

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

BIRPI

UNITED INTERNATIONAL
BUREAUX FOR THE PROTECTION
OF INTELLECTUAL PROPERTY
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POUR LA PROTECTION DE LA PROPRIÉTÉ INDUSTRIELLE
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INTERNATIONAL UNION
FOR THE PROTECTION OF INDUSTRIAL PROPERTY
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DRAFT PROGRAM AND BUDGET
OF THE PARIS UNION FOR 1967

1. During its First Ordinary Session (September/October 1964), the Conference of Representatives of the Paris Union examined the draft program and budget of BIRPI for the years 1965, 1966, and 1967, as presented in document CC/II/4. The Conference of Representatives unanimously approved the contents of that document, while noting the statements of certain delegations, the essentials of which are reproduced in the Report on that session of the Conference of Representatives (see document CC/II/10, paragraph 28).

2. As the draft program and budget in question concerned a period of three years, it was understood that only general and approximate estimates could be given and that, for 1966 and 1967, budgets of a less provisional nature would be prepared and presented in 1965 and 1966 (see document CC/II/4, paragraph 5).

3. The details of the draft program and budget of BIRPI for 1967 are contained in document CCIU/IV/5. A special part of that document is devoted to the program of the Paris Union.

4. This document, therefore, refers to document CCIU/IV/5, in order to avoid repetition. It will probably be advisable for the Executive Committee of the Paris Union to examine the proposals of the program and budget of the Paris Union before questions of coordination concerning all the Unions are discussed, on the basis of the same document, within the Interunion Coordination Committee, whose members are all the States members of the Executive Committee of the Paris Union.

5. The purpose of this document is to point out the main differences between the provisional estimates for 1967, as set out in document CC/II/4, discussed and approved in 1964, and the present estimates for 1967 of a less provisional nature, as they appear in the detailed draft program and budget for 1967 contained in document CCIU/IV/5.

6. As regards the draft program, the principal differences are the following:

(a) The provisional program provided for the convening of an Asian Seminar, in 1965, and a general meeting devoted to the problems of developing countries, in 1966. The Asian Seminar had to be postponed and was held in February 1966, in Colombo (Ceylon). In view of the widely differing interests of the developing countries, the proposal to convene the general meeting referred to above has been dropped for the moment. On the other hand, it would be advisable to hold a seminar for the Arab countries, which were not sufficiently represented at the African and Asian Seminars in 1963 and 1966, but which have expressed their interest in such a seminar. It could not be held in 1967, however, in view of the inadequacy of the ceiling of contributions for the Paris Union. It will therefore have to be postponed, in the hope that the Diplomatic Conference of Stockholm will provide the Paris Union with more financial resources.

(b) The provisional program provided that, after the completion of the Model Law on Inventions, BIRPI would convene a Committee of Experts in 1966 to discuss a Model Law on trademarks and another Committee of Experts, in 1967, to discuss a Model Law on "other forms of industrial property." However, it seemed more practical to include most of those other forms of industrial property in the draft Model Law which will be submitted to the Committee of Experts in November 1966. The draft now deals with trade names, indications

of source, and unfair competition, as well as trademarks. In these circumstances, and in view of the fact that the Model Law on Inventions deals not only with patents but also with inventors' certificates and know-how, there are practically no "other forms of industrial property" left apart from industrial designs. The need to convene a third Committee of Experts is therefore less urgent and, in any case, there would be no funds in 1967 for this meeting either, pending the Stockholm Conference. The special work which the preparation of this Conference entails for BIRPI is a further reason for postponing the convening of a Committee of Experts to discuss a Model Law on industrial designs.

(c) The provisional program provided that in 1967, as in 1965 and 1966, BIRPI would finance training programs for persons in charge, or destined to be in charge, of the administration of industrial property in developing countries, and that, also in 1967, BIRPI would organize an industrial property course (as in 1965). While the training program has been maintained in the draft program for 1967, the same cannot be said for the industrial property course. There are two reasons for this. First, the inadequacy of the ceiling of contributions which, once again, renders inevitable the postponement of certain tasks in the program until such time as the ceiling will--it is hoped--be raised. Secondly, the East-West Industrial Property Symposium--which had not been foreseen in the provisional triennial program but which is scheduled to take place in October/November 1966, in Budapest--may, since it is similar in character to a course, be considered as satisfying to a large extent the same purposes as the course initially contemplated for 1967.

(d) The provisional program provided for the meeting of a working group, in 1966, which would have started the preparations for the Diplomatic Conference of the Paris Union, to be held in Vienna, at the invitation of the Austrian Government, on a date to be fixed between 1969 and 1971. The Executive Committee of the Paris Union noted, at its session in 1965, that this meeting would not take place in 1966, but would be postponed. The program now presented provides for the convening of this meeting, and perhaps even two meetings of the same kind, in 1967. Indeed, it seems necessary to embark on the preparations without delay, if it is hoped to be ready in three or four years' time.

Document CEP/II/5 contains more precise suggestions concerning this item of the program.

7. As regards the draft budget, the main differences between the provisional estimates of 1964 and the present estimates are the following:

(a) Foreseeable expenditure for 1967 now works out at 1,146,000 francs. In 1964, this figure had been estimated at 950,000 francs. The difference of 196,000 francs corresponds to 20%. Of the fourteen budget headings, nine show an increase and five a decrease.

(b) Almost two-thirds (122,000 francs) of this increase appears under the item "Personnel." It is due to the increase in salaries caused mainly by the unexpected rise in the cost of living and to the recruitment, in the Industrial Property Division, of one more official than had been estimated for.

(c) The other differences are indicated below, in thousands of francs: printing, +24; contracts, +17; missions, +24; conferences, +11; delegates' travel, +9; amortization of the construction costs of the Building, +1; upkeep of the Building, +8; furniture, +10; office supplies, -3; postage, -4; telephone, -3; library, -2; unforeseen, -18.

(d) Foreseeable receipts for 1967 now work out at 1,015,000 francs. In 1964, they had been estimated at 950,000 francs. The difference of 65,000 francs represents 7%.

(e) This difference of 65,000 francs is derived, in the case of 15,000 francs, from contributions (865,000 instead of 850,000) and, in the case of 50,000 francs, from publications and various other sources of income (150,000 instead of 100,000).

(f) The budget estimates for 1967 therefore show a deficit of 131,000 francs. As budget deficits should, in principle, be avoided, it will be necessary to sum up in a few words the special reasons for this regrettable result for the financial year 1967.

(i) First, on the income side, the ceiling of contributions (900,000 francs) of member States will be the same as in 1963, 1964, 1965, and 1966, whereas, during the same period, staff expenditure has increased by almost 50% and other expenses (e.g., printing) also show an inevitable increase.

(ii) Then, again on the income side, the ceiling of contributions is never actually reached, when 20 member countries of the Union are still contributing on the basis of ceilings lower than the ceiling of 900,000 francs in force since January 1, 1963. These countries are the following: Bulgaria, Cameroon, Canada, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Dominican Republic, Gabon, Greece, Hungary, Israel, Ivory Coast, Malagasy Republic, Niger, Senegal, South Africa, Tanzania, Turkey, Upper Volta.

(iii) On the expenditure side, it should be pointed out that extraordinary expenses are incurred by the preparation and organization of the Diplomatic Conference of Stockholm, expenses which concern only the year 1967.

(iv) Again on the expenditure side, the only means of reducing expenditure in order to achieve a balanced budget would be to reduce appreciably the activities of BIRPI, particularly as regards assistance to developing countries (training program, printing of Trademark Model Law, etc.).

(g) The deficit for the financial year 1967 would be covered by the Union's reserve fund, which stood at 372,000 francs at the end of 1965 and will amount to approximately 350,000 francs at the end of 1966.

8. The Executive Committee is invited to express its opinion on the questions dealt with above.