

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, TROISIÈME SESSION INTERUNION COORDINATION COMMITTEE, THIRD SESSION

(Genève, 28 septembre au 1er octobre 1965)

(Geneva September 28 to October 1, 1965)

SUPPLEMENT TO THE REPORT ON THE ACTIVITIES OF BIRPI SINCE OCTOBER 1964

1. This document is a supplement to document CCIU/III/6 which covered the period from the beginning of October 1964 to the end of June 1965, and was distributed in July 1965.

2. The present supplement covers the period from the end of June to the middle of September 1965.

3. Paragraphs 4 to 15 deal with the Paris Union, and paragraphs 16 to 24 deal with the Berne Union. Paragraph 25 asks for the views of the Committee.

THE PARIS UNION AND INDUSTRIAL PROPERTY IN GENERAL

New Members of the Paris Union

4. The Philippines adhered to the Paris Union as of September 27, 1965.

Change of Class in the Paris Union

5. The Netherlands Government expressed its wish to be placed in Class III instead of Class IV for the purposes of its annual contributions in the Paris Union. The Note of the Netherlands Embassy indicated that its decision was prompted by its complete satisfaction with the recent activities of BIRPI.

Traineeships

6. This year BIRPI asked the patent offices of twenty-eight Member States of the Paris Union whether they could accept trainees from developing countries. Fifteen of them replied in the affirma-

tive: Australia, Austria, Czechoslovakia, France, the German Federal Republic, Ireland, Israel, Italy, Japan, Norway, Poland, Sweden, Switzerland, the United Kingdom and the United States of America. At the same time, BIRPI asked thirty-four Member States of the Paris Union and forty-non-Member States of the Paris Union, all developing countries, whether they wished to present candidates for the fellowships. Forty applications have been received from twenty-five countries.

7. The pairing of applications and offers is extremely difficult, mainly because of the language question. Naturally enough, most of the national patent offices offering training require the applicant to know the national language of the training office: on the other hand, most applicants coming from the developing countries usually know only English or Spanish. For budgetary reasons, only a fraction of the applications can be satisfied. At the present time, a Philippines national is being trained in Washington, D.C., a national of South Korea in Tokyo, and a Peruvian and an Argentine national in Berne. Arrangements are under way for the training of an Indonesian national in Prague and of a Libyan national in London. When these two applications have been granted, the total budget for trainees will have been used.

8. Since it is impossible to propose an increase in BIRPI's budget for training as long as the present ceiling of contributions in the Paris Union is maintained, the only way to grant more fellowships would be if the Governments of the receiving countries were willing to contribute substantially to the travelling and subsistence expenses of the trainees. It is to be indicated in this connection that some countries have already offered to defray all or part of such expenses. Unfortunately, full use cannot be made of these generous offers mainly because of the language problem referred to above.

Asian Industrial Property Seminar

9. With the agreement of the Government of Ceylon, the Director of BIRPI invited all Asian countries members of the United Nations or any UN Specialized Agency to an Asian Industrial Property Seminar to be held in Colombo in February 1966. All non-Asian members of the Paris Union and several international organizations were invited as observers.

International Committee of Novelty Examining Patent Offices

10. The exploratory studies concerning a possible index of patents and published patent applications advanced considerably during the summer of 1965.

11. With the help of outside advisors and after a careful study which lasted several weeks, BIRPI has asked some of the leading electronic computer firms of the world to give their advice on the feasibility and cost of establishing a data retrieval system which would be required to print out information in the fields of (a) "families" of patents, (b) classification, and (c) inventors.

(a) By "family of patents" is meant the patents and patent applications (but the latter only if published) relating to the same invention and granted (or filed) in the various countries of the world. The "members" of each family would be identified through the data concerning priority claims. The main advantages of identifying families would be: that the examiner would have to read and keep in his file only one of the several "members"; that the process of classification of foreign documents would have to be gone through only once, and would be consistent, i.e., the same for each document relating to the same invention; that, generally, foreign documents would not have to be translated or would have to be translated only once (this would result in great saving in the cost of translations); that the fate of each invention in the different countries could be followed and compared. The computer would be required to print out information on all and every member of a "family"; to receive such "print out," it would suffice to indicate to the computer an application or patent number in any one country. The computer could also be required to print out information at the very moment when new data are fed into the system concerning any given invention ("current awareness service"). It could also be required to print weekly reports, paralleling the patent gazettes, on the situation of each "family" created or added to during the period.

(b) The computer would be required to be able to print out references to all patents or patent applications classified in any given sub-class or sub-group of the international classification system. Evidently, this service would be of full value only when most patents are classified (or also classified) by the granting office (or by some other office) according to the international classification. This service would greatly facilitate search as to the state of the art by patent office examiners, would help to effect consistent classification among patent offices, and would enable any user, including private industry, to keep abreast with developments in any field of technology of interest to it.

(c) The computer would be required to be able to print out references to all the patents or published patent applications in which a given person is indicated as inventor or co-inventor. This service would enable the probable identification of a family or a family member when, for one reason or another, priority is not claimed.

12. The computer firms which have so far submitted estimates are IBM (International Business Machines), Bull-General Electric, and ICT (International Computers and Tabulators). Estimates are expected within the next few weeks from UNIVAC Remington Rand, Electrologica (an affiliate of Philips), and Siemens.

13. In the light of these replies, BIRPI will make an estimate of the cost of the service (with all or some only of the features described above) and the fees that would be charged to its users, whether they are

governmental bodies or private companies. BIRPI will then survey the possibilities of financing the initial investment and securing the service for a minimum duration, for example, five years.

14. Before the formal survey is launched, the Director of BIRPI would convene a small group to advise him on the elements, and method of conducting, of the survey. To this advisory group would be invited the patent offices which might be expected to make the most use of the service, and, as observers, certain industrial and other (e.g., ICIREPAT) groups. Possible collaboration with the International Patent Institute would be particularly explored.

15. The tentative date of such a meeting is December 9 and 10, 1965.

BERNE UNION

New Member

16. Document CCIU/III/6 omitted to mention that the Federal Republic of Cameroon had deposited a declaration of continued adherence to the Berne Union on September 21, 1964, thus bringing the total number of Member States to fifty-four.

Constitution of the Intergovernmental Committee provided for under the Rome Convention

17. In accordance with Article 32 of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome, 1961), the Director of BIRPI convened, jointly with the Directors-General of the International Labour Office and of UNESCO, a meeting of representatives of the Contracting States, in order to set up the Intergovernmental Committee provided for under the said Article 32. This meeting was held in Geneva on May 18, 1965. The following Contracting States were elected members of the Intergovernmental Committee: Congo (Brazzaville), Czechoslovakia, Ecuador, Mexico, Sweden and the United Kingdom.

Committee of Governmental Experts preparatory to the Stockholm Conference for the Revision of the Berne Convention

18. In pursuance of the Resolution adopted by the Permanent Committee of the Berne Union (11th Session, New Delhi, 1963), the Director of BIRPI invited Member States of the Berne Union to participate in a Committee of Governmental Experts in order to express

the views of their respective Governments on the proposals for the revision of the Berne Convention drafted by the Swedish/BIRPI Study Group.

19. This Committee of Experts met in Geneva from July 5 to 14, 1965.

20. Of the fifty-four Member States of the Berne Union, thirty-five were represented: Austria, Belgium, Brazil, Bulgaria, Congo (Leopoldville), Czechoslovakia, Denmark, Finland, France, Federal Republic of Germany, Greece, Hungary, India, Ireland, Israel, Italy, Japan, Lebanon, Luxembourg, Monaco, Morocco, Netherlands, Norway, Poland, Portugal, Senegal, South Africa, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, United Kingdom, Yugoslavia.

21. A number of non-Unionist States had been invited to attend as observers, as well as interested intergovernmental or non-governmental international organizations.

22. The details of the discussion and the views expressed by the Committee of Experts were reproduced in the report of the debates which was sent at the end of July 1965 to Member States of the Berne Union and to all the participants in the Committee.

23. The Swedish Government, with the assistance of BIRPI, is to draw up the official proposals for the revision of the Berne Convention at the Stockholm Conference. These official proposals will be communicated to Member States of the Berne Union in 1966.

Convening of the 12th Session of the Permanent Committee

24. With the agreement of the Chairman of this Committee, the Director of BIRPI convened on July 15, 1965, the 12th Session of the Permanent Committee of the Berne Union. This Session will be held in Paris from November 15 to 18, 1965.

25. The Interunion Coordination Committee is invited to express its views on the contents of this report.