

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

BIRPI

CCIU/IV/ 3
ORIGINAL: French
July 22, 1966
UNITED INTERNATIONAL
BUREAUX FOR THE PROTECTION
OF INTELLECTUAL PROPERTY
GENEVA, SWITZERLAND

COMITE DE COORDINATION INTERUNIONS, QUATRIEME SESSION INTERUNION COORDINATION COMMITTEE, FOURTH SESSION

(Genève, 26-29 septembre 1966)

(Geneva, September 26 to 29, 1966)

REPORT ON THE ACTIVITIES OF BIRPI SINCE OCTOBER 1965

Contents

	<u>Paragraphs</u>
Period covered by this Report	1
Composition of this Report	2 and 3
<u>MATTERS OF INTEREST TO BIRPI AS A WHOLE</u>	
Administrative and Structural Reforms	4 to 10
Working Agreement with the Latin-American Free Trade Association	11 and 12
Convention for the Protection of New Varieties of Plants	13
<u>PARIS UNION AND INDUSTRIAL PROPERTY IN GENERAL</u>	
New Members of the Paris Union	14 and 15
Revision Conference of Stockholm	16
Washington Act of the Paris Convention	17
Non-member Countries	18
National Legislative Reforms	19
Model Laws	20 and 21
Asian Seminar on Industrial Property	22 to 25
Training Program	26 to 29
Plan for a World Patent Index	30

Paragraphs

PARIS UNION AND INDUSTRIAL PROPERTY
IN GENERAL (contd.)

International Classification of Industrial Designs	31
"Industrial Property"	32 to 34
Bibliography	35
First BIRPI Publications in Russian	36

MADRID UNION

International Registrations	37
Ad Hoc Conference of Directors	38
"Guide du Déposant"	39

THE HAGUE UNION

International Deposits	40
"Guide du Déposant"	41
Documents of the Monaco Conference (1961) ..	42

NICE UNION

New Member	43
Translations of the "Classification"	44 to 46

LISBON UNION

Entry into Force	47
------------------------	----

BERNE UNION

New Member	48
Permanent Committee	49
Revision Conference of Stockholm	50
Hispano-American Legal Seminar	51 to 55
UNESCO Plan	56 to 58

(Views of the Committee)	59
--------------------------------	----

Period covered by this Report

1. This document contains a summary of the activities of BIRPI since the last (third) session of the Interunion Coordination Committee (September 28 to October 1, 1965) until the end of June 1966.

Composition of this Report

2. This document is divided into seven main parts, the first dealing with matters of interest to BIRPI as a whole, that is, all the Unions, and the remaining six dealing, respectively, with the Paris, Madrid, Hague, Nice, Lisbon and Berne Unions.

3. This document is a report on the activities of BIRPI during the nine months elapsing from October 1965 to June 1966. Financial questions and the future program are only lightly touched upon, finances being covered in document CCIU/IV/4 and also in the Management Report for 1965, and the future program being dealt with in document CCIU/IV/5, as well as document CEP/II/7 in the case of the Paris Union. Staff matters are also dealt with separately, in documents CCIU/IV/6 and 6/Addendum, and not in the present document.

MATTERS OF INTEREST TO BIRPI AS A WHOLEAdministrative and Structural Reforms

4. A second Committee of Governmental Experts on structural and administrative questions met at Geneva, from May 16 to 25, 1966, to continue the preparatory work for the Stockholm Conference.

5. The following thirty-nine States were represented: Algeria, Australia, Austria, Belgium, Brazil, Bulgaria, Congo (Brazzaville), Czechoslovakia, Denmark, Finland, France, Germany (Federal Republic), Greece, Hungary, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Luxembourg, Mexico, Monaco, Morocco, Netherlands, Norway, Poland, Portugal, Rumania, Spain, Sweden, Switzerland, Syrian Arab Republic, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, and Yugoslavia.

6. The United Nations, the International Labour Organisation, the International Patent Institute, and the Economic Commission for Europe were represented by observers.

7. The following non-governmental organizations were represented by observers: International Association for the Protection of Industrial Property, International Literary and Artistic Association, International Chamber of Commerce, International Confederation of Societies of Authors and Composers, International Federation of Patent Agents, and International Writers Guild.
8. The Committee's discussions were based on draft texts designed to revise the administrative provisions and final clauses of the Berne and Paris Conventions, and of the Madrid (Trademarks), Madrid (Indications of Source), Hague and Nice Agreements. The Committee also examined the draft text of a new convention for the establishment of the "International Intellectual Property Organization."
9. In June 1966, the Swedish Government informed the Director of BIRPI of its decision to include the matters of administrative and structural reforms in the agenda of the Stockholm Conference, scheduled to take place from June 12 to July 14, 1967. The preparatory documents--draft texts for the Conventions and commentaries--will be established by BIRPI, at the request of the Swedish Government and in the light of the results of the meeting of the Committee of Experts in May 1966.
10. At the time of writing this Report, BIRPI is engaged in drafting the preparatory documents. If necessary, a supplement to this Report, distributed in September 1966, will give a general survey of the preparatory documents that have been completed in the interval.
- Working Agreement with the Latin-American Free Trade Association
11. BIRPI and the Latin-American Free Trade Association (ALALC) have concluded a Working Agreement, which was signed on April 1 and 25, 1966. The Agreement contains provisions concerning cooperation and consultation, exchange of information and documents, and reciprocal representation in certain meetings.
12. At the time the Agreement was signed, ALALC had nine members: Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru, and Uruguay.

Convention for the Protection of New Varieties of Plants

13. A separate document (CCIU/IV/7) deals with this Convention and the possible repercussions, as far as BIRPI is concerned, of its entry into force, which is expected to take place in 1967.

PARIS UNION
AND INDUSTRIAL PROPERTY IN GENERALNew Members of the Paris Union

14. The following States have become members of the International Union for the Protection of Industrial Property (Paris Union): Cyprus, on January 17, 1966, and Algeria, on March 1, 1966.

15. On October 6, 1965, the Swiss Government received a Note from Malawi declaring that it considered itself to be bound by the Paris Convention.

Revision Conference of Stockholm

16. The agenda of the Intellectual Property Conference of Stockholm, scheduled to take place from June 12 to July 14, 1967, includes a proposal to amend Article 4 of the Paris Convention, by introducing provisions on inventors' certificates. The proposals of the Swedish Government--which will be the host of the Conference--prepared with the assistance of BIRPI, were communicated to member countries of the Union in May 1966. The document containing these proposals bears the symbol S/2 and has been printed in four languages: English, French, Russian and Spanish.

Washington Act of the Paris Convention

17. As a result of the accession of Bulgaria to more recent Acts of the Paris Convention, the Washington Act of 1911 is no longer applied by any country of the Union, as from March 28, 1966.

Non-member Countries

18. Continuing the efforts of BIRPI to secure new members for the Paris Union, the Director of BIRPI made official visits to the competent Government authorities of Argentina, Chile, and Uruguay.

National Legislative Reforms

19. In connection with the legislative reforms in preparation in the patent field in India and the United States of America, the Director of BIRPI was invited, for an exchange of views, by the competent Indian parliamentary Commission and the U.S. President's Commission on the Patent System. The first of these meetings took place in New Delhi in April 1966, and the second was held at Poughkeepsie (New York) in June 1966.

Model Laws

20. The Model Law for Developing Countries on Inventions was published, in printed form, in three languages (English, French and Spanish) in the autumn of 1965.

21. In April 1966, BIRPI finished the draft of a Model Law on Trademarks, Trade Names, Indications of Source, and Unfair Competition. This draft was transmitted, for study and comments, to all member countries of the Paris Union. A Committee of Experts, composed exclusively of representatives of developing countries, was convened by the Director of BIRPI, for November 1966, with a view to examining this draft Model Law, which forms part of the BIRPI program of legal-technical assistance to developing countries. The United Nations and several other international organizations were invited to send observers to the meeting of this Committee of Experts.

Asian Seminar on Industrial Property

22. From February 7 to 11, 1966, BIRPI organized, with the assistance of the Government of Ceylon, an Asian Seminar on Industrial Property.

23. Representatives of the following countries took part in this Seminar: Ceylon, India, Indonesia, Iran, Israel, Malaysia, Philippines, Singapore, Thailand, Turkey, and the Union of Soviet Socialist Republics.

24. The Seminar discussed topics of immediate interest to developing countries in the fields of patents, trademarks, and other forms of industrial property.

25. The details of the results of this Seminar were the subject of a report published in Industrial Property, 1966, page 54.

Training Program

26. In the current year (1966), BIRPI has asked the Patent Offices of 29 member countries of the Paris Union if they could accept trainees from developing countries. Seventeen of these countries have replied in the affirmative: Australia, Austria, Czechoslovakia, France, Germany (Federal Republic), Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Poland, Sweden, Switzerland, United Kingdom, United States of America, and Yugoslavia.

27. At the same time, BIRPI asked forty-two member States of the Paris Union and thirty-six non-member States, all developing countries, whether they wished to present candidates. Twenty-seven applications have been received from the following nineteen countries: Argentina, Bolivia, Colombia, Congo (Leopoldville), Cuba, India, Indonesia, Iran, Iraq, Jordan, Korea, Malawi, Peru, Philippines, Somalia, Sudan, Thailand, Turkey, and Yemen.

28. As usual, it has been extremely difficult to find offers corresponding to the applications received, mainly because of the problems arising in connection with the knowledge of languages which candidates must possess in order to profit from the training offered in the national Offices which have agreed to accept them. Besides, for financial reasons, not all of these applications can be satisfied. For the current financial year, it has been possible to accept the following ten candidates:

a national of Bolivia, who will receive training in Madrid;

a national of Colombia and a national of the Congo (Brazzaville), who will receive training in Berne;

a national of Jordan, who will train in Oslo;

a national of India, who will train in Vienna;

a national of Cuba, who will train in Prague;

a national of Argentina, a national of Thailand, and a national of Turkey, who will train in Munich;

a national of the Sudan, who has already completed his training in Dublin.

29. Several national Offices accepting trainees will assume, in addition to the costs of training, some of the expenses of the trainees themselves: Switzerland will pay half of the travelling expenses of the two trainees; Austria, Czechoslovakia, and Norway, will pay part of the subsistence allowances; the Federal Republic of Germany will pay almost all the expenses of the three trainees it accepts.

Plan for a World Patent Index

30. A group of consultants, set up by the International Committee of Novelty-Examining Patent Offices and convened by the Director of BIRPI, met in Geneva, on December 9 and 10, 1965, to examine an interim report by BIRPI on the feasibility of a world patent index service. It approved the text of a brochure describing the proposed service. This brochure was published in February 1966 by BIRPI and the International Patent Institute. The brochure and a questionnaire were distributed in the spring of 1966 to interested circles in the various countries by the national industrial property Administrations. Replies are expected by the autumn of this year. They will show whether there is sufficient interest in the plan to make it worth while continuing.

International Classification of Industrial Designs

31. A second Committee of Governmental Experts for the purpose of studying the possibilities of establishing an international classification of industrial designs met in Geneva from May 2 to 5, 1966, at the invitation of the Director of BIRPI. The recommendations of this Committee and the possible effect to be given to these recommendations are the subject of a separate document (CEP/II/6).

"Industrial Property"

32. The review, Industrial Property, continues to be published monthly.

33. As a result of the recent adherence of the Union of Soviet Socialist Republics to the Paris Union, translations of the principal legislative texts in force in that country in the field of industrial property have been published in the review. Between October 1965 and May 1966, twelve texts in all have thus been published, concerning discoveries, inventions, rationalization

proposals, trademarks, designs, and administrative aspects of their protection.

34. Statistics concerning the activities of the national industrial property Administrations of the various countries of the world (both members and non-members of the Paris Union) were published, for the first time in February 1966, in an entirely new form with many more details than before. These statistics relate to patents, utility models, inventors' certificates, new varieties of plants, trademarks, industrial designs. The number of applications filed and of grants or registrations made in each country is generally indicated separately for each country of origin (see Annexes to February and July 1966 issues of Industrial Property).

Bibliography

35. In the spring of 1966, BIRPI published, in the form of a printed English-French bilingual brochure of 81 pages, a bibliography of the official publications of the national industrial property Offices. This bibliography contains summaries of the typical items found in each publication.

First BIRPI Publications in Russian

36. The first three BIRPI publications in Russian appeared during the period covered by this Report. They are: text of the Paris Convention (Lisbon Act); "General Information" brochure concerning BIRPI; the preparatory document concerning inventors' certificates for the Stockholm Conference (document S/2).

MADRID UNION

International Registrations

37. The number of international trademark registrations rose in 1965 to 14,596. This is the highest annual figure recorded since the establishment in 1892 of the Registration Service of the special Union concerning the International Registration of Trademarks (Madrid Union). The number of registrations during the first six months of 1966 is 30% higher than the number recorded during the same period in 1965.

Ad Hoc Conference of Directors

38. The ad hoc Conference of Directors of National Industrial Property Offices met at Geneva from December 13 to 17, 1965, and on May 6 and 7, 1966. It adopted draft transitional Regulations concerning the international registration of trademarks, which will be applicable as from December 15, 1966 (date of the entry into force of the Nice Act for member countries which have accepted it before that date), until such time as all the member countries of the Madrid Union have accepted the Nice Act. The ad hoc Conference also examined certain questions relating to the interpretation of the Nice Act.

"Guide du Déposant"

39. A provisional edition of the Guide du Déposant was published by BIRPI in June 1966. This Guide is intended to facilitate understanding and application of the new system introduced by the Nice Act which, as indicated above, will enter into force on December 15, 1966.

THE HAGUE UNION

International Deposits

40. The number of international deposits in 1965 rose to 2,129. Since the start (in 1928) of the service of the special Union concerning the International Deposit of Industrial Designs (The Hague Union), there has only once (in 1962) been a higher figure (2,385 deposits). The number of deposits during the first six months of 1966 is 20% higher than the figure reached during the same period in 1965.

"Guide du Déposant"

41. At the beginning of 1966, two new Guides du Déposant were published by BIRPI: one in French, and the other in German.

Documents of the Monaco Conference

42. In June 1966, BIRPI published, in printed form and in French only, the Documents of the Diplomatic Conference of Monaco, which adopted the Additional Act of Monaco of 1961.

NICE UNIONNew Member

43. Yugoslavia notified its adherence to the special Union concerning the International Classification of Goods and Services to which Trademarks are Applied (Nice Union). As the Swiss Government, however, has not yet sent any notification to member States, the exact date of this adherence is not known at the time of writing this Report. It will probably be a date in August 1966.

Translations of the "Classification"

44. An English translation of the "Classification" (including the alphabetical list of goods and services) was published, in December 1965, by BIRPI with the cooperation of the United Kingdom Patent Office.

45. A provisional Spanish translation of the same "Classification," prepared by BIRPI, was distributed in May 1966 to national industrial property Offices of all Spanish-language countries, whether members or not of the Nice Union.

46. The German and Italian translations are in course of preparation, the former by the national Offices of Berne, Munich and Vienna, and the latter by the Ufficio Brevetti of Italy.

LISBON UNIONEntry into Force

47. The last instrument of accession necessary for the entry into force of the Lisbon Agreement of 1958 establishing the special Union for the Protection of Appellations of Origin and their International Registration (Lisbon Union) having reached the Swiss Government on June 9, 1966, the Agreement is expected to come into force in September 1966, between the following seven countries: Czechoslovakia, Cuba, France, Haiti, Israel, Mexico, and Portugal.

BERNE UNION

New Member

48. The Malagasy Republic has deposited a declaration stating that it considers itself to be a member of the International Union for the Protection of Literary and Artistic Works (Berne Union), as from January 1, 1966.

Permanent Committee

49. The Permanent Committee of the Berne Union held its 12th ordinary session in Paris, from November 15 to 18, 1965. Of the numerous items on its agenda, some were considered in meetings held jointly with the Intergovernmental Copyright Committee, which was set up by the Universal Copyright Convention and whose secretariat is provided by UNESCO. For full details see Copyright, 1966, page 17.

Conference of Revision of Stockholm

50. The Intellectual Property Conference of Stockholm, scheduled to take place from June 12 to July 14, 1967, will undertake a general revision of the Berne Convention. The official proposals for amendments to be made to the substantive clauses of the Convention have been prepared by the Swedish Government with the assistance of BIRPI. They have been printed in two languages (English and French), in the form of a document bearing the symbol S/1. This document was distributed in June 1966.

Hispano-American Legal Seminar

51. Under the auspices and with the cooperation of BIRPI, a legal Hispano-American seminar on copyright was organized by the Hispano-American Centre of Legal Studies and took place in Madrid, from May 30 to June 5, 1966.

52. Experts from the following Latin-American countries participated in the work of this seminar: Argentina, Brazil, Colombia, Ecuador, Mexico, Peru.

53. UNESCO and the International Confederation of Societies of Authors and Composers (CISAC) were represented by observers.

54. At the close of its proceedings, the seminar adopted recommendations on the following subjects: administrative protection of authors' rights, neighboring rights, "paying public domain," unification of legislation, the Hispano-American countries and the Berne Convention.

55. A detailed report on this meeting is published in the July 1966 issue of Copyright.

UNESCO Plan

56. The draft program and budget of UNESCO for 1967 and 1968 includes the study of the need for an African regional copyright convention.

57. This project will be discussed at the UNESCO General Assembly in the autumn of 1966.

58. In July 1966, the Director of BIRPI addressed a circular letter to all members of the Berne Union, drawing their attention to the possible repercussions of the UNESCO plan: the separation of Africa from the rest of the world in copyright matters; causing prejudice to the world-wide vocation of the Berne Convention and the Universal Copyright Convention; risk of prejudice to the general level of copyright protection.

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