

## COMITÉ DE COORDINATION INTERUNIONS, SIXIÈME SESSION INTERUNION COORDINATION COMMITTEE, SIXTH SESSION

(Genève, 24-27 septembre 1968)  
(Geneva, September 24 to 27, 1968)

### REPORT

#### Composition and Opening of the Session

1. The Sixth Ordinary Session of the Interunion Coordination Committee (hereinafter referred to as "the Committee") was held at Geneva from September 24 to 27, 1968.
2. Twenty-five of the 27 members of the Committee were represented: Argentina, Australia, Austria, Belgium, Brazil, Denmark, France, Germany (Federal Republic), Hungary, India, Iran, Italy, Japan, Kenya, Mexico, Netherlands, Poland, Portugal, Rumania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America. The two members not represented were Cameroon and Morocco.
3. The following seven States were represented by observers: Algeria, Canada, Cuba, Czechoslovakia, Holy See, Israel, Lebanon.
4. The list of participants is attached to the present Report.
5. The session was opened by the Chairman of the last session, Mr. Albrecht Krieger (Federal Republic of Germany).

#### Adoption of the Agenda

6. The Committee unanimously adopted the agenda of the session as contained in document CCIU/VI/12.

Election of the New Officers

7. The following officers were unanimously elected: Mr. G.-L. de San (Belgium), as Chairman; Mr. M. Naraghi (Iran) and Mr. François Savignon (France), as Vice-Chairmen.

8. Dr. Arpad Bogsch, Deputy Director, BIRPI, acted as Secretary of the Committee.

Activities of BIRPI since the Last Ordinary Session (December 1967) of the Committee

9. The Committee considered documents CCIU/VI/3, 9, and 13.

10. The Director of BIRPI announced that Senegal had deposited its instruments of ratification of the Stockholm Act of the Berne Convention and of the WIPO Convention, and that he had been informed by the Soviet Delegation that ratification of the WIPO Convention had been decided by the competent authorities of the Soviet Union and the corresponding instrument would be deposited in the next few days.

11. The Committee noted with approval the reports contained in the documents referred to in paragraph 9, above.

Financial Report of BIRPI for 1967

12. The Committee considered the BIRPI Management Report for 1967 and document CCIU/VI/4.

13. No observations were made on the Management Report, already approved by the Supervisory Authority, whereas the Committee noted with approval the report contained in document CCIU/VI/4.

Convention for the Protection of New Varieties of Plants

14. The Committee considered, and noted with approval, the reports contained in documents CCIU/VI/5 and 11.

Program and Budget of BIRPI for 1969

15. The Committee considered documents CCIU/VI/6 and 10.
16. Copyright. The Representative of the United States informed the Committee that his Government had asked the Chairman of the Intergovernmental Copyright Committee established under the Universal Copyright Convention to convene that Committee in extraordinary session, early in 1969. Should the Permanent Committee of the Berne Union also hold an extraordinary session at the same time--a matter which appeared to be highly desirable and in conformity with the decisions of the Permanent Committee and the Intergovernmental Copyright Committee (hereinafter referred to as "the two Committees") of December 1967--the sessions should be held jointly. The US Government was looking into the possibility of being host of the joint sessions in Washington. The joint sessions of the two Committees should set up, and determine the terms of reference of, a joint working group with the task of considering the overall problems of the present situation of international copyright relations, particularly in the light of the Stockholm Protocol of the Berne Convention, the proposals for revision of the Universal Copyright Convention, and the existence of two Conventions administered by two Organizations.
17. The Representative of Switzerland said that his Government agreed with the procedural proposals of the US Government and would ask for the convocation of the said meetings.
18. The Representative of Brazil said that his Government would also ask for the convocation of the said meetings.
19. The Representative of Israel agreed that the said meetings should be convened and expressed the opinion that the two Conventions and the administration of these Conventions should be merged.
20. The Representative of France agreed that the said meetings should be convened but was of the opinion that it was too early to fix a date since no date should be fixed until after the deadline for replies to BIRPI's circular concerning the Stockholm Protocol had expired and the replies could be studied.

21. The Representatives of Denmark, Japan, and Spain, agreed with the plan outlined by the Representative of the United States. The Representative of Japan also said that the joint extraordinary sessions of the two Committees should be convened as soon as possible. The Representative of Germany (Federal Republic) said that his Government had just asked the Chairman of the two Committees to convene them as proposed by the US Government.

22. The Representative of Italy, representing the same country as that of the Chairman of the two Committees, said that the United States proposal appeared to be acceptable but the decision regarding the convocation of the joint extraordinary sessions could not be made until the procedural requirements were met.

23. The Director of BIRPI said that the results of the discussions would amply justify his asking the Chairman of the Permanent Committee of the Berne Union to convene that Committee for the stated purpose, in extraordinary session, jointly with the Intergovernmental Copyright Committee, and in the United States should the US Government offer its hospitality.

24. The Committee noted with approval the Director's declaration.

25. Revision of the Madrid Agreement Concerning the International Registration of Trademarks. The Representative of the United States expressed particular interest in the steps proposed with a view to the possible revision of the Madrid Agreement for the purposes described in paragraph 20 of document CCIU/VI/6. The United States strongly supported this item of BIRPI's program and would actively participate in the efforts to make it a success.

26. Model Law for Developing Countries on Industrial Designs (see paragraph 23(b) of document CCIU/VI/6). On a question from the Representative of Australia, the Director of BIRPI declared that BIRPI would--as in the case of the two other model laws--consult in writing the governments of all Paris Union member countries, other than developing countries, on the draft of the model law. Developing countries would be consulted in a special meeting composed exclusively of their representatives and those of a number of international organizations.

27. The Committee unanimously expressed a favorable view on the draft program and budget resulting from documents CCIU/VI/6 and 10.

#### Staff Matters

28. The Committee had before it documents CCIU/VI/7, 8, and 14.

29. Second Deputy Director. The Director of BIRPI said that among the 28 applications received by BIRPI his attention had been drawn in particular to the two which had come from the present BIRPI staff--Mr. Masouyé and Mr. Pfanner--and two which had come from outside: Mr. Cherviakov and Mr. Voyame. In document CCIU/VI/8, he had contemplated the selection of Mr. Cherviakov for the reasons stated in that document but in the meantime he had been informed that, for personal reasons, Mr. Cherviakov would not be able to occupy the post until after perhaps six months or more and that, under these circumstances, the application should be considered withdrawn.

30. The Director of BIRPI then said that he would desire to appoint Mr. Voyame as Second Deputy Director. He had outstanding qualifications, a distinguished career in international copyright and industrial property matters, a long experience in government administration, and a personality which would eminently suit the post in question.

31. The Representative of the Soviet Union confirmed what the Director of BIRPI had said concerning Mr. Cherviakov, a citizen of the Soviet Union. He said that the Soviet Union reserved the right to present a candidate in the future should a vacancy of suitable level (Deputy Director, Assistant Director) occur or should a new post of such a level be created in the future, for example after the entry into force of the World Intellectual Property Convention.

32. The Representative of Brazil said that, had the application of Mr. Cherviakov been maintained, he would have opposed it since, if accepted, it would have meant that both Deputy Directors would have been nationals of countries which were not members of the Berne Union, a result which he could not accept. He added, also in the name of Argentina and Mexico, that he supported the appointment of Mr. Voyame. The view of Brazil was shared by the Representatives of France and Iran.

33. While the Representatives of France, Italy, and Germany (Federal Republic), expressed support for the applicants who were nationals of their own country, and the Representatives of these and several other countries extolled the merits of Mr. Masouyé or Mr. Pfanner, whose appointment, they said, they could also have endorsed, the Representatives of the United Kingdom, Germany (Federal Republic), the United States of America, the Netherlands, France, Italy, Spain, and Austria (in that order), expressed great satisfaction at the Director's intention to appoint Mr. Voyame, whose qualifications and merits they all underlined. The Representative of Switzerland expressed his Government's appreciation of the Director's proposal and the support given to it.

34. The Committee decided, by acclamation, to express a favorable view concerning the intention of the Director of BIRPI to appoint Mr. Joseph Voyame, a national of Switzerland, to the post of Second Deputy Director of BIRPI.

35. Possible Appointment of Mr. Masouyé to a Grade D.1 Post. The Director of BIRPI said that, subject to the outcome of the procedure prescribed by the Staff Regulations, he intended to appoint Mr. Claude Masouyé to a grade D.1 post, and asked for the advice of the Committee.

36. The Representatives of the following countries (in the order in which they spoke) paid tribute to the work and personality of Mr. Masouyé and expressed their support for the Director's plan: Germany (Federal Republic), Soviet Union, Sweden, Netherlands, United States of America, Italy, Argentina, United Kingdom, Switzerland, Spain, Denmark, Rumania, Poland, Australia, Austria, Brazil, Mexico. The Representative of France expressed his Government's thanks for the Director's proposal and the support given to it.

37. The Committee unanimously decided to express a favorable view concerning the plan of the Director regarding Mr. Masouyé.

38. Other Grade D.1 Posts. The Representative of Germany (Federal Republic) said that, in his view, the posts of the Heads of the Industrial Property Division and the Copyright Division should be reclassified as D.1 posts. This view was shared by the Representatives of Austria, Brazil, Italy, and the Netherlands.

39. The Director of BIRPI replied that, according to the Staff Regulations, the initiative in such matters belonged to him and that any reclassification required action by the Classification Committee. The proposals seemed premature to him. Should the responsibilities and the staff of the said Divisions considerably increase in the future, for example those of the Industrial Property Division because of the PCT Plan, he would submit the matter to the Classification Committee.

40. This declaration by the Director was noted by the Committee. The Representatives of the Netherlands and Germany (Federal Republic), however, said that the responsibilities of the Industrial Property Division already justified their proposal.

41. Geographical Distribution of Staff. The Director of BIRPI called the attention of the Committee to the progress made in the last few months in respect of the recruitment of staff members nationals of countries outside Europe: nationals of Iran, Pakistan, and Senegal, had, in fact, been recruited in recent months.

42. Subject to the decisions reported on in paragraphs 34 and 37, above, the Committee noted with approval the contents of the documents referred to in paragraph 28.

#### Tribute to Deputy Director Magnin

43. As Deputy Director Charles-Louis Magnin will retire at the end of this year, several Delegations expressed their appreciation of his services, as Deputy Director of BIRPI, since 1948.

44. Mr. Magnin then addressed the meeting, after which the Committee gave a standing ovation to express its thanks and good wishes to Mr. Magnin.

#### Tribute to Senior Counsellor Woodley

45. As Senior Counsellor Ross Woodley will retire later this year, several Delegations expressed their appreciation of his services both as Head of the Industrial Property Division between the years 1954 and 1966, and as the first incumbent of the post, created in 1966, of Senior Counsellor for Relations with International Organizations.

46. Mr. Woodley then addressed the meeting, after which the Committee gave a standing ovation to express its thanks and good wishes to Mr. Woodley.

Next Session of the Committee

47. The Committee noted that its next ordinary session was tentatively scheduled for the week starting on September 22, 1969.

Closing of the Session

48. The Sixth Ordinary Session of the Interunion Coordination Committee was closed by its Chairman, Mr. G.-L. de San (Belgium).

49. The present Report was unanimously adopted by the Committee in its closing meeting on September 27, 1968.



INTERUNION COORDINATION COMMITTEE

LIST OF PARTICIPANTS

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Miss J.H. BARNETT, First Secretary, Permanent Mission of Australia, Geneva

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