purpose of obtaining information and making contact with governmental authorities, which took in the following Latin American countries: Guatemala, Venezuela, Colombia, Peru and Chile. Talks took place in Guatemala with the Permanent Secretariat of the Central American Economic Integration Treaty (SIECA), which is planning to apply to WIPO for assistance in the preparation of a draft Central American patent convention. In Venezuela, Colombia, Peru and Chile the talks concerned the activities of the authorities of those countries in the industrial property field, from the point of view of both legislation and the operation of the patent offices, and also in the copyright field.

C. COOPERATION BETWEEN THE UNITED NATIONS AND WIPO

25. WIPO has continued and extended the cooperation established by BIRPI with the United Nations and the organizations of the United Nations System.

Working Agreement

26. The letter from the Secretary-General of the United Nations the draft of which was set out in document WO/CC/V/11, and which incorporated a working agreement between the United Nations and WIPO, was sent dated September 22, 1970, to the Director General of WIPO. The latter confirmed his agreement in a letter dated October 12, 1971, as authorized by the Coordination Committee (see WO/CC/I/13, paragraph 36).

Future Cooperation and Coordination

27. In accordance with the Resolution unanimously adopted on September 28, 1970, by the General Assembly and the Conference at their first sessions (document AB/I/33, Annex D), preliminary discussions have been begun with the Office for Inter-Agency Affairs of the United Nations Secretariat concerning the questions of cooperation and coordination which the Resolution invites the Director General to examine. These questions include the possibility of entering into an agreement under Articles 57 and 63 of the Charter of the United Nations and therefore becoming a Specialized Agency of the United Nations. The discussions have, so far, been merely exploratory in their nature.

Administrative Committee on Coordination (ACC)

28. WIPO has been regularly represented by observers at the meetings of two of the subsidiary bodies of the ACC:

(a) the Inter-Organization Board for Information Systems and Related Activities (IOB): the IOB was established after the dissolution of the ACC Computer Users' Committee, at whose meetings WIPO and BIRPI were represented by observers. Its purpose is to plan and develop information systems and related activities in order to improve and strengthen the planning and management of the economic and social development activities of the United Nations family of organizations. The IOB maintains close cooperation with the International Computing Centre (ICC) of the United Nations, situated in Geneva since early 1971, which is assisting WIPO in the application of computer systems to the development of international classifications.

(b) the ACC Sub-Committee on Science and Technology: WIPO's participation in the work of this body has been mainly concerned with its function of coordinating the contributions made by the organizations of the United Nations

System to the work of the Advisory Committee on the Application of Science and Technology to Development (ACAST) (see paragraph 33 below).

29. At its meeting in April 1971, the Preparatory Committee of the ACC considered a request by WIPO to be present, in an official or an unofficial capacity, at meetings of a further subsidiary body of the ACC, the Consultative Committee on Administrative Questions (CCAQ), when questions concerning the United Nations common system of staff salaries and allowances were discussed. This request was declined on the grounds that "it would be unwise to create a precedent which might lead to the presence of a larger number of observers at sessions of the CCAQ."

Economic and Social Council (ECOSOC)

30. WIPO was represented by an observer at the fiftieth session of the Economic and Social Council, in New York, during consideration, in May 1970, of the question of future institutional machinery for science and technology and of the report of the Secretary-General of the United Nations on the application of computer technology for development.

31. The question of future institutional machinery for science and technology was deferred to the fifty-first session of the Council, after a discussion concerning the possibility of establishing either a sessional committee of the Council or a committee responsible directly to the General Assembly.

32. The report on the application of computer technology for development contains a recommendation that WIPO should, with the assistance of governmental experts, study the most appropriate form of legal protection of computer programs, from the point of view both of the developing countries and of the producers of software. The representative of WIPO reported to the Council on the preparatory work already undertaken in response to this recommendation by the WIPO Advisory Group of Governmental Experts on the Protection of Computer Programs (see paragraphs 19 and 20 above).

Advisory Committee on the Application of Science and Technology to Development (ACAST)

33. WIPO was represented by an observer at the fourteenth session of ACAST, held in New York in February 1971, and also at meetings of ad hoc Working Groups on Industry and Transfer of Technology (Vienna, November 1970) and on the World Plan of Action (New York, December 1970).

34. The World Plan of Action for the Application of Science and Technology, Volume I of which was approved by ACAST for submission to the Economic and Social Council, constitutes the main contribution of ACAST to the program of action for the Second United Nations Development Decade. It includes a reference to the need for "the creation or development of information centers, patent offices, data banks ..." (document E/AC.52/XIV/CRP.4/Rev. 1: English only). Volume II will include a section on patents and licensing, based on a contribution made by WIPO at the request of ACAST.

Committee on the Peaceful Uses of Outer Space

35. Following participation by BIRPI in an observer capacity in the third session of the Working Group on Direct Broadcast Satellites of the Committee on the Peaceful Uses of Outer Space (see document AB/I/3, paragraphs 28 to 30), WIPO responded to a request made by the Under-Secretary-General for Political and Security Council Affairs for assistance in compiling an index of existing international instruments (conventions, treaties and agreements) relating to or bearing upon broadcast satellite services.

International Law Commission

36. At the twenty-third session of the International Law Commission, held in Geneva from April 26 to July 30, 1971, detailed consideration of the agenda item concerning "succession of States in respect of treaties" was again deferred. The working documents prepared for this item include studies of the relevant practices of the Unions administered by WIPO.

United Nations Commission on International Trade Law (UNCITRAL)

37. WIPO was represented by observers at the fourth session of UNCITRAL, held in Geneva from March 29 to April 23, 1971, and submitted a paper on certain items of the work program which was incorporated in a document presented to UNCITRAL concerning the current activities of other organizations in the field of harmonization and unification of trade law.

Economic Commission for Europe (ECE)

38. WIPO continued to be represented at the meetings of various bodies of the ECE, including in particular the Committee on the Development of Trade (December 1970), and the second meeting of Governmental Experts on Scientific and Technological Cooperation (March 1971), for both of which documents were prepared by WIPO at the request of the Executive Secretary of the ECE.

United Nations Conference for Trade and Development (UNCTAD)

39. WIPO has maintained close contact with the Secretariat of UNCTAD, particularly with the Invisibles Division in respect of preparations for the first meeting (June 1971) of the Intergovernmental Group on Transfer of Technology and with the Manufactures Division in connection with the legal aspects of that Division's current study of restrictive business practices which affect the export interests of developing countries. At its fifth session (May 1971), at which WIPO was represented by observers, the UNCTAD Committee on Manufactures approved the work program in this field, which includes a comparative analysis of laws and regulations dealing with patents and trademarks and unpatented know-how. The UNCTAD Secretariat has entered into discussions with WIPO concerning practical cooperation in this work.

United Nations Industrial Development Organization (UNIDO)

40. In December 1970, the Executive Director of UNIDO discussed in Geneva with the Director General of WIPO the possibilities of future collaboration between the two Organizations, and coordination of their respective activities. UNIDO was represented at the PCT Interim Committees (Geneva, February 1971), while WIPO was represented at the three UNIDO meetings (Vienna, May-June 1971) referred to in the following paragraphs.

41. WIPO was represented by observers at the Working Group on Programme and Coordination of the Industrial Development Board (May 10-21, 1967) as well as at the fifth session of the Board (May 24-28, 1971).

42. The documents prepared by the UNIDO Secretariat concerning the 1970-1972 program of work of UNIDO included three items of direct interest to WIPO, namely, that UNIDO would:

(i) undertake a series of industrial legislation reviews, as well as a study on selected branches of legislation;

(ii) organize in 1972 a "training workshop" for senior personnel of patent offices in Asian countries (in this connection the document of the UNIDO Secretariat noted that: "Possible cooperation with WIPO will be ascertained through appropriate contacts.");

(iii) organize in 1972 a meeting on transfer of technology and know-how through subcontracting and licensing agreements (in this connection the document of the UNIDO Secretariat stated that: "UNIDO will seek the cooperation of the World Intellectual Property Organization (WIPO) and other international organizations active in the field, particularly UNCTAD.").

43. In relation to the above-mentioned items, the Report of the Working Group on Programme and Coordination of the Industrial Development Board, which was subsequently adopted by the Board, noted the following:

(i) "Furthermore, mention had been made of the increasing cooperation with the World Intellectual Property Organization (WIPO), which dealt with the legal framework of licensing. The cooperation of WIPO would be solicited in supplying both text and comments on industrial property legislation in various countries." (UN document ID/B/L.91, paragraph 112)

(ii) "Several delegations emphasized the need for cooperation with UNCTAD and WIPO in the field of patents and licensing in order to avoid duplication. One delegation said that greater progress would be made in this direction if more developing countries were members of WIPO." (UN document ID/B/L.91, paragraph 113)

(iii) In connection with the proposed meeting to stimulate the transfer of technology and know-how through subcontracting and licensing agreements, "the representative of WIPO explained that his Organization had been associated with this project at an early stage and was happy to provide its full cooperation." (UN document ID/B/L.91, paragraph 219)

44. WIPO was represented by observers, including Dr. Arpad Bogsch, First Deputy Director General, at the Special International Conference of UNIDO (Vienna, June 1 to 8, 1971), which considered the long-range activities, organizational structure and financing of UNIDO. At the invitation of the Executive Director of UNIDO, WIPO submitted to the Conference a paper on "Industrial Property and Transfer of Technology: Cooperation and Collaboration between UNIDO and WIPO" (UN document ID/SCU/C.1).

D. WIPO PUBLICATIONS

45. Records of the Stockholm Conference. The English edition was published in May 1971 and the French edition is currently being printed. Each edition is in two volumes, with a total of 1,600 pages. The first volume contains, in particular, the list of Contracting States on the date of the opening of the Conference (June 11, 1967) and the texts in force on that date, the preparatory documents distributed prior to the opening of the Conference, the list of participants and the working documents (proposals, amendments, draft texts, etc.) submitted during the course of the Conference by delegations or by the Secretariat. The second volume contains the summary minutes of the Plenary meetings and the meetings of the Committees, the reports of the five Main Committees of the Conference, the texts signed at Stockholm on July 14, 1967, and the decisions and recommendations adopted by the Conference. Finally, there is an index to facilitate consultation of the Records.

46. The Review La Propiedad Intelectual, which concerns several Unions, continued to appear quarterly. In it were published general information and studies concerning WIPO, industrial property and copyright.

47. Other Publications. Updated editions of the WIPO General Information brochure were published in the English, French, German and Spanish languages during the period covered by this document. A Russian and an Arabic version are currently in preparation, and talks have been started with a view to the publication of a Japanese version. The original text of the Patent Cooperation Treaty (PCT) in the English and French languages, and the official German text, have been published in brochure form. The establishment of official texts in the Japanese, Portuguese, Russian and Spanish languages is in progress. Supplements to the Manual of Industrial Property Conventions in English and French are being printed. The original English and French text of the Strasbourg Agreement concerning the International Patent Classification, signed on March 24, 1971, has been published in brochure form. Finally, a second French edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks was published early in 1971.

E. OTHER ACTIVITIES

48. Teaching of Intellectual Property Law. In May 1970 BIRPI published, in brochures in the English and French languages, the results of an inquiry on the universities and other higher education establishments in which intellectual property law (industrial property and copyright) is taught. A new questionnaire has been sent to the various universities in order to complete the information contained in the brochure. The replies to this questionnaire have made a new edition possible, and this is now in the process of being published.

49. Montreux Lecture Series. The International Bureau organized a Lecture Series on "Current Trends in the Field of Intellectual Property," which was held in Montreux from June 22 to 25, 1971. Twenty-six speakers, from Argentina, Cameroon, Canada, France, Germany, India, Italy, Japan, Mexico, the Netherlands, the Soviet Union, Switzerland, the United Kingdom, the United States of America and Yugoslavia, gave lectures on recent developments and future prospects, either in their respective countries or on the international level, in the field of patents, marks, international classifications of patents and marks, protection of new plant varieties and copyright. The lectures were attended by nearly six hundred participants, representing over forty countries.

II.

PARIS UNION AND INDUSTRIAL PROPERTY
IN GENERAL

Member States

50. In September 1970, there were 79 members of the Paris Union (or 78, if the German Democratic Republic is not considered a member). Membership remained unchanged during the period under review.

Lisbon Act

51. By September 1970, 52 countries had accepted the Lisbon Act (1958) of the Paris Convention. No new acceptances occurred during the period under review.

Stockholm Act

52. Acceptance. By September 1970, 18 countries (or 17, if the German Democratic Republic is not considered a party) had ratified or acceded to the Stockholm Act.¹ Since that time, two more countries have accepted the Stockholm Act in its entirety: Czechoslovakia and Morocco. Furthermore, Denmark declared its ratification applicable to the Faroë Islands.

53. Declarations. In addition to the six countries mentioned in the last progress report (document AB/I/3, paragraph 34),² the following 22 countries have filed declarations under Article 30(2), according to which they may, for five years from the date of entry into force of the WIPO Convention (that is, until April 26, 1975), exercise, if they so desire, the rights provided under Articles 13 to 17 of the Stockholm Act as if they were bound by those Articles: Argentina, Brazil, Cameroon, Dahomey, Gabon, Greece, Holy See, Ivory Coast, Japan, Malta, Netherlands, Niger, Poland, Portugal, South Africa, Spain, Syria, Tunisia, Turkey, United Arab Republic, Upper Volta, Yugoslavia.

¹ Bulgaria, Canada, Chad, Denmark, Finland, German Democratic Republic, Germany (Federal Republic), Hungary, Ireland, Israel, Malawi, Romania, Senegal, Soviet Union, Sweden, Switzerland, United Kingdom, United States of America.

² Belgium, Cuba, France, Italy, Luxembourg, Norway.

54. Notifications. The Director General notified the States members of the Paris Union of the deposit of instruments of ratification or accession and the filing of declarations, and of the dates of entry into force. A total of thirty-one notifications were sent concerning the Paris Union.

Relations with Member States

55. During the period under review, the Director General or other officers of WIPO visited the Governments or the competent authorities of several countries (Austria, Brazil, Canada, Chile, Colombia, Hungary, Germany (Federal Republic), Guatemala, India, Ivory Coast, Japan, Mexico, Peru, Soviet Union, Spain, United Kingdom, United States, Venezuela), to discuss questions concerning the Paris Convention, the international registration of marks and other industrial property matters.

Guide to the Application of the Paris Convention

56. The Guide to the Application of the Paris Convention by Professor G.H.C. Bodenhausen, Director General of WIPO, which comments on each provision of the Stockholm Act of the Paris Convention, and which had been published in English in 1968 and in French and Spanish in 1969, was published in Japanese in 1970. A German edition is in preparation.

Patent Cooperation Treaty

57. The period for signature of the Patent Cooperation Treaty ended on December 31, 1970. By that date the following 35 States had signed the PCT: Algeria, Argentina, Austria, Belgium, Brazil, Canada, Denmark, Finland, France, Germany (Federal Republic), Holy See, Hungary, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Madagascar, Monaco, Netherlands, Norway, Philippines, Romania, Senegal, Soviet Union, Sweden, Switzerland, Syria, Togo, United Arab Republic, United Kingdom, United States of America, Yugoslavia.

58. With a view to assisting Governments in their preparations for accepting and implementing the Treaty, as well as private firms and individuals in their studies of the Treaty, the International Bureau has published a series of documents (PCT/PCD/1 to 6) summarizing the history of the Treaty, its advantages, the main differences between the drafts submitted

to the Diplomatic Conference and the texts adopted by it, and containing explanatory notes on each Article of the Treaty and each Rule of the Regulations. One of the documents contains indexes to the Treaty and the Regulations. The preparation of the printing and publication of the Records of the Washington Diplomatic Conference has started. The Records will contain, in particular, the minutes of the main bodies of the Conference and all the preparatory and conference documents.

59. The three Interim Committees set up by the Assembly and the Executive Committee of the Paris Union in September 1970--namely, the Interim Committee for Technical Cooperation, the Interim Committee for Technical Assistance and the Interim Advisory Committee for Administrative Questions--held their first sessions in February 1971. Twenty-seven States (of 35 signatory States qualifying as members) were represented at the first sessions, which were also attended by observers from 7 intergovernmental organizations and 11 international non-governmental organizations. The Interim Committees defined their mandates and suggested an extensive program of work to be carried out in 1972 and beyond.

60. The Interim Committee for Technical Cooperation established a Standing Subcommittee of the prospective International Searching and Preliminary Examining Authorities with the following membership: Austria, Germany (Federal Republic), Japan, the Soviet Union, Sweden, the United Kingdom, the United States of America, the International Patent Institute and, as an observer, Brazil.¹

61. In the reports unanimously adopted by these Committees (cf. documents PCT/TCO/I/6, PCT/TAS/I/6 and PCT/AAQ/I/4), it was noted that their respective suggested programs would be reported to the Executive Committee of the Paris Union at its September 1971 session in order to permit the Executive Committee to consider and establish the programs, the extent of the involvement of the International Bureau in the programs depending on the amount of the special PCT contributions (see document P/EC/VII/5 and in particular Annex A to that document reproducing the suggested programs).

62. Pursuant to the suggestions of the Interim Committee for Technical Cooperation, the following studies have been undertaken (they will be continued in 1971 and beyond):

¹ In the meantime, the Netherlands has indicated its willingness to participate in the work of the Subcommittee, since its Patent Office is to be considered one of the prospective International Preliminary Examining Authorities. However, no decision on the matter has yet been made.

- (i) preparation of a detailed inventory of the patent and like documents to be included in the PCT minimum documentation under Rule 34 of the PCT Regulations (minimum documentation study on patent documents) including also those documents put at the disposal of the International Searching Authorities under Rule 34.1(c) (vi);
- (ii) identification of the kind of non-patent literature items which are now systematically used by the prospective International Searching Authorities, at present in particular with respect to periodicals and with a view to establishing a list of periodicals and possibly other non-patent literature items to be included in the minimum documentation;
- (iii) review of the major English-language abstracting services of patent documents and technical periodicals (patent associated literature) likely to be of direct use to the prospective International Searching Authorities with a view to preparing proposals how to facilitate their use by the said Authorities.

63. Furthermore, a series of consultations--on the one hand, with the prospective International Searching Authorities and some other national Offices as well as the International Patent Institute and, on the other hand, with a private firm (Derwent Publications Ltd., London, UK)--has taken place concerning the possibility of creating a centralized service for assembling, processing and disseminating the bibliographic data on patent documents, primarily for the purpose of identifying "patent families." An Advisory Working Group charged with the study of this project as well as the Ad hoc Subcommittee on Contracting for the World Patent Index met on June 10 and 11, 1971, in Geneva (see document P/EC/VII/9, to be issued in September 1971).

64. On the basis of the Treaty and the Regulations, two documents are in preparation for the consideration of the Interim Advisory Committee for Administrative Questions, one enumerating the options that the PCT and the Regulations allow for national legislations, and the other containing draft provisions to modify the BIRPI Model Law for Developing Countries on Inventions, with a view to presenting sample provisions for implementing the Patent Cooperation Treaty on the national or regional level.

65. Legal-technical assistance was provided to the African and Malagasy Industrial Property Office (OAMPI) by offering a traineeship with WIPO and a stay of two weeks with the Swiss Federal Intellectual Property Office in Berne to Mr. R. Raparson, Head of Division of OAMPI. Mr. Raparson stayed with WIPO from May 1 to June 11 in order to undertake, in cooperation with the staff of WIPO, a study of how OAMPI could make use of the PCT and what legislative changes a participation of the OAMPI member States in the PCT would entail. It is to be noted that the Administrative Council (the highest organ) of OAMPI has adopted a resolution recommending to the thirteen member States of OAMPI that they accede to the PCT.

International Patent Classification

66. Following preparations made in the preceding years, the 1971 Strasbourg Diplomatic Conference on the International Patent Classification took place, at the invitation of the Director General of WIPO and the Secretary General of the Council of Europe, in Strasbourg from March 15 to 24, 1971.

67. Delegations of 40 States, 38 of which were members of the International Union for the Protection of Industrial Property (Paris Union), registered as participants.

68. Eleven international organizations, four of which were intergovernmental and seven non-governmental, participated in the Conference.

69. The Secretariat was composed of staff members of WIPO and of the Secretariat General of the Council of Europe. The WIPO Delegation was led by the Director General of WIPO, Professor G.H.C. Bodenhausen.

70. Mr. François Savignon, Director, National Institute for Industrial Property, Paris, was President of the Conference. Mr. Joseph Voyame, Second Deputy Director General of WIPO, was Rapporteur General of the Conference, and Mr. Roland Muller, Deputy Director of Legal Affairs, Council of Europe, was Secretary General of the Conference. Most of the discussions took place in the Main Committee, which was open to all participants. Mr. Klaus Pfanner, Senior Counsellor, Head of the Industrial Property Division, WIPO, was the Secretary of the Main Committee.

71. The Agreement, three Recommendations and the General Report of the Conference, the last of which was prepared by the Rapporteur General, Mr. Joseph Voyame, WIPO, were unanimously adopted by the Conference on March 22, 1971. On March 24, 1971, the Agreement was opened for signature and signed, on the same day, by the following 16 States: Belgium, Denmark, Finland, Germany (Federal Republic), Greece, Holy See, Italy, Liechtenstein, Luxembourg, Norway, Spain, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia.

72. The Final Act of the Conference was signed by 30 States.

73. The Agreement remains open for signature in Strasbourg until September 30, 1971. Iran signed the Agreement on June 22, 1971, and Brazil on June 28, 1971.

74. Besides the Diplomatic Conference the work of the Joint ad hoc Committee of the Council of Europe and WIPO continued to deal with the revision and the uniform application of the International Patent Classification. In the period under review, it met once, and so did the Bureau; each of the five Working Groups met twice. The meetings were held in Geneva, London, Madrid, Munich, Moscow, Strasbourg and The Hague.

International Registration of Trademarks

75. Pursuant to a decision of the competent organs of the Paris Union at the September 1970 administrative meetings, the International Bureau continued the preparations of a Diplomatic Conference which is to take place in 1973 in Vienna and which will consider a revision of the Madrid Agreement on the International Registration of Marks and/or the adoption of a new treaty concerning the international registration of marks. The main purpose of the revision of the existing agreement or of the adoption of a new Treaty will be to enlarge the geographical scope of the system of international registration.

76. In order to prepare a meeting of a Committee of Experts which will take place in October 1971, representatives of Governments and interested circles were consulted in three different meetings in February 1971, and on the basis of these consultations the preparatory documents for the Committee of Experts meeting, comprising an introductory memorandum, a Draft Treaty and Draft Regulations, were prepared and distributed (documents TRT/I/2, 3 and 4) in March 1971.

ICIREPAT

77. Participating countries. At present the following countries are participating in the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) and are represented in its highest executive body, which is the Plenary Committee (PLC): Austria, Canada, Czechoslovakia, Denmark, Finland, France, Germany (Federal Republic), Hungary, Ireland, Israel, Japan, Netherlands, Norway, Romania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America. During the period under review, Australia declared that it would no longer participate in the work of ICIREPAT. The International Patent Institute actively participates in the work of the various organs of ICIREPAT.

78. Plenary Committee. The Plenary Committee held its second session in Geneva from September 16 to 18, 1970, at WIPO headquarters. The PLC reviewed the past and current activities of ICIREPAT by approving the decisions taken in this respect by the Technical Coordination Committee (TCC) and discussed the program of ICIREPAT for 1971 and 1972. The PLC also approved several recommendations and, proceeding to an assessment of the shared systems program, decided that substantial revision of the procedure for the development of systems was necessary.

79. Technical Coordination Committee. At its fifth session (December 7 to 9, 1970), the Technical Coordination Committee (TCC) of ICIREPAT discussed, on the basis of a document prepared by the Advisory Board for Cooperative Systems (ABCS), a revised version of the first two stages of the procedure for the development and use of shared systems. The TCC, while agreeing with this proposed revision, invited the ABCS to proceed further and also revise the other stages of the procedure. The TCC decided also to replace the six Technical Committees by three Technical Committees dealing respectively with: Shared Systems, Standardization and Computerization. It was decided to maintain the ABCS as a special working group, at least until the revision of the procedure for shared systems has been effected. The TCC furthermore adopted several recommendations. At its sixth session (June 14 to 16, 1971), the TCC discussed Stage 2 and beyond of the ICIREPAT Procedure for Shared System Development and Use, based on a proposal prepared by the Technical Committee for Shared Systems, and adopted a number of amendments. The TCC also amended in this respect the "System Characteristics" and the "Guiding Principles," adopted a new standard work-sharing formula

and the text of a proposal for both short- and long-range goals of ICIREPAT as regards patent classification and mechanized search systems and the possible integration of the two. Pursuant to the decision taken at its fifth session, the TCC adopted the mandates of the three new Technical Committees and elected their Chairmen and Vice-Chairmen. The TCC furthermore adopted recommendations concerning ICIREPAT Numbers for the identification of bibliographic data on the first page of patent and like documents and in entries in official gazettes and like publications, a recommendation on the minimum bibliographic data and a recommendation concerning the layout and presentation of the first page of patent and like documents. The TCC also prepared a proposal for a draft program of ICIREPAT for 1972 and decided to recommend the organization of a Technical Meeting of ICIREPAT in Moscow in 1972 (tentatively scheduled for July 3 to 8). Finally, the TCC discussed the proposed revision of the Organizational Rules of ICIREPAT. The Netherlands and Sweden were again co-opted as members of the TCC for the next two years.

80. Technical Committees and Advisory Board for Cooperative Systems. The Technical Committees and the ABCS met twice, once in the period from October 12 to 30, 1970, and again during the period from April 14 to 30, 1971. At these sessions the Technical Committees continued their work in accordance with their mandates.

Protection of Type Faces

81. On the invitation of the Director General of WIPO, a Committee of Experts for the Protection of Type Faces met in Geneva, from February 22 to 26, 1971 (see document CT/V/14 containing the report of the meeting).

82. The discussions of the Committee were based on the preliminary draft of a Special Agreement for the Protection of Type Faces and their International Deposit and on preliminary draft Regulations. These preliminary drafts, which were the result of the work of four earlier Committees of Experts, were submitted by the International Bureau of WIPO with a number of amendments, primarily concerning the administrative and final provisions, and an extensive commentary. The Committee proposed a number of amendments to the preliminary draft.

83. On the basis of the proposals made, the International Bureau was asked to prepare new drafts of the Special Agreement and its Regulations, which will be submitted to a further session of the Committee of Experts.

Proposal for a Patent Licensing Convention

84. See paragraphs 21 and 22 above.

The Monthly Periodical "Industrial Property/La Propriété industrielle"

85. This periodical has continued to be published monthly. The contents during the period under review included in particular: national industrial property legislation of Belgium, Benelux, Brazil, Bulgaria, Denmark, Finland, France, Hungary, Iraq, Italy, Romania, Singapore, South Africa, Sudan, Sweden, and of the OAMPI countries; detailed statistics relating to patents, utility models, inventors' certificates, new varieties of plants, trademarks, and industrial designs; general studies, in particular in the form of "Letters," concerning international agreements and the laws of the following countries: Argentina, Benelux, Canada, Denmark, France, India, Italy, Romania, Sweden, Switzerland, United Kingdom, United Arab Republic, Venezuela.

III.

MADRID AGREEMENT

(INDICATIONS OF SOURCE)

Member States

86. The number of States party to the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods is 30 (or 29, if the German Democratic Republic is not considered a party). These figures remained unchanged during the period under review.

Additional Act of Stockholm

87. Acceptance. At the end of September 1970, eight States (or seven, if the German Democratic Republic is not considered a party) had ratified or acceded to the Additional Act of Stockholm.¹ Since then Czechoslovakia has deposited its instrument of accession to the Act.

88. Notifications. The Director General of WIPO notified member States of the Paris Union of the deposit of instruments of ratification or accession. A total of eleven such notifications were sent concerning this Agreement.

¹ German Democratic Republic, Germany (Federal Republic), Hungary, Ireland, Israel, Sweden, Switzerland, United Kingdom.

IV.

MADRID UNION(REGISTRATION OF MARKS)Member States

89. The number of States party to the Madrid Agreement Concerning the International Registration of Marks is 22 (or 21, if the German Democratic Republic is not considered a party). These figures remained unchanged during the period under review.

Nice Act

90. Ratifications. During the period covered by this document, Morocco deposited its instrument of ratification. It should be noted that the Republic of Viet-Nam is now the only member State of the Madrid Union which is not yet bound by this Act or by the Stockholm Act.

Stockholm Act

91. Acceptance. At the end of September 1970, five States (or four, if the German Democratic Republic is not considered a party) had ratified or acceded to the Stockholm Act of the Madrid Agreement.¹ Since then Czechoslovakia has deposited its instrument of accession to the Act.

92. Declarations. In addition to the three States mentioned in the previous report (document AB/I/3, paragraph 106),² the following five States have filed declarations under Article 18(2) of the Stockholm Act, according to which they may, for five years from the date of entry into force of the WIPO Convention (that is, until April 26, 1975), exercise, if they so desire, the rights provided for under Articles 10 to 13 of the Stockholm Act as if they were bound by those Articles: Morocco, Netherlands, Portugal, Spain, Yugoslavia.

¹ German Democratic Republic, Germany (Federal Republic), Hungary, Romania, Switzerland.

² France, Italy, Luxembourg.

93. Entry into Force. The Stockholm Act of July 14, 1967, entered into force on September 19 or December 22, 1970, depending on whether or not the validity of the instrument deposited by the German Democratic Republic is accepted.

94. Notifications. The Director General of WIPO notified member States of the Paris Union of the deposit of instruments of ratification or accession and the filing of declarations, and of the entry into force of the Stockholm Act. A total of eleven such notifications were sent concerning the Madrid Union.

Declarations under Article 3bis (Nice and Stockholm Acts)

95. Morocco and Czechoslovakia declared, in accordance with Article 3bis of the Madrid Agreement, that protection resulting from the international registration would extend to those countries only at the express request of the proprietor of the mark. These declarations came into effect on December 18, 1970, and April 14, 1971, respectively.

96. The number of States having declared their intention to avail themselves of the faculty provided by Article 3bis is now 16 (or 15, if the declaration made by the German Democratic Republic is not taken into consideration): Austria (February 8, 1970), Belgium (December 15, 1966), Czechoslovakia (April 14, 1971), German Democratic Republic (October 25, 1967), Hungary (October 30, 1970), Italy (June 14, 1967), Luxembourg (December 15, 1966), Monaco (December 15, 1966), Morocco (December 18, 1970), Netherlands (December 15, 1966), Portugal (December 15, 1966), Romania (June 10, 1967), San Marino (August 14, 1969), Spain (December 15, 1966), Tunisia (August 28, 1967), United Arab Republic (March 1, 1967). The dates given in brackets are those on which the declarations came into effect.

Notification under Article 9quater of the Madrid Agreement (Nice and Stockholm Acts)

97. In terms of the notification addressed to the Swiss Government on June 4 and 8, 1970, by Belgium, Luxembourg and the Netherlands, an Office common to all three countries was substituted, as from January 1, 1971, for the national Office of each of them. The whole of their territories in Europe should, from that date, be considered a single country for the application of the provisions of the Madrid Agreement, in particular those of Articles 3bis, 8(2)(c) and 8(4), (5) and (6).

Entry into Force of the New Regulations of the Madrid Agreement

98. The Regulations adopted on April 29, 1970, by the Committee of Directors of the National Industrial Property Offices of Member States of the Madrid Union entered into force on October 1, 1970.

Guide du déposant

99. A new Guide du déposant on the application of the Madrid Agreement has been prepared by the International Bureau and will be published at the end of 1971. It is based on the Nice and Stockholm Acts of the Madrid Agreement and on the Regulations of April 29, 1970.

Revision of the Madrid Agreement or New Treaty Concerning the International Registration of Marks

100. See paragraphs 75 and 76 above.

Statistics

101. Registrations and renewals in 1970 totalled 13,059 (12,989 in 1969), including 212 registrations as a result of partial transfer. For the period from January 1 to May 31, 1971, this total was 5,053. The total number of changes entered in the International Register in 1970 which affected the international registration of a mark was 15,406 (11,105 in 1969). For the period from January 1 to May 31, 1971, this total was 8,436.

Amounts Distributed

102. The amount of 2,710,275 Swiss francs was distributed among the national Offices applying the Nice or the Stockholm Act. This amount relates to 12 months of operations (January 1 to December 31, 1970). It comprises supplementary fees (145,525 francs) and complementary fees (2,564,750 francs). The former are payable when the registration applies to more than three classes of goods or services (Article 8(2)(b) of the Nice and Stockholm Acts); the latter are payable when the applicant wishes to have his mark protected in countries which must be specially designated (Articles 3bis, 3ter and 8(2)(c) of the Nice and Stockholm Acts).

Publications

103. The review Les Marques internationales continued to appear each month. The distribution of subject-matter was improved as from the October 1970 issue.

Trademark Search Service

104. The International Bureau continued to provide this service, pursuant to Article 5ter(2) of the Madrid Agreement.

V.

THE HAGUE UNIONMember States

105. The number of States party to the Hague Agreement Concerning the International Deposit of Industrial Designs is 15 (or 14, if the German Democratic Republic is not considered a party). These figures remained unchanged during the period under review.

Additional Act of Monaco

106. At the time of writing this document, the following eight States are bound by the Additional Act of Monaco with effect, for each of them, from the date indicated in brackets: Belgium (November 13, 1964), France (December 1, 1962), Germany (Federal Republic) (December 1, 1962), Liechtenstein (July 9, 1966), Monaco (September 14, 1963), Netherlands (September 14, 1963), Spain (August 31, 1969), Switzerland (December 21, 1962).

Complementary Act of Stockholm

107. At the end of September 1970, two countries had ratified the Complementary Act of Stockholm: Germany (Federal Republic) and Switzerland. Since then, no instrument of ratification or accession has been deposited. Failing the required number of ratifications or accessions, this Act has not yet entered into force.

Statistics

108. In 1970, the number of international deposits totalled 2,389 (2,301 in 1969). For the period from January 1 to May 31, 1971, the total number of deposits was 1,002.

Publications

109. The review Les Dessins et Modèles internationaux continued to appear monthly.

VI.

NICE UNION

Member States

110. The number of States party to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks is 27 (or 26, if the German Democratic Republic is not considered a party).

Accession to the Nice Agreement

111. The Soviet Union acceded to the Nice Agreement (Stockholm Act) on April 8, 1971. This accession will come into effect on July 26, 1971.

Stockholm Act

112. Acceptance. At the end of September 1970, nine States (or eight, if the German Democratic Republic is not considered a party) had ratified or acceded to the Stockholm Act of the Nice Agreement.¹ Since then, Czechoslovakia and the Soviet Union have deposited their instruments of accession to that Act.

113. Declarations. In addition to the three States mentioned in the previous report (document AB/I/3, paragraph 123)², the following States have filed declarations under Article 16(2), according to which they may, for five years from the date of entry into force of the WIPO Convention (that is, until April 26, 1975), exercise, if they so desire, the rights provided for under Articles 5 to 8 of the Stockholm Act as if they were bound by those Articles: Morocco, Netherlands, Norway, Portugal, Spain, Yugoslavia.

¹ Denmark, German Democratic Republic, Germany (Federal Republic), Hungary, Ireland, Israel, United Kingdom, Sweden, Switzerland.

² Belgium, France, Italy.

114. Notifications. The Director General of WIPO notified member States of the Paris Union of the deposit of instruments of ratification or accession and the filing of declarations. A total of 17 such notifications were sent concerning the Nice Union.

Committee of Experts for the International Classification of Goods and Services for the Purposes of the Registration of Marks

115. Following the meeting in July 1970 of the Committee set up under Article 3 of the Nice Agreement, and in view of the number of changes which have taken place since 1963, when the original edition in the French language was published, a new French-language edition of the International Classification was published by WIPO in May 1971.

VII.

LISBON UNION

Member States

116. The number of States party to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration is nine. This figure remained unchanged during the period under review.

Stockholm Act

117. Acceptance. At the end of September 1970, two States (Hungary and Israel) had deposited their instruments of ratification. Since then, Czechoslovakia has deposited its instrument of accession to the Act. Failing the required number of ratifications or accessions, this Act has not yet entered into force.

118. Declarations. At the time of writing this document, the following States have filed declarations under Article 18(2), according to which they may, for five years from the date of entry into force of the WIPO Convention (that is, until April 26, 1975), exercise, if they so desire, the rights provided for under Articles 9 to 12 of the Stockholm Act as if they were bound by those Articles: France, Italy, Portugal.

119. Notifications. The Director General of WIPO notified member States of the Paris Union of the deposit of instruments of ratification or accession and the filing of declarations. A total of six such notifications were sent.

Applications for Registration

120. From July 1, 1970, to May 31, 1971, 22 applications for the registration of appellations of origin were filed, of which 2 originated in Czechoslovakia, 1 in France, 16 in Hungary and 3 in Italy.

121. Since the entry into force of the Lisbon Agreement on September 25, 1966, a total of 547 appellations of origin have been filed and registered, of which 18 originated in Cuba, 78 in Czechoslovakia, 409 in France, 19 in Hungary, 1 in Israel and 22 in Italy.

Meeting of the Council of the Lisbon Union

122. The Council held its fifth ordinary session in Geneva on September 26, 1970. It approved the report of the Director General of WIPO on the activities of the Lisbon Union, the 1969 accounts and the draft budget for 1971.

123. Pursuant to the mandate given to it by the Council of the Lisbon Union, the Secretariat undertook an inquiry among the Offices of member States of the Lisbon Union in order to obtain information on the possibilities for appeal against decisions rendered in the field of appellations of origin. A summary report on the results of the inquiry was communicated to the countries of the Union, together with the replies of the following seven countries: Cuba, Czechoslovakia, France, Haiti, Hungary, Italy, Portugal.

124. The Council of the Lisbon Union also took decisions on four points relating to the practical application of the Lisbon Agreement. Those points concern the definition of the appellation of origin, the designation of owners of the right to use the appellation of origin, the enlargement of the circle of owners of the right to use the appellation of origin, and appellations of origin common to several countries.

Publication

125. The sixth issue of the periodical Les Appellations d'origine was published in September 1970 and the seventh in June 1971.

VIII.

LOCARNO UNION

Member States

126. The number of States party to the Locarno Agreement Establishing an International Classification for Industrial Designs is seven (or six, if the German Democratic Republic is not considered a party).

Ratifications and Accessions

127. At the time of writing this document, the following States have ratified or acceded to the Locarno Agreement: Czechoslovakia, Denmark, German Democratic Republic, Ireland, Norway, Sweden, Switzerland.

Entry into Force

128. The Locarno Agreement of October 8, 1968, entered into force on April 27, 1971.

Notifications

129. The Director General of WIPO notified member States of the Paris Union of the deposit of instruments of ratification or accession, and of the entry into force of the Agreement. A total of nine such notifications were sent concerning the Locarno Union.

Provisional Committee of Experts

130. This Committee, set up by the Resolution adopted by the Locarno Conference on October 7, 1968, met in Geneva from November 30 to December 4, 1970. It examined the list of classes and subclasses annexed to the Locarno Agreement and amended it in certain respects. It also drew up explanatory notes relating to various classes and subclasses.

Committee of Experts

131. The Committee of Experts set up under Article 3 of the Locarno Agreement has been convened to a session which will be held in Geneva from September 6 to 18, 1971.

IX.

BERNE UNION
AND COPYRIGHT IN GENERAL

Member States

132. At the end of September 1970, there were 60 members of the Berne Union (or 59, if the German Democratic Republic is not considered a member). These figures remained unchanged during the period under review.

Brussels Act

133. Portugal has asked to be placed in Class V instead of Class III for its share in the contributions to the expenses of the International Bureau of the Berne Union. This change of class was notified to member States on October 16, 1970.

Stockholm Act

134. Acceptance. At the end of September 1970, nine countries had deposited their instruments of ratification or accession, together with declarations stating that such ratification or accession did not apply to Articles 1 to 21 or to the Protocol Regarding Developing Countries.¹ In addition, four countries (or three, if the German Democratic Republic is not considered a party) had ratified or acceded to the Stockholm Act in its entirety.² Since then, two countries have deposited their instruments of ratification, namely Ireland and Morocco, together with declarations stating that such ratification did not apply to Articles 1 to 21 or to the Protocol Regarding Developing Countries.

¹ Canada, Denmark, Finland, Germany (Federal Republic), Israel, Spain, Sweden, Switzerland, United Kingdom. However, Sweden filed a declaration accepting the application of the Protocol. Bulgaria filed a similar declaration.

² German Democratic Republic, Pakistan, Romania, Senegal.

135. Declarations. In addition to the seven countries mentioned in the previous report (document AB/I/3, paragraph 145)¹, the following 17 countries have filed declarations under Article 38(2), according to which they may, for five years from the date of entry into force of the WIPO Convention (that is, until April 26, 1975), exercise, if they so desire, the rights provided for under Articles 22 to 26 of the Stockholm Act as if they were bound by those Articles: Cameroon, Czechoslovakia, Dahomey, Gabon, Greece, Holy See, Hungary, Ivory Coast, Japan, Malta, Netherlands, Norway, Portugal, South Africa, Tunisia, Turkey, Yugoslavia.

136. Notifications. The Director General notified member countries of the Berne Union of the deposit of instruments of ratification or accession and the filing of declarations. A total of 28 such notifications were sent concerning the Berne Union.

Relations with Member States

137. During the period under review the Director General or other officers of WIPO visited the Governments or competent authorities of the following countries in order to discuss questions concerning the Berne Union and copyright in general: Chile, Colombia, India, Italy, Peru, Venezuela.

New Revision of the Berne Convention

138. Pursuant to the decisions taken by the Assembly and the Conference of Representatives of the Berne Union at their first ordinary sessions, held in Geneva from September 21 to 28, 1970, the Director General convened a Diplomatic Conference for the revision of the Stockholm Act with a view to finding new solutions for the protection of literary and artistic works, with special reference to the needs of developing countries regarding the translation and reproduction of such works (see paragraph 23 above).

139. This Diplomatic Conference will take place in Paris from July 5 to 24, 1971, at the same time as the Conference for the Revision of the Universal Copyright Convention.

¹ Belgium, Brazil, Bulgaria, France, Italy, Luxembourg, Niger.

140. The preparatory documentation, established by the International Bureau, was sent at the end of January 1971 to member countries of the Berne Union, to States invited in an observer capacity and to interested organizations, at the same time as the letters of invitation.

141. The Governments of member countries of the Berne Union and interested international non-governmental organizations were requested to send their comments on the draft texts for the revision by March 15, 1971. The comments received by that date were collated and published in two documents, which were addressed to the parties referred to in the preceding paragraph on May 15, 1971.

142. The results of the Paris Diplomatic Conference will be published in a supplement to this document.

Diplomatic Conference on the Protection of Phonograms

143. At their first ordinary sessions, held in Geneva from September 21 to 28, 1970, the Assembly and the Conference of Representatives of the Berne Union noted with approval a resolution adopted by the Permanent Committee of the Berne Union at its extraordinary session held in Geneva from September 14 to 18, 1970.

144. The resolution expressed the wish that the Director General of WIPO and the Director-General of Unesco jointly convene a committee of governmental experts whose task would be, in particular, to prepare a draft instrument for the protection of producers of phonograms against unauthorized reproduction of their phonograms. The resolution also expressed the wish that the draft thus prepared be submitted, if possible, for adoption at a Diplomatic Conference to be held at the same place and time (Paris, July 1971) as the Diplomatic Conferences for the revision of the Berne and Universal Copyright Conventions.

145. At the above-mentioned sessions, the Assembly of the Berne Union decided to implement the resolution in 1971, and the Conference of Representatives of the same Union noted the decision with approval.

146. The Committee of Governmental Experts was therefore convened by the Director General, jointly with the Director-General of Unesco. It met in Paris from March 1 to 5, 1971.

147. After having elaborated a "Draft Convention for the Protection of Producers of Phonograms against Unauthorized Duplicates," the Committee, considering that the Diplomatic Conference had to be prepared carefully and thoroughly, taking into account the need for governments to submit their comments beforehand, was of the opinion that it would be premature to submit the draft to a Diplomatic Conference as early as July 1971. Consequently it recommended that the Conference be postponed to a later period, but in any case before the end of 1971.

148. The Director General proposed that the Diplomatic Conference be held in Geneva (at the Palais des Nations) from October 18 to 29, 1971, and, in order to reduce the cost of participation to be borne by States, that it be followed by the sessions to be held before the end of the year by the Intergovernmental Committees set up under the Rome Convention (neighboring rights) and the Universal Copyright Convention, and by the Executive Committee of the Berne Union in connection with substantive questions relating to copyright.

149. However, this proposal was submitted subject to the approval of the competent bodies, namely the Executive Committee of the Berne Union and the Coordination Committee of WIPO.

150. For its part, the Executive Board of Unesco, which met from April 28 to May 15, 1971, approved, on behalf of that Organization, the convening of the Diplomatic Conference on the dates mentioned above.

Communications Satellites

151. In accordance with the decisions taken by the Assembly and the Conference of Representatives of the Berne Union in September 1970, the Director General convened, jointly with the Director-General of Unesco, a Committee of Governmental Experts at Lausanne-Ouchy (Switzerland) from April 21 to 30, 1971.

152. The object of this meeting was to study the problems arising from wireless and television broadcasts transmitted by space satellites in the field of copyright and the protection of performers, producers of phonograms and broadcasting organizations, and to specify whether the protection of television signals transmitted by communications satellites requires modification of the existing conventions or the preparation of a new international instrument. Thirty-seven countries were represented. The United Nations, the

International Labour Organisation (ILO) and the International Telecommunication Union (ITU), as well as interested international non-governmental organizations, had delegated observers.

153. In a resolution, the Committee of Experts considered that the unauthorized distribution to the general public of program-carrying signals seriously jeopardized the development of satellite transmissions, and that measures should be adopted to avoid any prejudice. Such measures might include a new international convention, a draft of which was elaborated by the Committee of Experts.

154. However, the Committee of Experts was of the opinion that the exchange of views which it had had did not allow it to take a decision at that point on the advisability of convening a diplomatic conference to find solutions to these problems at the international level. It expressed the wish that the Executive Committee of the Berne Union and the Intergovernmental Committees established by the Universal Copyright Convention and the Rome Convention (neighboring rights) give their opinions on the results of the work done at Lausanne on the occasion of their sessions, scheduled to be held in early November 1971, that interested governments and organizations be then consulted, and finally that a second Committee of Experts be convened in 1972. Any decision as to the convening of a diplomatic conference would be taken at a later stage.

Protection of Type Faces

155. See paragraphs 81 to 83 above.

Publications

156. The reviews Le Droit d'Auteur and Copyright continued to appear each month. They published, in particular, all information concerning the Berne Union and the texts of new copyright legislation in the following countries: Australia, Iran, Japan, Malaysia, Morocco, United Kingdom, United States of America.

X.

ROME CONVENTION
(NEIGHBORING RIGHTS)

Member States

157. At the end of September 1970, the number of States party to the Rome Convention was 11. This figure remained unchanged during the period under review.

Intergovernmental Committee

158. The third ordinary session is scheduled to be held in Geneva on November 1 and 2, 1971. According to the Convention, it is the International Bureau of the Berne Union which will assume the responsibility for organizing this session.

Publications

159. During the course of 1971 the French version of the Collection of Laws and Treaties on the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, prepared by the International Bureau of WIPO, will be published. The English version was published in 1970.

/̄End of document̄