

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

BIRPI

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

COMITÉ DE COORDINATION INTERUNIONS, DEUXIÈME SESSION INTERUNION COORDINATION COMMITTEE, SECOND SESSION

(Genève, 28 septembre au 2 octobre 1964)

(Geneva, September 28 to October 2, 1964)

REPORT

(1) The Interunion Coordination Committee of BIRPI (hereinafter referred to as "the Committee") held its second ordinary session in Geneva, from September 28 to October 2, 1964.

(2) The following States were invited as members of the Committee : Belgium, Brazil, Czechoslovak Socialist Republic, Denmark, France, Federal Republic of Germany, Hungarian People's Republic, India, Italy, Japan, Morocco, Netherlands, Portugal, Rumanian People's Republic, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Socialist Federal People's Republic of Yugoslavia (see document CCIU/II/1). All these States except Brazil and Morocco were represented.

(3) All States Members of the International Union for the Protection of Industrial Property (Paris Union) and of the International Union for the Protection of Literary and Artistic Works (Berne Union) which are not already members of the Committee had been invited to be represented by observers. Thus the following States were represented at the session : Austria, People's Republic of Bulgaria, Ceylon, Israel, Mexico, Polish People's Republic, Turkey.

(4) A list of participants is attached to this report.

(5) This report deals with the questions examined by the Committee in the order in which they appeared on the agenda (see document CCIU/II/2).

(6) Each of the participants' speeches is summarized in the minutes of the session.

OPENING OF THE SESSION

(7) The session was opened by the outgoing Chairman of the Committee, Mr. Hans MORF (Switzerland).

ELECTION OF THE NEW OFFICERS

(8) In accordance with the Rules of Procedure, lots were drawn to decide whether the Chairman was to be elected from among States which are members only of the Permanent Bureau of the Paris Union or from among States which are members only of the Permanent Committee of the Berne Union. The result of the draw favoured the latter group.

(9) On a proposal from Mr. PURUSHOTTAM (India), seconded by Mr. DATE (Japan), the Committee elected the following officers by acclamation: Chairman, Mr. ANGHEL (Rumanian People's Republic); Vice-Chairman, Mr. BRENNER (United States of America) and Mr. BORDONAU (Spain).

(10) After this election, the session was chaired by Mr. ANGHEL.

(11) The Director of BIRPI appointed Mr. BOGSCH (Deputy Director, BIRPI) to act as Secretary of the Committee.

ADOPTION OF THE AGENDA

(12) The Committee unanimously adopted the agenda as proposed in document CCIU/II/2.

REPORT ON THE ACTIVITIES OF BIRPI
SINCE NOVEMBER 1963

(13) These activities are covered in documents CCIU/II/3, 4 and 4 Add., which the Director of BIRPI presented, summarizing the contents and adding his comments.

(14) Several Delegations expressed their satisfaction with the results obtained in the various fields of activity of the Secretariat during the past years.

(15) With regard to resolution No. 1013 (XXXVII) of the Economic and Social Council of the United Nations, Mr. PURUSHOTTAM (India) drew the attention of BIRPI to the part it would have to play in the implementation of the first operative paragraph of the said resolution (adaptation of legislation with a view to facilitating the transfer of technology to developing countries).

(16) The Committee noted with satisfaction the proposal of the United Nations Secretariat concerning a working agreement with BIRPI, as contained in the Secretariat's letter of September 23, 1964 (see document CCIU/II/4 Add.).

(17) As regards the training facilities offered to Government officials of the developing countries and the other aspects of technical assistance, Mr. WINTER (United States of America) drew the attention of BIRPI to the possibilities of cooperation with the United Nations Expanded Program of Technical Assistance (EPTA).

(18) The Committee noted and unanimously approved the report on the activities of BIRPI (documents CCIU/II/3 and 4).

FINANCIAL REPORT FOR THE YEAR 1963

(19) Several Delegations expressed their satisfaction with the report contained in document CCIU/II/5. It was the general opinion, however, that in the future reports of this kind should be much less detailed. At the proposal of Mr. GRANT (United Kingdom), it was agreed that future reports would contain particulars enabling a rapid comparison to be made of the main items of expenditure for the financial year dealt with in the report with the same items concerning the previous year. Mr. FINNISS (France) asked for certain points to be clarified as indicated in the summary records.

(20) The Committee noted and unanimously approved the Financial Report for the year 1963 (document CCIU/II/5).

FINANCIAL RULES OF BIRPI

(21) Mr. FINNISS (France) said that, in principle, it would be preferable for the preliminary control of expenditure to be exercised by a controller who was not an official of BIRPI but had been specially loaned for the purpose by the Supervisory Authority. However, in view of the fact that the accounts of BIRPI were checked by the Supervisory Authority and that the preliminary control of expenditure was not a full-time job for one person, Mr. FINNISS agreed to the solution advocated in the Draft Financial Rules, especially as these Rules provided for direct communication between the Controller and the Supervisory Authority.

(22) On the proposal of the Swiss Delegation, the Committee adopted the following two additions : (a) the insertion of the words "and the provisions of the Conventions and the Rules" after the word "budget" in Article 2 (a); (b) the addition of the following sentence at the end of Article 3 (f) : "A report shall be drawn up and sent to the Supervisory Authority."

(23) Subject to these two additions, the Committee declared itself unanimously in favour of the Draft Financial Rules, as set out in the Annex to document CCIU/II/6.

STAFF MATTERS

(24) While noting with satisfaction the progress made as regards a better geographical distribution in the recruitment of staff, several delegates, in particular Mr. PURUSHOTTAM (India), Mr. ANGHEL (Rumanian People's Republic), and Mr. KUNZ (Czechoslovak Socialist Republic), emphasized the need to pursue this policy. Mr. TALAMO (Italy) expressed the view that, other things being equal, nationals of countries belonging to several Unions should have preference over nationals of other countries.

(25) Mr. MORF (Switzerland) stated that the Supervisory Authority was in favour of the introduction of the "half-gross" system proposed in paragraphs (11) to (13) of document CCIU/II/7. The Committee was unanimously in favour of the adoption of the new Article 3.15 of the Staff Regulations (see paragraph (13) of the above document).

(26) As regards the adjustment of the pensions of staff who retired before integration into the "common system" of the United Nations (paragraph (14) of document CCIU/II/7), Mr. MORF (Switzerland) declared that the proposed measure was unprecedented in Swiss administration, that the pensions had already been adjusted to the rise in the cost of living, and that the increase would involve considerable expense for BIRPI. Mr. JEAUFFRE (France), Mr. DE HAAN (Netherlands), Mr. HAERTEL (Federal Republic of Germany) and Mr. PERALES (Spain) having expressed a favourable opinion, the Committee decided to recommend the adjustment in question to the Supervisory Authority, in accordance with the proposals contained in paragraph (14) of document CCIU/II/7.

(27) The Director of BIRPI presented a proposal suggesting that BIRPI should be authorized to pay to Mrs. Secretan, the widow of Mr. Jacques Secretan, late Director of BIRPI, a monthly pension of 1500 Swiss francs until the end of the year in which her son, Jacques-Edouard Secretan, had attained his majority, and 750 Swiss francs thereafter until her death or remarriage. In view of the merits of Mr. Jacques Secretan, the difficult financial position in which his widow was now placed, and the fact that she had no widow's pension, the Committee unanimously recommended the Supervisory Authority to authorize these ex gratia payments.

(28) On a proposal from the Director of BIRPI, the Committee unanimously recommended that the Supervisory Authority suspend, as an exceptional measure, the application of Article 9.8 of the Staff Regulations and allow Mr. Ch.-L. Magnin, Deputy Director, to be kept on in active service, subject to the other provisions of the Staff Regulations, until the end of 1966.

(29) The Committee noted with satisfaction the report of the Director of BIRPI, as far as the other staff matters dealt with in document CCIU/II/7 were concerned.

PROGRAM AND BUDGET OF BIRPI
FOR THE YEAR 1965

(30) Document CCIU/II/8 served as a basis for discussions.

(31) In his introductory speech, the Director of BIRPI emphasized the importance of the increase of 300,000 Swiss francs per year to the proper functioning of the services of the Berne Union.

(32) Mr. FINNISS (France), Mr. PERALES (Spain), Mr. TALAMO (Italy), Mr. HESSER (Sweden) and Mr. DE HAAN (Netherlands), expressed their agreement with the proposal to raise the ceiling of the Berne Union contributions by 300,000 francs. Mr. GRANT (United Kingdom) first proposed that the amount be reduced to 200,000 francs, but did not press the matter. Mr. KUNZ (Czechoslovak Socialist Republic) thought it was possible to make certain economies in the Berne Union's budget. The position of Czechoslovakia is reserved in view of the fact that the Czechoslovak Government is currently studying this question. Mr. PALOS (Hungarian People's Republic) upheld the opinion that increases should not be asked for between two diplomatic conferences. Mr. HAERTEL (Federal Republic of Germany) observed that, having no instructions on the matter, he was obliged to abstain from expressing an opinion. At the same time, he drew the Committee's attention to the fact that if the expansion of activities advocated in the supplementary budget were accepted, it would be necessary to engage additional staff and to authorize the expenditure which such engagements would involve. Mr. DATE (Japan) also announced that he had been given no instructions on this matter. Mr. PURUSHOTTAM (India) stated that the Government of India, though welcoming the proposed expansion of activities of undertaking of new programmes of BIRPI, was not in a position to take a decision regarding making an additional contribution to meet the increase. The Government of India will be able to take a decision on this matter after the views of other Governments are known and an initiative in this direction comes from the Swiss Government. The debate on Monday, 28th September revealed the views of most of the delegations and these have been communicated to the Government of India. Mr. MORF (Switzerland) drew the Committee's attention to the fact that the contributions for 1965 would become due only in 1966.

(33) Subject to the afore-mentioned declarations, the Committee expressed the view that the Swiss Government ought to address a circular letter to the member countries of the Berne Union, inviting them to contribute to the expenses of the Union on the basis of an annual ceiling of 700,000 Swiss francs. It was understood that the circular would contain a detailed statement of the reasons for the proposed increase.

(34) As to the Paris Union, Mr. FINNISS (France) drew attention to the fact that the increase in the staff of BIRPI would, in the near future, give rise to the problem of the balancing of the budget and of the amount of receipts.

(35) As far as the rest of document CCIU/II/8 was concerned, the Committee was unanimously in favour and recommended the Supervisory Authority to approve the program and budget of BIRPI for the year 1965, as set out in the above document.

COMPOSITION OF THE CONSULTATIVE COMMITTEE

(36) In view of the fact that the Permanent Bureau of the Consultative Committee of the Paris Union has been replaced by the Executive Committee of the Conference of Representatives, the Paris Union will henceforth be represented in the Interunion Coordination Committee by the above-mentioned Executive Committee.

(37) Pending the formal revision of the Rules of Procedure of the Interunion Coordination Committee, all references to the Permanent Bureau in those Rules should be understood as a reference to the Executive Committee.

ADOPTION OF THE REPORT

(38) In its meeting of October 2, 1964, the Interunion Coordination Committee unanimously approved this Report.

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Vice-Chairman :	Mr. Edward J. BRENNER (United States of America)
Vice-Chairman :	Mr. BORDONAU (Spain)
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